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(Extraordinary)

PROCLAMATIONS • PROKLAMASIES

PROCLAMATION

No. 26, 1995

The Premier has approved in terms of section 190 of the Divisional Councils Ordinance, 1976 (Ordinance 18 of 1976), the subjoined amendment framed by the Stormberg Regional Services Council:

STORMBERG REGIONAL SERVICES COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Stormberg Regional Services Council under Provincial Notice 281/66 dated 1 April 1966 is hereby amended in so far as it applies to the Stormberg Regional Services Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may at any time convert any vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;

- (b) after vacation leave has been converted into cash, an employee shall have at least fifteen (15) days to his credit;
- (c) an employee who wishes to convert more than thirty (30) days vacation leave into cash must inform the Director of Finance accordingly before the end of February of the preceding financial year."

PROKLAMASIE

No. 26, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Afdelingsraad Ordonnansie, 1976 (Ordonnansie 18 van 1976), geheg aan die volgende wysiging opgestel deur die Stormberg Streekdiensteraad:

STORMBERG STREEKDIENTSTERAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Stormberg Streeksdiensteraad by Provinsiale Kennisgewing 281/66 gedateer 1 April 1966 word hierby gewysig vir sover dit op die Stormberg Streeksdiensteraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer kan te enige tyd vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste vyftien (15) dae te goed hê;
- (c) indien 'n werknemer meer as dertig (30) dae vakansieverlof in kontant wil omsit, moet die Direkteur: Finansies voor einde Februarie van die voorafgaande finansiële jaar sodanig in kennis gestel word."

PROCLAMATION

No. 27, 1995

The Premier has approved in terms of section 190 of the Division Council's Ordinance, 1976 (Ordinance 18 of 1976), the subjoined amendment framed by the Drakensberg Regional Services Council:

DRAKENSBERG REGIONAL SERVICES COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provisional Notice 62 dated 28 January 1966, as amended, and adopted by the Drakensberg Regional Services Council in terms of section 190 of the Divisional Councils Ordinance, 1976 (Ordinance 18 of 1976), is hereby amended in so far as it applies to the Drakensberg Regional Services Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, at any time convert any vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;
- (b) after vacation leave has been converted into cash, an employee shall have at least twenty (20) days to his credit;
- (c) after vacation leave has been converted into cash, an employee that has decided as such, may not exceed the leave to his credit in the calendar year concerned."

PROKLAMASIE

No. 27, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Afdelingsraad Ordonnansie, 1976 (Ordonnansie 18 van 1976), geheg aan die volgende wysiging opgestel deur die Drakensberg Streekdiensteraad:

DRAKENSBERG STREEKDIENTSTERAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Drakensberg Streekdiensteraad ingevolge artikel 190 van die Afdelingsraad Ordonnansie, 1976 (Ordonnansie 18 van 1976), word hierby gewysig vir sover dit op die Drakensberg Streekdiensteraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag ten enige tyd enige vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste twintig (20) dae te goed hê;
- (c) nadat vakansieverlof in kontant omgesit is mag die werknemer wat aldus gehandel het nie sy verlof tot sy krediet vir daardie kalenderjaar oorskry nie."

PROCLAMATION

No. 28, 1995

The Premier has approved in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Despatch Transitional Local Council:

DESPATCH TRANSITIONAL LOCAL COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Despatch Transitional Local Council under Provincial Notice 328 dated 15 April 1966 is hereby amended in so far as it applies to the Despatch Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, subject to affordability, on one occasion per annum convert vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;
- (b) after vacation leave has been converted into cash, an employee shall have at least ten (10) days to his credit;
- (c) such an employee must take a minimum of twelve (12) days vacation leave in the relevant financial year."

PROKLAMASIE

No. 28, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Despatch Oorgangsraad:

DESPATCH OORGANGSRAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Despatch Oorgangsraad by Provinsiale Kennisgewing 328 gedateer 15 April 1966 word hierby gewysig vir sover dit op die Despatch Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag hoogstens een keer per jaar, onderworpe aan bekostigbaarheid, vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste tien (10) dae te goed hê;
- (c) sodanige werknemer moet 'n minimum van twaalf (12) dae vakansieverlof in die betrokke finansiële jaar neem."

PROCLAMATION**No. 29, 1995**

The Premier has approved, in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Bedford Transitional Local Council.

BEDFORD TRANSITIONAL LOCAL COUNCIL**AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS**

The Standard Staff Leave By-law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Bedford Transitional Local Council under Provincial Notice 1098 dated 19 November 1976 is hereby amended in so far as it applies to the Bedford Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may at any time convert any vacation leave standing to his credit into cash, subject to the following conditions:
- (a) A minimum of 10 (ten) days shall be converted per occasion;
 - (b) after a vacation leave has been converted into cash, an employee shall have at least fifteen (15) days to his credit."

PROKLAMASIE**No. 29, 1995**

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Bedford Oorgangsraad:

BEDFORD OORGANGSRAAD**WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF**

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 26 Januarie 1966, soos gewysig, en aangeneem deur die Bedford Oorgangsraad by Provinsiale Kennisgewing 1098 gedateer 19 November 1976 word hierby gewysig vir sover dit op die Bedford Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag te enige tyd enige vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:
- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
 - (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste vyftien (15) dae te goed hê."

PROCLAMATION**No. 30, 1995**

The Premier has approved in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Fort Beaufort Transitional Local Council:

FORT BEAUFORT TRANSITIONAL LOCAL COUNCIL**AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS**

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Fort Beaufort Transitional Local Council under Provincial Notice 114 dated 3 February 1967 is hereby amended in so far as it applies to the Fort Beaufort Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, subject to affordability, on one occasion per annum convert vacation leave standing to his credit into cash, subject to the following conditions:
- (a) A minimum of twelve (12) days shall be converted per occasion;
 - (b) after vacation leave has been converted into cash, an employee shall have at least twelve (12) days to his credit."

PROKLAMASIE

No. 30, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Fort Beaufort Oorgangsraad:

FORT BEAUFORT OORGANGSRAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Fort Beaufort Oorgangsraad by Provinsiale Kennisgewing 114 gedateer 3 Februarie 1967 word hierby gewysig vir sover dit op die Fort Beaufort Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag hoogstens een keer per jaar, onderworpe aan bekostigbaarheid, vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- 'n Minimum van twaalf (12) dae moet per geleentheid omgesit word;
- nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste twaalf (12) dae te goed hê."

PROCLAMATION

No. 31, 1995

The Premier has approved, in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Queenstown Transitional Local Council:

QUEENSTOWN TRANSITIONAL LOCAL COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Queenstown Transitional Local Council under Provincial Notice 991 dated 22 December 1972 is hereby amended in so far as it applies to the Queenstown Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, at any time convert any vacation leave standing to his credit into cash, subject to the following conditions:

- A minimum of ten (10) days shall be converted per occasion;
- after vacation leave has been converted into cash, an employee shall have at least twelve (12) days to his credit;
- should the employee owe any monies to the Council, the Council may withhold such payment of leave as security towards monies owed unless the employee provides the Council with alternative security towards the monies owing to Council."

PROKLAMASIE

No. 31, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Queenstown Oorgangsraad:

QUEENSTOWN OORGANGSRAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Queenstown Oorgangsraad by Provinsiale Kennisgewing 991 gedateer 22 Desember 1972 word hierby gewysig vir sover dit op die Queenstown Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag te enige tyd enige vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- 'n Minimum van tien (10) dae moet per geleentheid omgesit word;

- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste twaalf (12) dae te goed hê;
- (c) sou die werknemer enige gelde aan die Raad verskuldig wees, behou die Raad die reg voor om sodanige verlof as sekuriteit vir hierdie gelde in reserwe te mag hou tensy die werknemer alternatiewe sekuriteit kan voorlê ten opsigte van die gelde verskuldig aan die Raad."

