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REPUBLIC OF SOUTH AFRICA
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No. 27722

THE PRESIDENCY

No. 996

27 June 2005

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

No. 5 of 2005: Citation of Constitutional Laws Act, 2005.

DIE PRESIDENSIE

No. 996

27 Junie 2005

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 5 van 2005: Wet op die Verwysing na Konstitusionele Wette, 2005.

Act No. 5, 2005

CITATION OF CONSTITUTIONAL LAWS
ACT, 2005**GENERAL EXPLANATORY NOTE:**

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- _____ Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President.)
(Assented to 23 June 2005.)

ACT

To change the manner of referring to the Constitution of the Republic of South Africa, 1996, and to laws amending it; to substitute the short titles of laws amending the Constitution of the Republic of South Africa, 1996; and to provide for matters connected therewith.

PREAMBLE

WHEREAS section 2 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), provides that the Constitution is the supreme law of the Republic of South Africa;

AND WHEREAS the Constitution, unlike other Acts of the Republic of South Africa, was not passed by Parliament, but was adopted by the Constitutional Assembly;

AND RECOGNISING that the Constitution and amendments to the Constitution should be treated differently from other Acts of Parliament by not being allocated an Act number like other ordinary Acts of Parliament,

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa, as follows:—

No Act number to be associated with Constitution of the Republic of South Africa, 1996

1. (1) From the date of commencement of this Act, no Act number is to be associated with the “Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)”. 5

(2) Any reference to the “Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)”, contained in any law in force immediately prior to the commencement of this Act, must be construed as a reference to the “Constitution of the Republic of South Africa, 1996”. 10

Amendment of laws

2. The laws specified in the second column of the Schedule are hereby amended to the extent set out in the third column thereof.

WET OP DIE VERWYSING NA
KONSTITUSIONELE WETTE, 2005

Wet No. 5, 2005

ALGEMENE VERDUIDELIKENDE NOTA:

- [] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.
- _____ Woorde met 'n volstreep daaronder dui invoegings in bestaande verordenings aan.

*(Engelse teks deur die President geteken.)
(Goedgekeur op 23 Junie 2005.)*

WET

Om die wyse te verander waarop na die Grondwet van die Republiek van Suid-Afrika, 1996, en na wette wat dit wysig, verwys word; om die kort titels van wette wat die Grondwet van die Republiek van Suid-Afrika, 1996, wysig, te vervang; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

AANHEF

AANGESIEN artikel 2 van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996), bepaal dat die Grondwet die hoogste reg van die Republiek van Suid-Afrika is;

EN AANGESIEN die Grondwet, anders as ander Wette van die Republiek van Suid-Afrika, nie deur die Parlement aangeneem is nie, maar deur die Grondwetlike Vergadering aanvaar is;

EN MET ERKENNING dat die Grondwet en wysigings aan die Grondwet anders as ander Parlements wette behandel behoort te word deur nie 'n Wetnommer daaraan toe te ken soos ander, gewone Parlements wette nie,

WORD DAAR DERHALWE BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Geen Wetnommer word met Grondwet van die Republiek van Suid-Afrika, 1996, geassosieer nie

- 5 **1.** (1) Vanaf die datum van inwerkingtreding van hierdie Wet word geen Wetnommer met die “Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996)”, geassosieer nie.
- (2) 'n Verwysing na die “Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996)”, in 'n wet wat onmiddellik voor die inwerkingtreding van hierdie
10 Wet van krag is, moet as 'n verwysing na die “Grondwet van die Republiek van Suid-Afrika, 1996”, uitgelê word.

Wysiging van wette

2. Die wette in die tweede kolom van die Bylae vermeld, word hierby gewysig in die mate in die derde kolom daarvan uiteengesit.

Act No. 5, 2005

CITATION OF CONSTITUTIONAL LAWS
ACT, 2005**Short titles of laws amending the Constitution of the Republic of South Africa, 1996**

3. (1) From the date of commencement of this Act, no Act number is to be associated with or allocated to any law amending the Constitution of the Republic of South Africa, 1996.

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(2) The short titles of laws amending the Constitution of the Republic of South Africa, 1996, passed by Parliament after the commencement of this Act must reflect their chronological order, in line with the short titles indicated in the third column of the Schedule; the first such law passed after this Act takes effect starting with the number following the last number indicated in the third column of the Schedule.

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Short title

4. This Act is called the Citation of Constitutional Laws Act, 2005.

WET OP DIE VERWYSING NA
KONSTITUSIONELE WETTE, 2005

Wet No. 5, 2005

Kort titels van wette wat die Grondwet van die Republiek van Suid-Afrika, 1996, wysig

3. (1) Vanaf die datum van inwerkingtreding van hierdie Wet word geen Wetnommer met 'n wet wat die Grondwet van die Republiek van Suid-Afrika, 1996, wysig, 5 geassosieer of daaraan toegeken nie.

