

LAWS OF SOUTH SUDAN

THE TRANSITIONAL CONSTITUTION, 2011

(Amendment No. 2), 2015

Juba, 13<sup>th</sup> October 2015

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## LAWS OF SOUTH SUDAN

### THE TRANSITIONAL CONSTITUTION, 2011 (AMENDMENT No. 2), 2015

In accordance with the provisions of Articles 55(3) (b) and 85 (1) of the Transitional Constitution of the Republic of South Sudan, 2011, the National Legislature, with the assent of the President of the Republic, hereby enacts the following:

#### CHAPTER 1

#### PRELIMINARY PROVISION

##### 1. Title and Commencement

The Bill shall be cited as the Transitional Constitution of the Republic of South Sudan, 2011 (Amendment No.2), 2015 and shall come into force on the date of its signature by the President.

##### 2. Authority

This Bill is initiated by the President in accordance with the provisions of Articles 10 1(f) and 199 of The Transitional Constitution of the Republic of South Sudan, 2011.

##### 3. Purpose

The purpose of this Bill is to amend Articles 162(1) of the Constitution of the Republic of South Sudan which limits the states of the Republic to only 10(ten) in number and to amend related articles.

**CHAPTER II**  
**AMENDMENTS**

**4. Article 162**

1. Article 162 is amended by replacing its sub-article (1) with the following:  
The President may for the purpose of efficient discharge of functions of the government, divide the territory of the Republic of South Sudan into states and other areas in accordance with procedures prescribed by law or provisions of such law as may be enacted by the concerned House of the Legislature.

**5. Article 164**

Article 164 is amended by rephrasing its Sub-article (1) as follows:

Any Legislature in a State shall be known as State Legislative Assembly. The State Legislative Assembly shall comprise of elected members, provided that in case of a new state, the President shall during the interim period appoint members of state Assemblies as shall be determined by law.

**6. Article 165**

2. Art. 165 is amended by replacing sub-article (1) as follows:

- a) There shall be a Governor for each State elected by the residents of that state in compliance with the requirements prescribed by the National Elections Commission and in accordance with this Constitution and the relevant state constitution.
- b) Notwithstanding sub-article (a) above, during the transitional period, the President shall appoint the Governor of each state after consultation with the citizens of the concerned state.

3. Art.58 is amended in its sub-article (2) by adding sub-article (c) immediately after sub-article (b) as below:  
(c) The law that may create new states shall determine the representation of those new states in the Council of states.

**Assent of the President of the Republic of South Sudan**

In accordance with the provisions of Article 85(1) of The Transitional Constitution, 2011, I, Gen. Salva Kiir Mayardit, President of the Republic of South Sudan, hereby assent to The Transitional Constitution, 2011 (Amendment No.2), 2015 and sign it into law

Signed in Juba this.....day of the month of.....in the year,  
2015

**Salva Kiir Mayardit**  
**President**  
**Republic of South Sudan**