PROCLAMATION

No. 32, 1995

The Premier has approved, in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Grahamstown Transitional Local Council:

GRAHAMSTOWN TRANSITIONAL LOCAL COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Grahamstown Transitional Local Council under Provincial Notice 110 dated 3 February 1967 is hereby amended in so far as it applies to the Grahamstown Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, at any time convert any vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;
- (b) after vacation leave has been converted into cash, an employee shall have at least ten (10) days to his credit."

PROKLAMASIE

No. 32, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Grahamstad Oorgangsraad:

GRAHAMSTAD OORGANGSRAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Grahamstad Oorgangsraad by Provinsiale Kennisgewing 110 gedateer 3 Februarie 1967 word hierby gewysig vir sover dit op die Grahamstad Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag te enige tyd enige vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste tien (10) dae te goed hê."

PROCLAMATION

No. 33, 1995

The Premier has approved, in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Kenton-on-Sea Transitional Local Council:

KENTON-ON-SEA TRANSITIONAL LOCAL COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Kenton-on-Sea Transitional Local Council under Provincial Notice 654 dated 9 July 1971 is hereby amended in so far as it applies to the Kenton-on-Sea Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, subject to affordability, on one occasion per annum convert vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;
- (b) after vacation leave has been converted into cash, an employee shall have at least twenty (20) days to his credit."

PROKLAMASIE

No. 33, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Kenton-on-Sea Oorgangsraad:

KENTON-ON-SEA OORGANGSRAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Kenton-on-Sea Oorgangsraad by Provinsiale Kennisgewing 654 gedateer 9 Julie 1971 word hierby gewysig vir sover dit op die Kenton-on-Sea Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag hoogstens een keer per jaar, onderworpe aan bekostigbaarheid, vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste twintig (20) dae te goed hê."

PROCLAMATION

No. 34, 1995

The Premier has approved, in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Uitenhage Transitional Local Council:

UITENHAGE TRANSITIONAL LOCAL COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Uitenhage Transitional Local Council under Provincial Notice 652 dated 11 August 1967 is hereby amended in so far as it applies to the Uitenhage Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, subject to affordability, on once occasion per annum convert vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;

- (b) after vacation leave has been converted into cash, an employee shall have at least twelve (12) days to his credit;
- (c) that the compulsory twelve (12) days vacation leave is taken annually in accordance with section 3 (2)."

PROKLAMASIE

No. 34, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Uitenhage Oorgangsraad:

UITENHAGE OORGANGSRAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Uitenhage Oorgangsraad by Provinsiale Kennisgewing 652 gedateer 11 Augustus 1967 word hierby gewysig vir sover dit op die Uitenhage Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag hoogstens een keer per jaar, onderworpe aan bekostigbaarheid vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste twaalf (12) dae te goed hê;
- (c) dat die verpligte twaalf (12) dae vakansieverlof ooreenkomstig artikel 3 (2) wel jaarliks geneem word."

PROCLAMATION

No. 35, 1995

The Premier has approved in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Barkly East Transitional Local Council:

BARKLY EAST TRANSITIONAL LOCAL COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Barkly East Transitional Local Council is hereby amended in so far as it applies to the Barkly East Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, at any time convert any vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;
- (b) after vacation leave has been converted into cash, an employee shall have at least ten (10) days to his credit.
- (c) after vacation leave has been converted into cash, the affected employee shall not exceed his vacation leave credit for that particular calendar year."

PROKLAMASIE**No. 35, 1995**

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Barkly-Oos Oorgangsraad:

BARKLY-OOS OORGANGSRAAD**WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF**

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Barkly-Oos Oorgangsraad word hierby gewysig vir sover dit op die Barkly-Oos Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag te enige tyd enige, vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste tien (10) dae te goed hê;
- (c) nadat vakansieverlof in kontant omgesit is, mag die werknemers wat aldus gehandel het nie sy verlof tot die krediet vir daardie kalenderjaar oorskry nie."

PROCLAMATION**No. 36, 1995**

The Premier has approved in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Beacon Bay Municipality:

BEACON BAY MUNICIPALITY**AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS**

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Beacon Bay Municipality under Provincial Notice 755 dated 8 July 1966 is hereby amended in so far as it applies to the Beacon Bay Municipality by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, at any time convert any vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;
- (b) when vacation is converted into cash the employee—
 - (i) having to his credit or taking simultaneously with conversion or already having taken the minimum number of days which, in the Council's discretion or in terms of any statutory provision, he is required to take annually as continuous vacation leave; and
 - (ii) in addition to the leave referred to in section 13(b)(i) having to his credit the minimum number of days in the Council's discretion he is required to keep available for occasional vacation leave."

PROKLAMASIE**No. 36, 1995**

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Beacon Bay Munisipaliteit:

BEACON BAY MUNISIPALITEIT**WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF**

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Beacon Bay Munisipaliteit by Provinsiale Kennisgewing 755 gedateer 8 Julie 1966 word hierby gewysig vir sover dit op die Beacon Bay Munisipaliteit van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag te enige tyd enige vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) wanneer vakansieverlof in kontant omgesit word, moet 'n werknemer—
 - (i) die minimum aantal dae te goed hê of tegelyk met omsetting neem of moet hy dit reeds geneem het, wat hy na goedgekeurde van die Raad of ingevolge 'n wetlike bepaling jaarliks as aaneenlopende vakansieverlof moet neem, en
 - (ii) bykomend tot die verlof in artikel 13(b)(i) genoem, die minimum aantal dae te goed hê wat hy na goedgekeurde van die Raad vir geleentheidsvakansieverlof beskikbaar moet hou."

PROCLAMATION

No. 37, 1995

The Premier has approved in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Pearston Transitional Local Council:

PEARSTON TRANSITIONAL LOCAL COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Pearston Transitional Local Council under Provincial Notice 438 dated 28 June 1968 is hereby amended in so far as it applies to the Pearston Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, at any time convert any vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;
- (b) after vacation leave has been converted into cash, an employee shall have at least ten (10) days to his credit."

PROKLAMASIE

No. 37, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Pearston Oorgangsraad:

PEARSTON OORGANGSRAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Pearston Oorgangsraad by Provinsiale Kennisgewing 438 gedateer 28 Junie 1968 word hierby gewysig vir sover dit op die Pearston Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag te enige tyd enige vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste tien (10) dae te goed hê."

PROCLAMATION

No. 38, 1995

The Premier has approved in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Port Alfred Transitional Local Council:

PORT ALFRED TRANSITIONAL LOCAL COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Port Alfred Transitional Local Council under Provincial Notice 522 dated 20 May 1966 is hereby amended in so far as it applies to the Port Alfred Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may, subject to affordability, on one occasion per annum convert vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;
- (b) after vacation leave has been converted into cash, an employee shall have at least ten (10) days to his credit;
- (c) not more than 50% of an employees' leave standing to his credit on 30 June 1994 may be converted into cash during the 1994/95 financial year; and
- (d) not more than 25% of an employees' leave standing to his credit on 30 June 1994 may be converted into cash in each of the 1995/96 and 1996/97 financial years."

PROKLAMASIE

No. 38, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Port Alfred Oorgangsraad:

PORT ALFRED OORGANGSRAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Port Alfred Oorgangsraad by Provinsiale Kennisgewing 522 gedateer 20 Mei 1966 word hierby gewysig vir sover dit op die Port Alfred Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer mag hoogstens een keer per jaar, onderworpe aan bekostigbaarheid, vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste tien (10) dae te goed hê;
- (c) hoogstens 50% van die vakansieverlof wat 'n werknemer op 30 Junie 1994 te goed het, mag in kontant omgesit word gedurende die 1994/95 finansiële jaar; en
- (d) hoogstens 25% van die vakansieverlof wat 'n werknemer op 30 Junie 1994 te goed het, mag in kontant omgesit word in elk van die 1995/96 en 1996/97 finansiële jare."