(2) Die kort titels van wette wat die Grondwet van die Republiek van Suid-Afrika, 1996, wysig en wat na die inwerkingtreding van hierdie Wet deur die Parlement aangeneem word, moet hul kronologiese volgorde weergee, in ooreenstemming met die kort titels in die derde kolom van die Bylae aangedui; die eerste sodanige wet wat na die 10 inwerkingtreding van hierdie Wet aangeneem word beginnende met die nommer wat volg op die laaste nommer in die derde kolom van die Bylae aangedui.

Kort titel

4. Hierdie Wet heet die Wet op die Verwysing na Konstitusionele Wette, 2005.

SCHEDULE

No. and year of law	Short title	Extent of amendment	
Act No. 35 of 1997	Constitution of the Republic of South Africa Amendment Act, 1997	The following section is substituted for section 4: “ Short title and commencement 4. This Act is called the Constitution [of the Republic of South Africa] First Amendment Act of 1997, and must be regarded as having taken effect on 4 February 1997.”.	5 10 15
Act No. 65 of 1998	Constitution of the Republic of South Africa Amendment Act, 1998	The following section is substituted for section 6: “ Short title 6. This Act is called the Constitution [of the Republic of South Africa] Second Amendment Act of 1998.”.	20 25
Act No. 87 of 1998	Constitution of the Republic of South Africa Second Amendment Act, 1998	The following section is substituted for section 3: “ Short title 3. This Act is called the Constitution [of the Republic of South Africa Second] Third Amendment Act of 1998.”.	30 35
Act No. 3 of 1999	Constitution of the Republic of South Africa Amendment Act, 1999	The following section is substituted for section 3: “ Short title 3. This Act is called the Constitution [of the Republic of South Africa] Fourth Amendment Act of 1999.”.	40 45
Act No. 2 of 1999	Constitution of the Republic of South Africa Second Amendment Act, 1999	The following section is substituted for section 3: “ Short title 3. This Act is called the Constitution [of the Republic of South Africa Second] Fifth Amendment Act of 1999.”.	50 55
Act No. 34 of 2001	Constitution of the Republic of South Africa Amendment Act, 2001	The following section is substituted for section 21: “ Short title [and commencement] 21. This Act is called the Constitution [of the Republic of South Africa] Sixth Amendment Act of 2001.”.	60 65

WET OP DIE VERWYSING NA
KONSTITUSIONELE WETTE, 2005

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BYLAE

No. en jaar van wet	Kort titel	Omvang van wysiging
5 10 15	Wet No. 35 van 1997 "Constitution of the Republic of South Africa Amendment Act, 1997"	Artikel 4 in die Engelse teks word deur die volgende artikel vervang: "Short title and commencement 4. This Act is called the Constitution [of the Republic of South Africa] First Amendment Act of 1997, and must be regarded as having taken effect on 4 February 1997."
20 25	Wet No. 65 van 1998 "Constitution of the Republic of South Africa Amendment Act, 1998"	Artikel 6 in die Engelse teks word deur die volgende artikel vervang: "Short title 6. This Act is called the Constitution [of the Republic of South Africa] Second Amendment Act of 1998."
30 35 40	Wet No. 87 van 1998 "Constitution of the Republic of South Africa Second Amendment Act, 1998"	Artikel 3 in die Engelse teks word deur die volgende artikel vervang: "Short title 3. This Act is called the Constitution [of the Republic of South Africa Second] Third Amendment Act of 1998."
45 50	Wet No. 3 van 1999 "Constitution of the Republic of South Africa Amendment Act, 1999"	Artikel 3 in die Engelse teks word deur die volgende artikel vervang: "Short title 3. This Act is called the Constitution [of the Republic of South Africa] Fourth Amendment Act of 1999."
55 60	Wet No. 2 van 1999 "Constitution of the Republic of South Africa Second Amendment Act, 1999"	Artikel 3 in die Engelse teks word deur die volgende artikel vervang: "Short title 3. This Act is called the Constitution [of the Republic of South Africa Second] Fifth Amendment Act of 1999."
65 70 75	Wet No. 34 van 2001 Wysigingswet op die Grondwet van die Republiek van Suid-Afrika, 2001	Artikel 21 word deur die volgende artikel vervang: "Kort titel [en inwerkingtreding] 21. Hierdie Wet heet die Sesde Wysigingswet op die Grondwet van [die Republiek van Suid-Afrika] 2001, en tree in werking op 'n datum wat die President by proklamasie in die Staatskoerant bepaal."

