**Report of the Portfolio Committee on Justice and Correctional Services on the Constitution Eighteenth Amendment Bill [B1 - 2023], dated 17 March 2023**

The Portfolio Committee on Justice and Correctional Services, having considered the Constitution Eighteenth Amendment Bill [B1 – 2023] (National Assembly – section 74),referred to it and classified by the Joint Tagging Mechanism (JTM) as a section 74 Bill, reports the Bill without amendment.

The Committee reports further:

1. Briefly, the Constitution Eighteenth Amendment Bill [B1 – 2023] proposes to amend section 6 of the Constitution of the Republic of South Africa, 1996, to include South African Sign Language (SASL) as an official language to promote the rights of persons who are deaf and hard of hearing.
2. As such, the Bill seeks to advance the cultural acceptance of SASL, the deaf culture; ensure the realisation of the rights of persons who are deaf and hard of hearing to equal protection and benefit of the law and human dignity; and to promote inclusive and substantive equality and prevent or eliminate unfair discrimination on the ground of disability, as guaranteed by section 9 of the Constitution.
3. The Bill was introduced and referred to the Committee on 12 January 2023.
4. The Committee was briefed by the Department of Justice and Constitutional Development on the contents of the Bill on 27 January 2023.

1. In response to the call for public comment, the Committee received 58 written submissions from individuals and organisations:
2. The majority of the submissions were in support of the Bill.
3. The Committee notes the opposing views expressed by a few commentators but submits that the recognition of SASL, as a twelfth official language, is an important step towards the realisation of the rights of persons who are deaf and hard of hearing. Further, the Committee acknowledges that SASL is not a universal language (different countries have their own sign language and regions have dialects) but submits that, in South Africa, it is in the promotion and development of SASL that the various dialects are also recognised.
4. In terms of section 74(4) of the Constitution of the Republic of South Africa, 1996, a Bill that amends the Constitution may not include provisions other than constitutional amendments and matters connected with the amendments. The Committee notes that the use of South African Sign Language is mentioned in legislation such as the Use of Official Languages Act 12 of 2012, the South African Schools Act 84 of 1996, and the Pan South African Language Board Act 59 of 1995. Adoption of the Bill could impact the scope and purpose of the reference to sign language in such legislation. Relevant departments administering those and related legislation should take note of this constitutional amendment recognising SASL as an official language in terms of section 6 of the Constitution and consider whether the adoption of the Bill may require consequential amendment to associated legislation for purposes of clarifying the status of SASL as expressed in the Constitution.

**Report for consideration**