PROCLAMATION

No. 39, 1995

The Premier has approved in terms of section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the subjoined amendment framed by the Kirkwood Transitional Local Council:

KIRKWOOD TRANSITIONAL LOCAL COUNCIL

AMENDMENT TO STANDARD STAFF LEAVE REGULATIONS

The Standard Staff Leave By-Law, published under Provincial Notice 62 dated 28 January 1966, as amended, and adopted by the Kirkwood Transitional Local Council under Provincial Notice 1202 dated 25 November 1966 is hereby amended in so far as it applies to the Kirkwood Transitional Local Council by the substitution for section 13 of the following section:

"CONVERSION INTO CASH OF CERTAIN VACATION LEAVE:

13. An employee may at any time convert any vacation leave standing to his credit into cash, subject to the following conditions:

- (a) A minimum of ten (10) days shall be converted per occasion;
- (b) after vacation leave has been converted into cash, an employee shall have at least twenty (20) days to his credit;
- (c) an employee who wishes to convert more than thirty (30) days vacation leave into cash must inform the City Treasurer accordingly before the end of February of the preceding financial year."

PROKLAMASIE

No. 39, 1995

Die Premier het sy goedkeuring ingevolge artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), geheg aan die volgende wysiging opgestel deur die Kirkwood Oorgangsraad:

KIRKWOOD OORGANGSRAAD

WYSIGING VAN DIE STANDAARDVERORDENING INSAKE PERSONEELVERLOF

Die Standaardverordening insake Personeelverlof gepubliseer by Provinsiale Kennisgewing 62 van 28 Januarie 1966, soos gewysig, en aangeneem deur die Kirkwood Oorgangsraad by Provinsiale Kennisgewing 1202 gedateer 25 November 1966 word hierby gewysig vir sover dit op die Kirkwood Oorgangsraad van toepassing is deur artikel 13 deur die volgende artikel te vervang:

"OMSETTING IN KONTANT VAN SEKERE VAKANSIEVERLOF:

13. 'n Werknemer kan te enige tyd vakansieverlof wat hy te goed het in kontant omsit onderworpe aan die volgende voorwaardes:

- (a) 'n Minimum van tien (10) dae moet per geleentheid omgesit word;
- (b) nadat vakansieverlof in kontant omgesit is, moet die werknemer ten minste twintig (20) dae te goed hê;
- (c) indien 'n werknemer meer as dertig (30) dae vakansieverlof in kontant wil omsit, moet die Stadstoesourier voor einde Februarie van die voorafgaande finansiële jaar sodanig in kennis gestel word."

SCHEDULE
TSOMO TRANSITIONAL LOCAL COUNCIL.

DELIMITATION OF WARDS

WARD 1

Commencing at the most north western beacon Tsomo Reserve thence along the boundary between Tsomo Reserve and Mkwinti Location No 3 initially in a easterly direction thence along the common boundaries between these two properties to the point where it meets the middle of the Tsomo River thence along the middle of the Tsomo River downstream in a southerly direction until the point of intersection with the northern boundary of Erf 2 produced in an easterly direction thence back along the same boundary to the north eastern corner of Erf 2 thence along the eastern boundary of Erf 2 in a southerly direction to south east corner of Erf 37 thence along the southern boundary of Erf 37 in a westerly direction to the south western corner of Erf 24 thence across the road in a southerly direction along the western boundary of Erf 55 to the south west corner of Erf 55 thence to the middle of the main tar road from Cofimvaba thence along the centre of the tar road generally in a north western direction to where it intersects the boundary of Tsomo Reserve thence along the western boundary of the Tsomo Reserve in a north easterly direction to the point of commencement.

WARD 2

Commencing at the most south western corner of Tsomo Reserve along the boundary of Tsomo Reserve in a north easterly direction to where it intersects the main tar road from Cofimvaba thence along the centre of the tar road to the point of intersection of the western boundary produced of Erf 55 thence in a northerly direction to the south western corner of Erf 55 thence along the western boundary of Erf 55 in a northerly direction across the road to the south westerly beacon of Erf 24 thence along the southern boundary of Erf 24 in an easterly direction to the south eastern corner of Erf 37 thence along the eastern boundary of Erf 37 in a northerly direction to the most north east corner of Erf 2 thence in an easterly direction along the northern boundary of Erf 2 produced to where it intersects the middle of the Tsomo River thence generally in a southerly direction downstream along the middle of the Tsomo River to where it intersect with the southern boundary of the Tsomo Reserve in common with the boundary of Ward No 8 Tsomo thence along this common boundary generally in a westerly direction to the point of commencement.

CATHCART TRANSITIONAL LOCAL COUNCIL.DELIMITATION OF WARDSWARD 1

Commencing at the most western corner of Erf 473 Cathcart and common to Erf 474 and Portion 6 of the farm Olive Grove No 63 thence initially in a north easterly direction continuously following the common boundaries between Erf 473 and 474 until it intersects the boundary with Erf 569 thence in a south westerly direction along the boundary of Erf 473 to the western corner of Erf 563 thence in a south easterly direction along the same boundary to where it meets the most northern corner of the Hospital on Erf 469 thence continuing in a south easterly direction along the boundary of Erf 469 to where it meets the middle of Fleischer Street, thence along the middle of the said street in an easterly direction to where it meets the south western boundary of the Cathcart railway station on Erf 433 thence in a south easterly direction along the boundary of the railway station to the most south western corner of the station thence in a south westerly direction following the northern boundaries of Daliwe Township so as to exclude erven 464 and 465 to the south eastern corner of Erf 464 thence along the southern boundary of Erf 464 to the south western corner thence in a south westerly direction to the south east corner of Erf 465 thence in a western direction along the southern boundary of Erf 465 to the south western corner of Erf 465 thence in a southern direction along the eastern boundary of Erf 690 to the eastern corner of Erf 690 thence in a western direction along the southern boundary of Erf 657 to the south western corner of Erf 657 thence in a southerly direction along the western boundary of Daliwe Township to where this line intersects Erf 467 thence in a south easterly direction along the south eastern boundary of Erf 467 to the south eastern corner of Erf 467 thence along the said Erf boundary in a south westerly direction to where it meets the middle of the trunk road from Cathcart to Stutterheim thence along the middle of the road to where it intersects the middle of the Thorn River thence upstream in the middle of the Thorn River to where it meets the most south western boundary of Erf 474 thence in a north westerly direction to the point of commencement.

WARD 2

Commencing at the most western corner of Erf 473 thence along the boundary of Erf 474 in a north western direction to where it meets the corner beacon common to Erf 474, Farm No 36 and Portion 6 of the farm Olive Grove No 63 thence along the common boundary between Erf 474 and Farm No 36 in a northerly direction to the corner beacon common to Farm No 36, Farm Thorn Meadows No 35 and Glenfillan No 34 thence along the common boundary of Erf 474 and the farm Glenfillan No 34 in a easterly direction to the most south eastern corner of Farm Glenfillan No 34 thence along the said boundary but in a north eastern direction to where it meets the most western corner of the farm Glenfillan Ext No 33 thence along the common boundary between Glenfillan Ext No 33 and Erf 474 to where it meets the north western boundary of the railway line on Erf 581 thence along the north western boundary of Erf 581 generally in a south eastern direction thence along the south eastern boundary of the Cathcart railway station to where it meets with the intersection of the middle of Fleischer Street thence in the middle of Fleischer street in a

westerly direction to where it meets the Hospital on Erf 469 thence along the south eastern boundary of Erf 469 in a north western direction thence continuing in the same direction along the north eastern boundary of Erf 473 to the western corner of Erf 563 thence along the boundary of Erf 473 in a north eastern direction to Erf 569 thence continuously along the common boundaries of Erf 473 and 474 initially in a north westerly direction thence in a south western direction to the point of commencement.