Act No. 5, 2005

CITATION OF CONSTITUTIONAL LAWS
ACT, 2005

No. and year of law	Short title	Extent of amendment	
Act No. 61 of 2001	Constitution of the Republic of South Africa Second Amendment Act, 2001	<p>The following section is substituted for section 11:</p> <p>“Short title and commencement</p> <p>11. This Act is called the Constitution [of the Republic of South Africa Second] Seventh Amendment Act of 2001, and comes into operation on a date fixed by the President by proclamation in the <i>Gazette</i>.”.</p>	5 10 15
Act No. 18 of 2002	Constitution of the Republic of South Africa Amendment Act, 2002	<p>The following section is substituted for section 3:</p> <p>“Short title</p> <p>3. This Act is called the Constitution [of the Republic of South Africa] Eighth Amendment Act of 2002.”.</p>	20 25
Act No. 21 of 2002	Constitution of the Republic of South Africa Second Amendment Act, 2002	<p>The following section is substituted for section 4:</p> <p>“Short title</p> <p>4. This Act is called the Constitution [of the Republic of South Africa Second] Ninth Amendment Act of 2002.”.</p>	30 35
Act No. 2 of 2003	Constitution of the Republic of South Africa Amendment Act, 2003	<p>The following section is substituted for section 10:</p> <p>“Short title and commencement</p> <p>10. This Act is called the Constitution [of the Republic of South Africa] Tenth Amendment Act of 2003, and comes into operation on a date set by the President by proclamation.”.</p>	40 45
Act No. 3 of 2003	Constitution of the Republic of South Africa Second Amendment Act, 2003	<p>The following section is substituted for section 5:</p> <p>“Short title and commencement</p> <p>5. This Act is called the Constitution [of the Republic of South Africa Second] Eleventh Amendment Act of 2003, and takes effect on a date determined by the President by proclamation in the <i>Gazette</i>.”.</p>	50 55 60

WET OP DIE VERWYSING NA
KONSTITUSIONELE WETTE, 2005

Wet No. 5, 2005

No. en jaar van wet	Kort titel	Omvang van wysiging
5 10 15 Wet No. 61 van 2001	Tweede Wysigingswet op die Grondwet van die Republiek van Suid-Afrika, 2001	<p>Artikel 11 word deur die volgende artikel vervang:</p> <p>“Kort titel en inwerkingtreding</p> <p>11. Hierdie Wet heet die [Tweede] Sewende Wysigingswet op die Grondwet van [die Republiek van Suid-Afrika] 2001, en tree in werking op 'n datum deur die President by proklamasie in die <i>Staatskoerant</i> bepaal.”.</p>
20 25 Wet No. 18 van 2002	Wysigingswet op die Grondwet van die Republiek van Suid-Afrika, 2002	<p>Artikel 3 word deur die volgende artikel vervang:</p> <p>“Kort titel</p> <p>3. Hierdie Wet heet die Agtste Wysigingswet op die Grondwet van [die Republiek van Suid-Afrika] 2002.”.</p>
30 35 40 Wet No. 21 van 2002	Tweede Wysigingswet op die Grondwet van die Republiek van Suid-Afrika, 2002	<p>Artikel 4 word deur die volgende artikel vervang:</p> <p>“Kort titel</p> <p>4. Hierdie Wet heet die [Tweede] Negende Wysigingswet op die Grondwet van [die Republiek van Suid-Afrika] 2002.”.</p>
45 50 55 Wet No. 2 van 2003	Wysigingswet op die Grondwet van die Republiek van Suid-Afrika, 2003	<p>Artikel 10 word deur die volgende artikel vervang:</p> <p>“Kort titel en inwerkingtreding</p> <p>10. Hierdie Wet heet die Tiende Wysigingswet op die Grondwet van [die Republiek van Suid-Afrika] 2003, en tree in werking op 'n datum wat die President by proklamasie bepaal.”.</p>
60 65 Wet No. 3 van 2003	Tweede Wysigingswet op die Grondwet van die Republiek van Suid-Afrika, 2003	<p>Artikel 5 word deur die volgende artikel vervang:</p> <p>“Kort titel en inwerkingtreding</p> <p>5. Hierdie Wet heet die [Tweede] Elfde Wysigingswet op die Grondwet van [die Republiek van Suid-Afrika] 2003, en tree in werking op 'n datum deur die President by proklamasie in die <i>Staatskoerant</i> bepaal.”.</p>