WARD 3

Commencing at the most north western corner of the railway line on Erf 581 adjoining the farm Glenfillan Ext No 33 thence across the railway line and along the boundary of Erf 484 and the said farm in an easterly direction to terminal beacon of the said farm thence along the common boundary of Erf 474 and the farm Upland No 247 in a south eastern direction to where it meets the boundary with farm Riverside No 260 thence along the common boundary with the farm Riverside No 260 in an south south easterly direction to where it meets the middle of the Thorn River thence in a westerly direction to the most northern corner of Daliwe Township thence along the Daliwe Township boundary to the most south west corner of Cathcart Station on Erf 433 thence along the north west boundaries of Erf 433 and the railway line of Erf 481 generally in a north westerly direction so that the railway line falls within Ward 3 to the point of commencement.

WARD 4

Commencing at the point where the common boundary between Erf 474 and the farm Riverside No 260 meet the middle of the Thorn River thence upstream of the Thorn River initially in a southerly direction to where it meets the middle of the trunk tar road from Cathcart To Stutterheim thence along the middle of the trunk road generally in a north westerly direction to where it meets the boundary of Erf 467 thence along the south eastern boundary in a north eastern direction to the most eastern beacon of Erf 467 thence along the said boundary in a north western direction to where it meets the western boundary of Daliwe Township thence along the western boundary of Daliwe Township in a northerly direction to where it meets the most south western corner of Erf 657 thence along the southern boundary of Erf 657 in an easterly direction to the south eastern corner of Erf 690 thence along the eastern boundary of Erf 690 to the south western corner of Erf 465 thence along the southern boundary of the said erf to its most south eastern corner thence in a northerly direction to the south west corner of Erf 464 thence along the southern boundary of Erf 464 in an easterly direction to the south east corner of said erf thence along the boundaries of Daliwe Township initially in a southerly direction thence in a north eastern direction to where it meet the most south western corner of the Cathcart railway station on Erf 433 thence along the south eastern boundary of Erf 433 across the railway line in a north easterly direction to the most northern corner of Daliwe Township thence in an easterly direction to the point of commencement.

HANKEY TLC**WYKSOMSKRYWINGS****WYK 1****OOSTELIKE GRENS**

Vanaf die westelike baken van erf 853 Hankey in 'n suid-oostelike rigting vir 'n afstand van 480 meter tot by 'n punt en dan in 'n noord-oostelike rigting oor die Gamtoosrivier vir 'n afstand van 2 510 meter tot by die punt wat die oostelike baken van die plaas Thorndale is en dan in 'n noord-westelike rigting vir 'n afstand van 720 meter en dan in 'n noord-oostelike rigting vir 'n afstand van 1 460 meter.

NOORDELIKE GRENS

Vanaf die eindpunt van die oostelike grens in 'n noord-westelike rigting vir 'n afstand van 4 640 meter tot by 'n punt en dan in 'n suid-westelike rigting vir 'n afstand van 5 350 meter uitgeslote Wyk 2.

WESTELIKE GRENS

Vanaf die eindpunt van die noordelike grens in 'n noord-oostelike rigting vir 'n afstand van 1 070 meter tot by 'n punt en dan in 'n suid-oostelike rigting vir 'n afstand van 900 meter tot by 'n punt en dan weer in 'n suid-westelike rigting vir 1 700 meter uitgeslote Wyk 3.

SUIDELIKE GRENS

Vanaf die eindpunt van die westelike grens in 'n suid-oostelike rigting vir 'n afstand van 1 900 meter tot by 'n punt en dan in 'n noord-oostelike rigting vir 'n afstand van 1 210 meter tot by 'n punt waar die suidelike grens van Weston eindig uitgeslote Wyk 4.

WYK 2**WESTELIKE GRENS**

Vanaf 'n punt waar die spoorlyn die Milton-pad kruis in 'n oostelike rigting vir 800 meter en dan in 'n suidelike rigting vir 'n afstand van 600 meter.

SUIDELIKE GRENS

Vanaf die eindpunt van die westelike grens in 'n suid-oostelike rigting vir 830 meter tot by 'n punt.

OOSTELIKE GRENS

Vanaf die eindpunt van die suidelike grens in 'n noord-oostelike rigting vir 'n afstand van 1 100 meter tot by 'n punt wat 'n baken uitmaak van die plaas Aloe Grove.

NOORDELIKE GRENS

Vanaf die eindpunt van die oostelike grens in 'n westelike rigting vir 'n afstand van 270 meter en dan in 'n noord-westelike rigting vir 'n afstand van 480 meter tot by die hoekpunt van erf 1052 by die Patensie-pad en dan oor die Patensie-pad in 'n noord-westelike rigting van 320 meter tot by 'n punt en dan in 'n suid-westelike rigting al met die spoorlyn langs tot waar die spoorlyn die Milton-pad kruis.

WYK 3**OOSTELIKE GRENS**

Die aansluiting van die Milton-pad by die Port Elizabeth/Patensie pad.

SUIDELIKE GRENS

Vanaf die Miltonpad aansluiting by die Port Elizabeth/Patensie pad in 'n suid-westelike rigting vir 599,22 meter.

WESTELIKE GRENS

Vanaf die suidelike grens in 'n noord-westelike rigting met die spoorlyn langs vir 1 005,78 meter tot by 'n punt waar erwe 239, 248 en 246 by mekaar aansluit.

NOORDELIKE GRENS

Vanaf die punt waar erwe 239, 248 en 246 by mekaar aansluit in 'n noordelike rigting vir 72,24 meter en dan in 'n noord-oostelike rigting vir 257,16 meter en daarvandaan in 'n oostelike rigting vir 792,22 meter tot by die aansluiting van die Milton pad by die Port Elizabeth/Patensie pad.

WYK 4**SUIDELIKE GRENS**

Vanaf die westelike baken van Erf 853 Hankey in 'n noord-westelike rigting vir 232,18 meter tot by 'n punt, synde die noordelike baken van gedeelte 12 van die plaas Gamtoos Rivers Wagondrift no 184 administratiewe distrik Humansdorp, daarvandaan in 'n suid-westelike rigting vir 'n afstand van 288,45 meter.

WESTELIKE GRENS

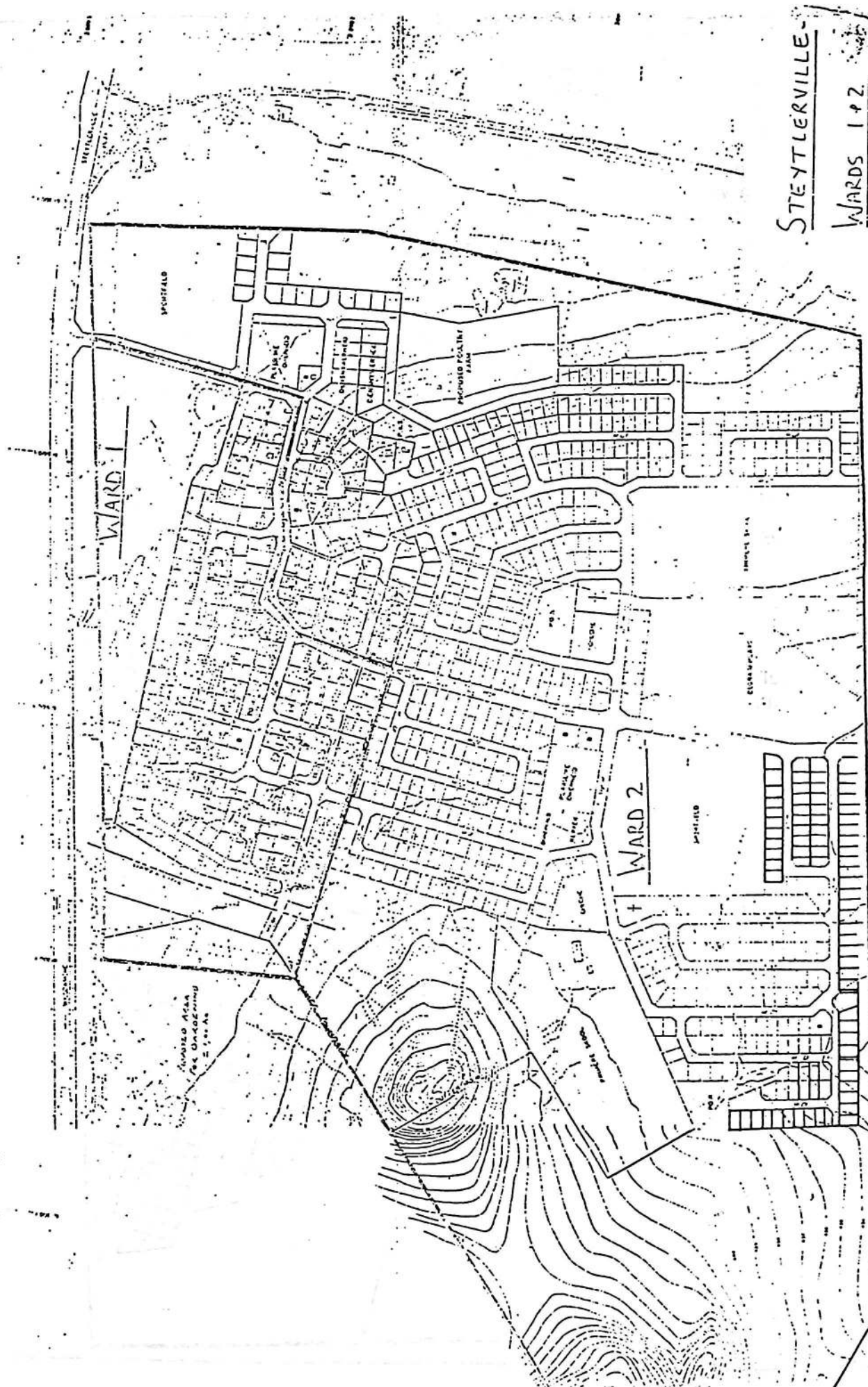
Vanaf die eindpunt van die suidelike grens in 'n noord-westelike rigting vir 'n afstand van 659,95 meter tot by die oostelike baken van erf 17.

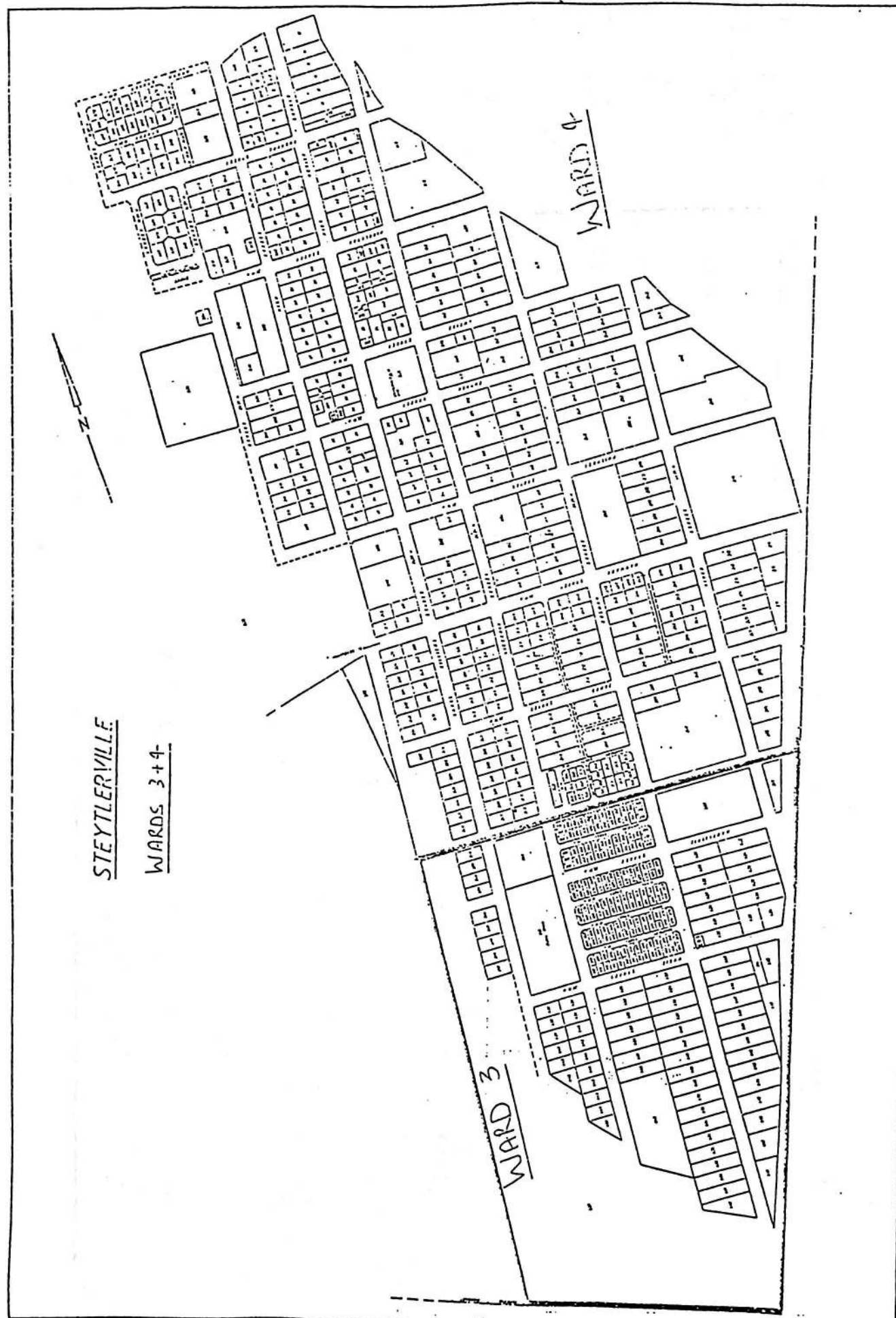
NOORDELIKE GRENS

Vanaf die oostelike baken van erf 17 in 'n noord-oostelike rigting vir 'n afstand van 819,47 meter en dan in 'n suid-oostelike rigting vir 'n afstand van 356,85 meter.

OOSTELIKE GRENS

Vanaf die noordelike grens in 'n suid-oostelike rigting vir 'n afstand van 167,17 meter en dan in 'n oostelike rigting vir 'n afstand van 365,4 meter en hiervandaan in 'n suidelike rigting tot by die westelike baken van erf 853.





STUTTERHEIM TLC**WARD 1**

Commences at Point A on the Northern Outer Boundary where road 704 tees off from the N6 continuing along road 704 to Point B where the Bolo Road 698 turns off in a westerly direction continuing along this road to Point C where the RSC road 2759 turns off in a southerly direction, continuing along this road to Point D to where this road crosses the Kubusie River, continuing along the Kubusie river in a south westerly direction to Point E where the ESKOM power lines cross the river, continuing in a southerly direction along the eastern boundary of Erf 2235 crossing RSC road 2759 continuing along eastern boundary of erf 2774 to Point F turning in a south westerly direction which is the south western boundary of erf 2774, continuing along the south western boundaries of erven 2802, 2801 and 2234 to Point G continuing along the south western boundaries of erven 2248, 2245, 2247, 2238 and 2230 to Point H, which is situated on the main King Williams Town/Stutterheim Road. Points A through to H being the outer boundaries of the TLC area of jurisdiction. From Point H continuing in a northerly direction along the King Williams Town/Stutterheim road to Point I situated where Godefroy Street turns off this road in a westerly direction continuing along Godefroy Street to where Culloden Road tees off at Point J through Point K to Point L where Shone Street tees off from Culloden Road, continuing along Shone Street to where Shone Street links up with Alfred Street at Point M continuing in an easterly direction along Alfred Street to Point N where Alfred Street crosses Dragoon Street continuing along Dragoon Street in a northerly direction to Point O where this road meets up with Bush Road then continuing in an easterly direction along Bush Road to where Bush Road crosses Maclean Street at Point P. Continuing along the main Stutterheim/Queenstown Road in a northerly direction up to Point A which is situated on the outer boundary of the TLC area of jurisdiction.

Areas "W" "X" "Y" being Cenyu, Mlungisi and Cenylands respectively, as depicted on the layout plan are excluded from this ward.





Posbus 2
Telefoon 3:100

STUTTERHEIM

Municipality
P.O. Box 2
Telephone 31100

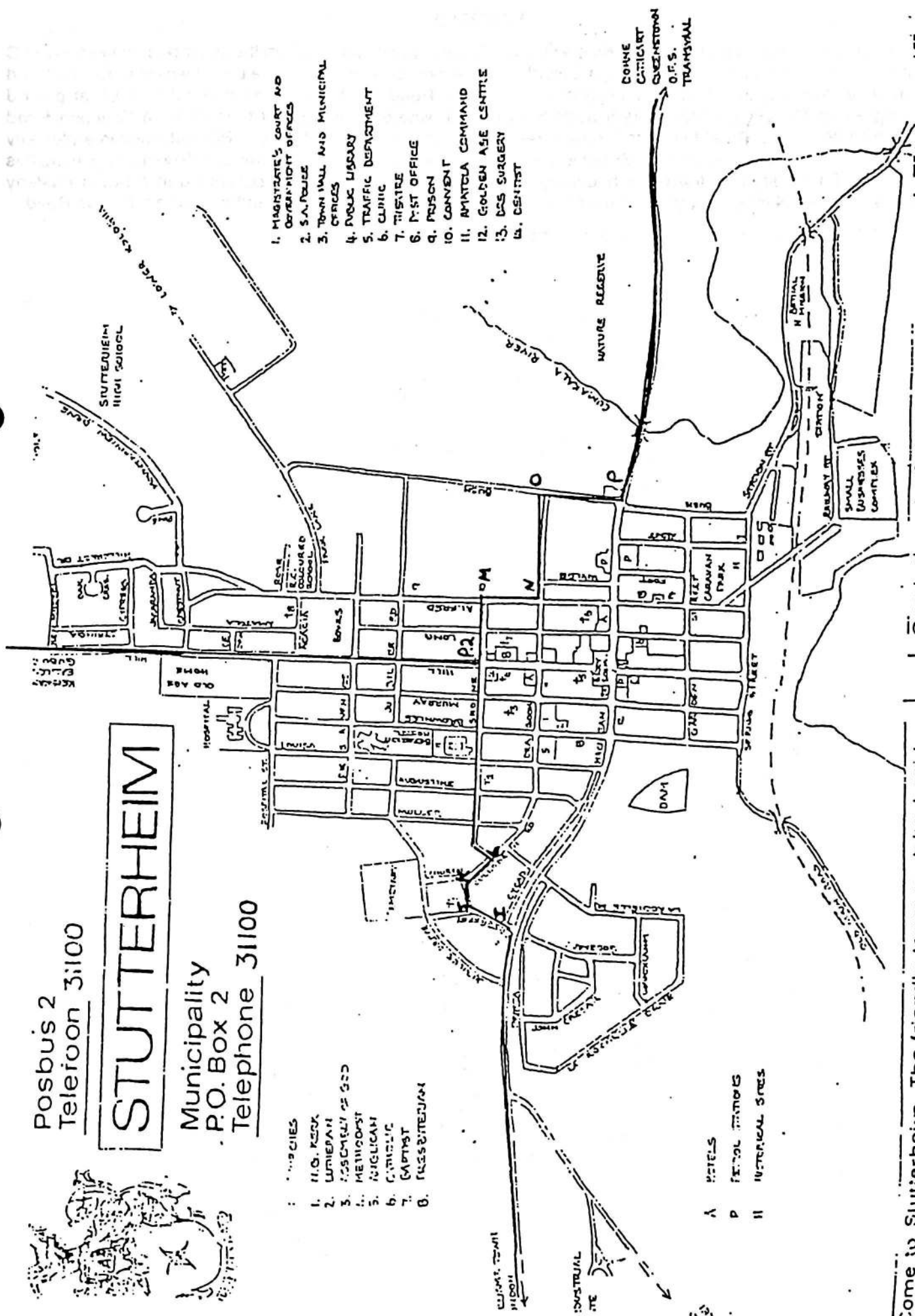
1. H.O. KERR
2. LUTHERAN
3. JOSEPHLYN C. GIDD
4. MELLICAMPT
5. MELLICAMPT
6. MELLICAMPT
7. MELLICAMPT
8. MELLICAMPT

1. MAGISTRATE'S COURT AND
CORRECTION OFFICES
2. S.A. POLICE
3. TOWN HALL AND MUNICIPAL
OFFICES
4. PUBLIC LIBRARY
5. TRAFFIC DEPARTMENT
6. CLINIC
7. THEATRE
8. POST OFFICE
9. PRISON
10. CONVENT
11. AMATEUR COMMAND
12. GOLDEN AGE CENTRE
13. DENT SURGERY
14. DENTIST

- | Y | WHEELS |
|----|----------------|
| P | PISTON PUMPS |
| II | INTERNAL SIZES |

Come to Slutterheim. The friendly town with its healthy climate and breathtaking surroundings.

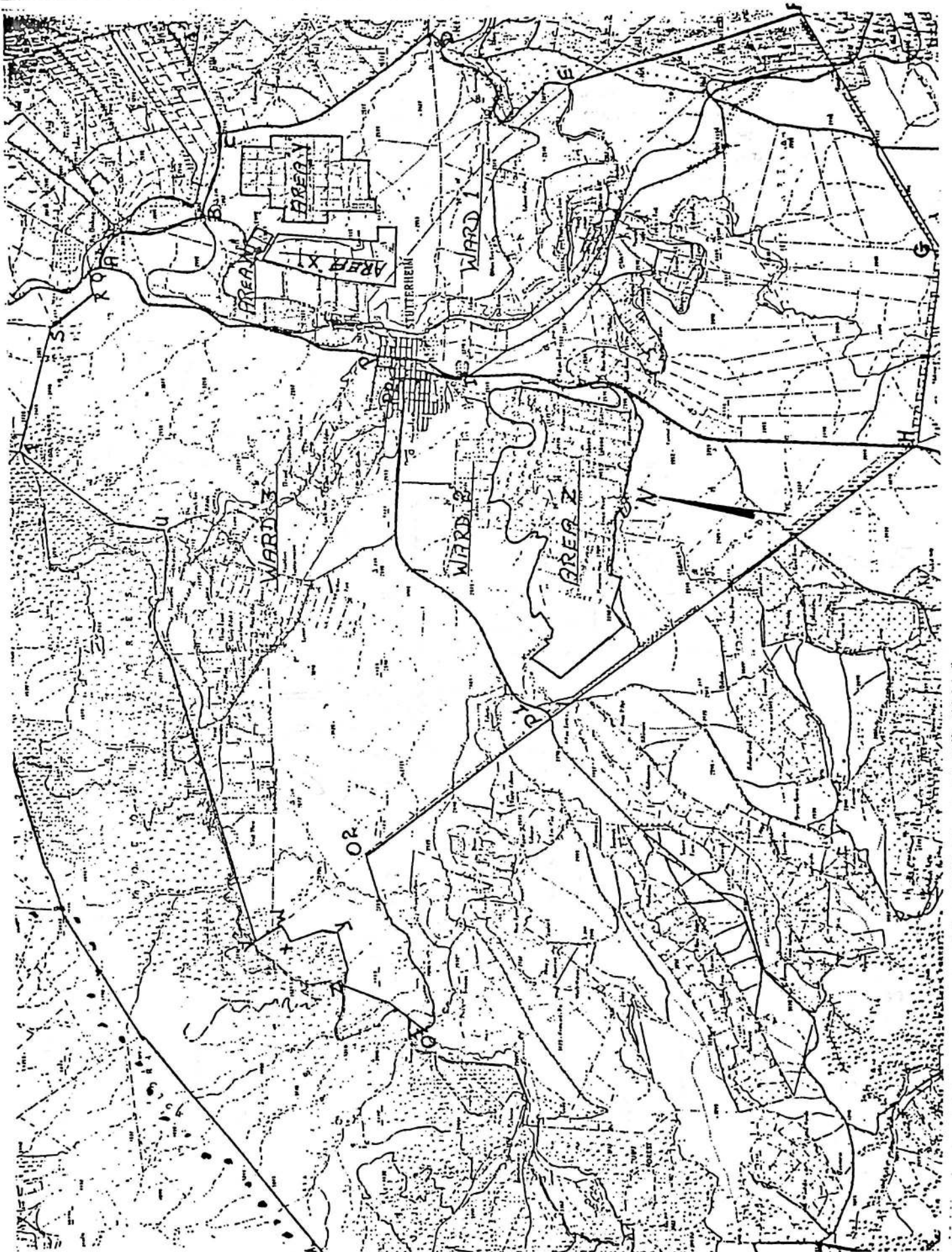
Goedgekeurde Gebied vir Grensnywerhede
 * Declared Area for Border Industries
 Moderne Goedgekeurde Woongebiede



WARD 2

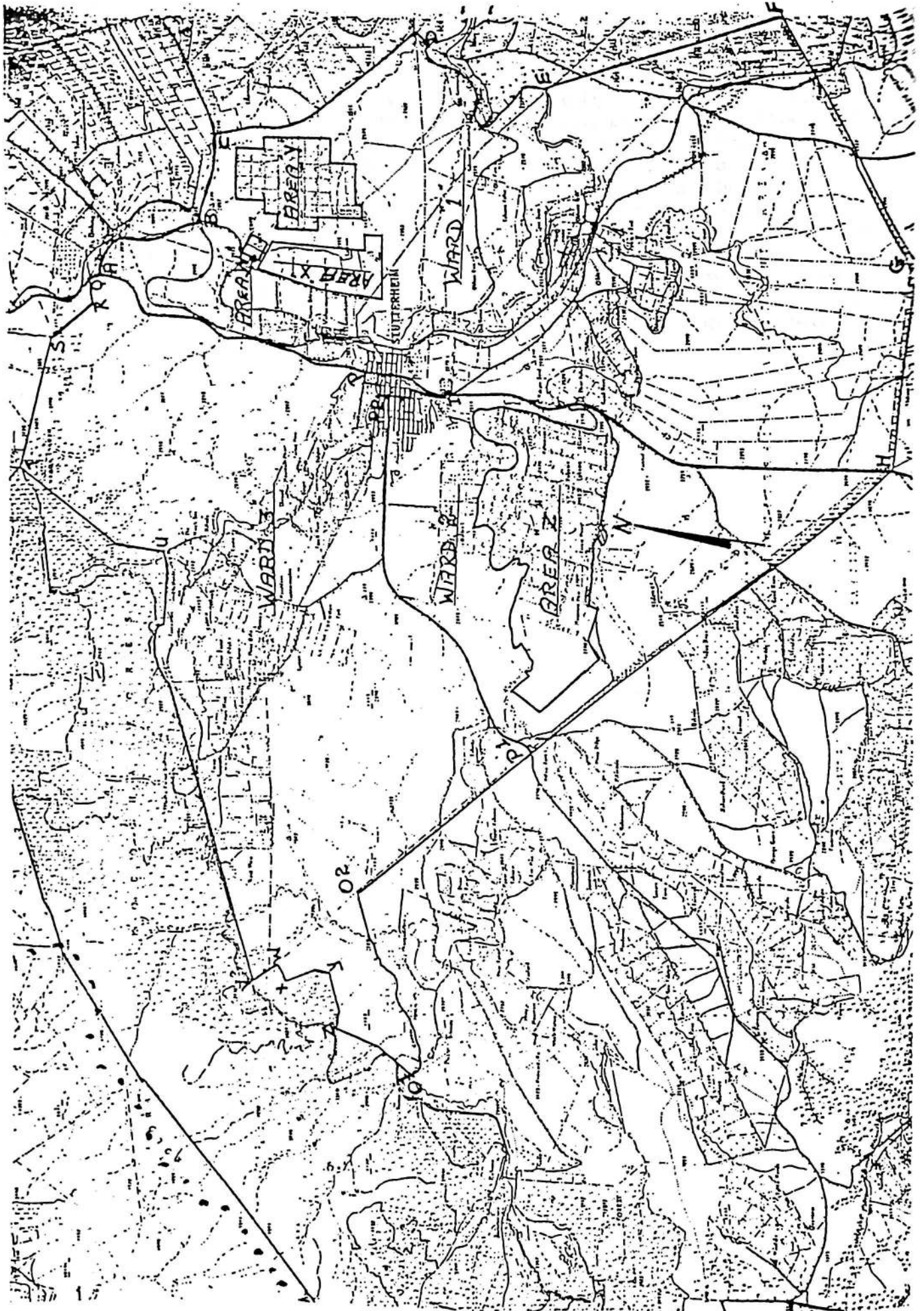
Commences at point H on the main King William's Town/Stutterheim Road on the outer boundary of the TLC area of jurisdiction whereafter it continues in a Northerly direction along this road to a point I where Godefroy Road turns off in a Westerly direction continuing along Godefroy Road to where Culledon Road tees off at point J continuing along Culledon Road through point K to point L where Shone Street tees off from Culledon Road continuing along Shone Street to where Shone Street intersects with Hill Road at point P2 continuing in a Westerly direction along Hill Street to where Hill Street leads into the Keiskamahoe Road number 700 continuing along this road to point P1 situated on the outer boundary of the TLC area of jurisdiction continuing in a South Easterly direction along the outer boundary where it meets with point H on the main Stutterheim/King William's Town Road.

Area "Z" being Kubusie and as depicted on the layout is EXCLUDED.



WARD 3

Commences at point P1 situated on the Western outer boundary of the TLC area of jurisdiction continuing in a North Westerly direction along the outer boundary being the South Western boundaries of Erven 80, 2216, 2215, 2214, 2213 to point 02 continuing along the Southern boundary of erven 2464 and 2463 to point 01 continuing in the Northerly direction along the North Western boundaries of erven 2463 and 2464 through point Z Y X W and V then continuing in a North Easterly direction along the Northern boundaries of erven 2211, 2224, 80, 82, 2387, 157, 155 and 159 to point U continuing in a Northerly direction along the Northern boundary of Erf 80 through points T, S, R and Q which is situated on the main Cathcart/Stutterheim Road continuing in a Southerly direction along this road to point P where Bush Road tees off in a Westerly direction continuing along Bush Road to point O where Dragoon Street tees off in a Southerly direction along this road to point N where it crosses Alfred Street continuing along Alfred Street in a Westerly direction to point M where Shone Street tees off in a Southerly direction continuing along this road to point P2 where it crosses Hill Street continuing along Hill Street in Westerly direction where Hill Street leads into the Keiskamahoeek road number 700 continuing along this road to point P1 situated on the outer boundaries of the TLC area of jurisdiction.





Posbus 2
Telefoon 31100

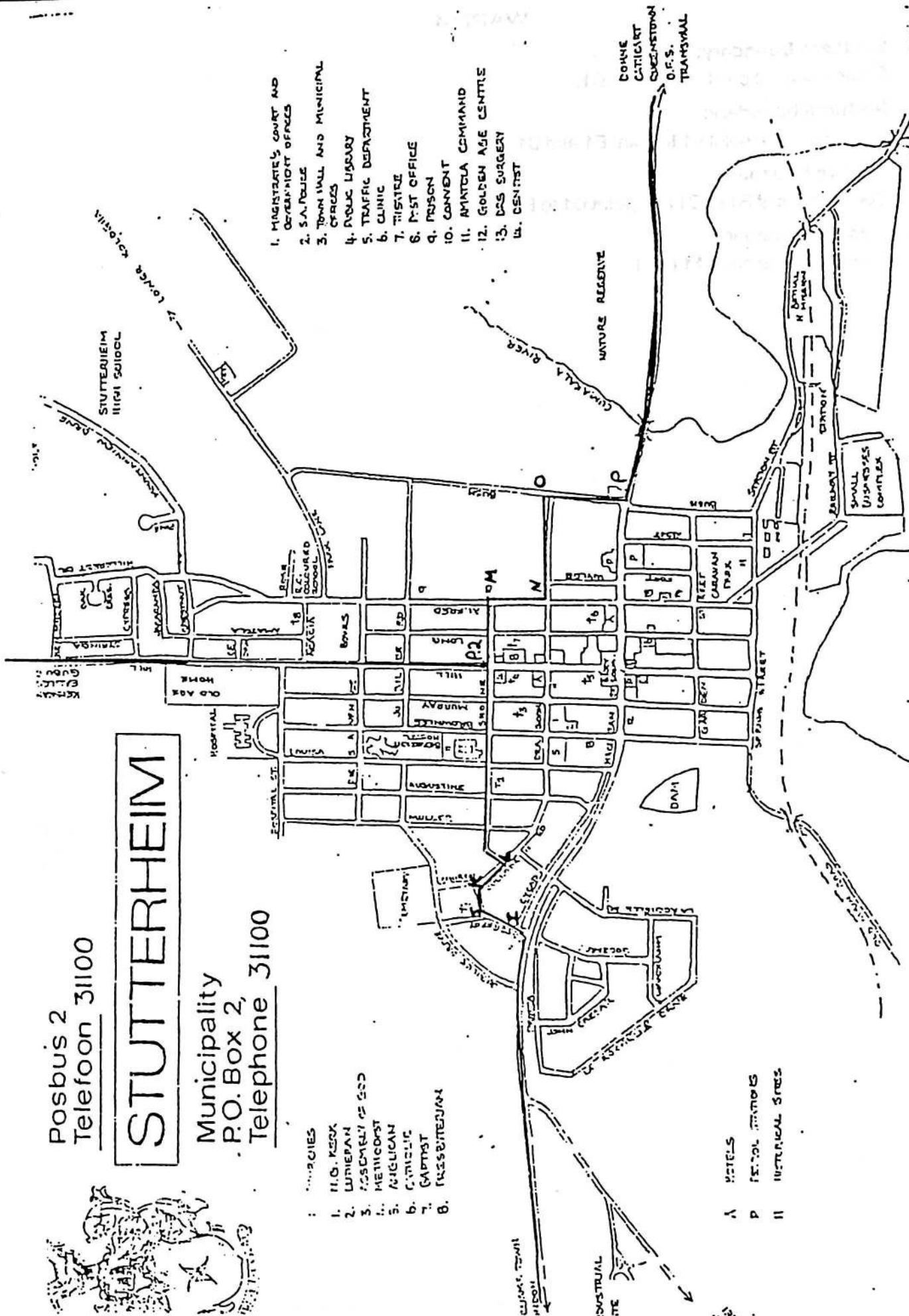
STUTTERHEIM

Municipality
P.O. Box 2,
Telephone 31100

1. CHURCHES
1. N.D. KERK
2. LUTHERAN
3. PRESBYTERIAN
4. METHODIST
5. ANGLICAN
6. CATHOLIC
7. BAPTIST
8. PRESBYTERIAN

1. MAGISTRATE'S COURT AND
DEPARTMENT OFFICES
2. S.A. POLICE
3. TOWN HALL AND MUNICIPAL
OFFICES
4. PUBLIC LIBRARY
5. TRAFFIC DEPARTMENT
6. CLINIC
7. THEATRE
8. POST OFFICE
9. PRISON
10. CONVENT
11. AMATEUR COMMAND
12. GOLDEN AGE CENTRE
13. D.S. SURGERY
14. DENTIST

- A HOTELS
P FETAL HOMES
H INDUSTRIAL SITES

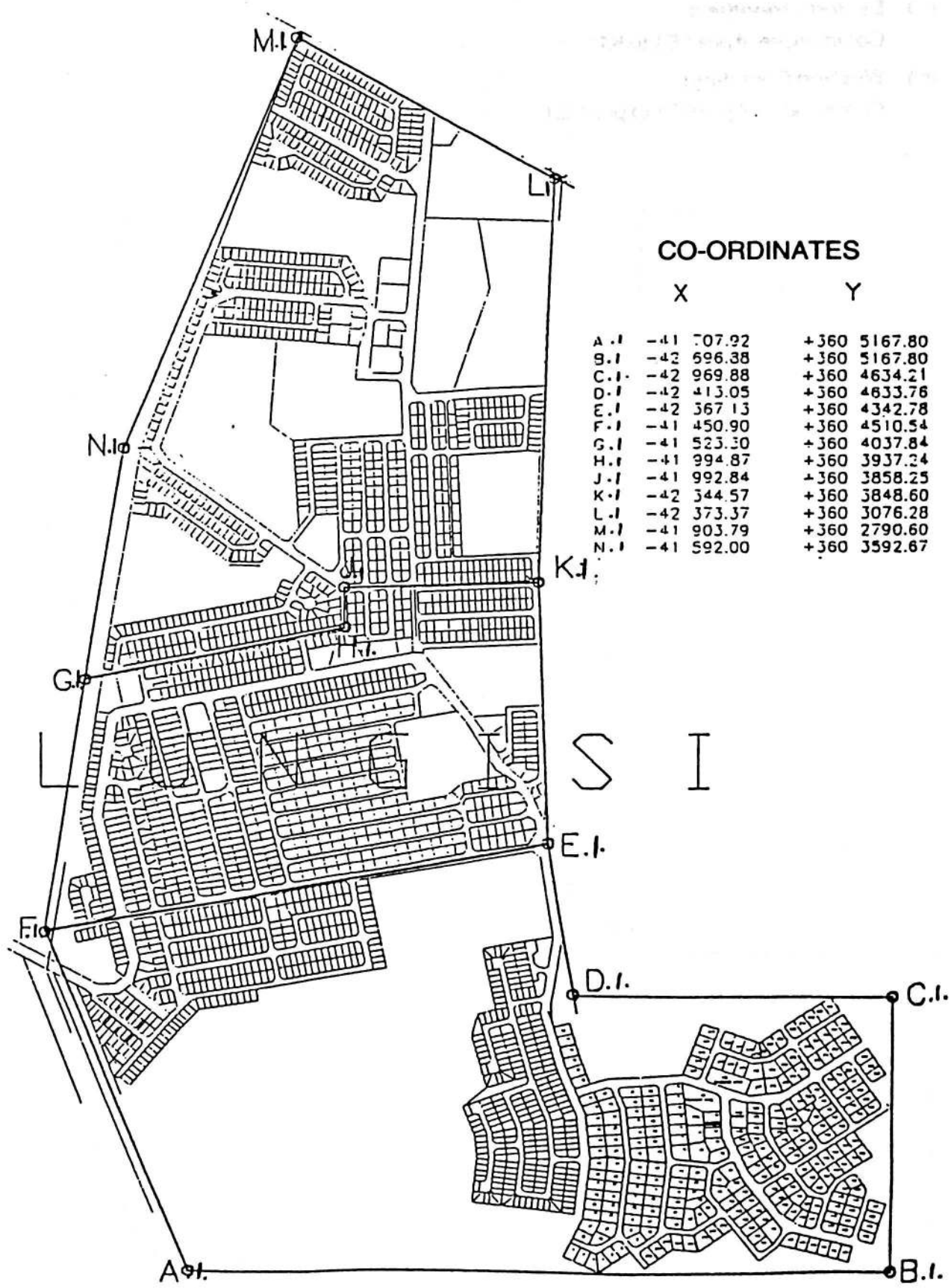


Come to Stutterheim. The friendly town with its healthy
climate and breathtaking surroundings.

Goedgekeurde Gebied vir Grensnywerhede
Declared Area for Border Industries
Moderne goedgekeurde woonwêreld

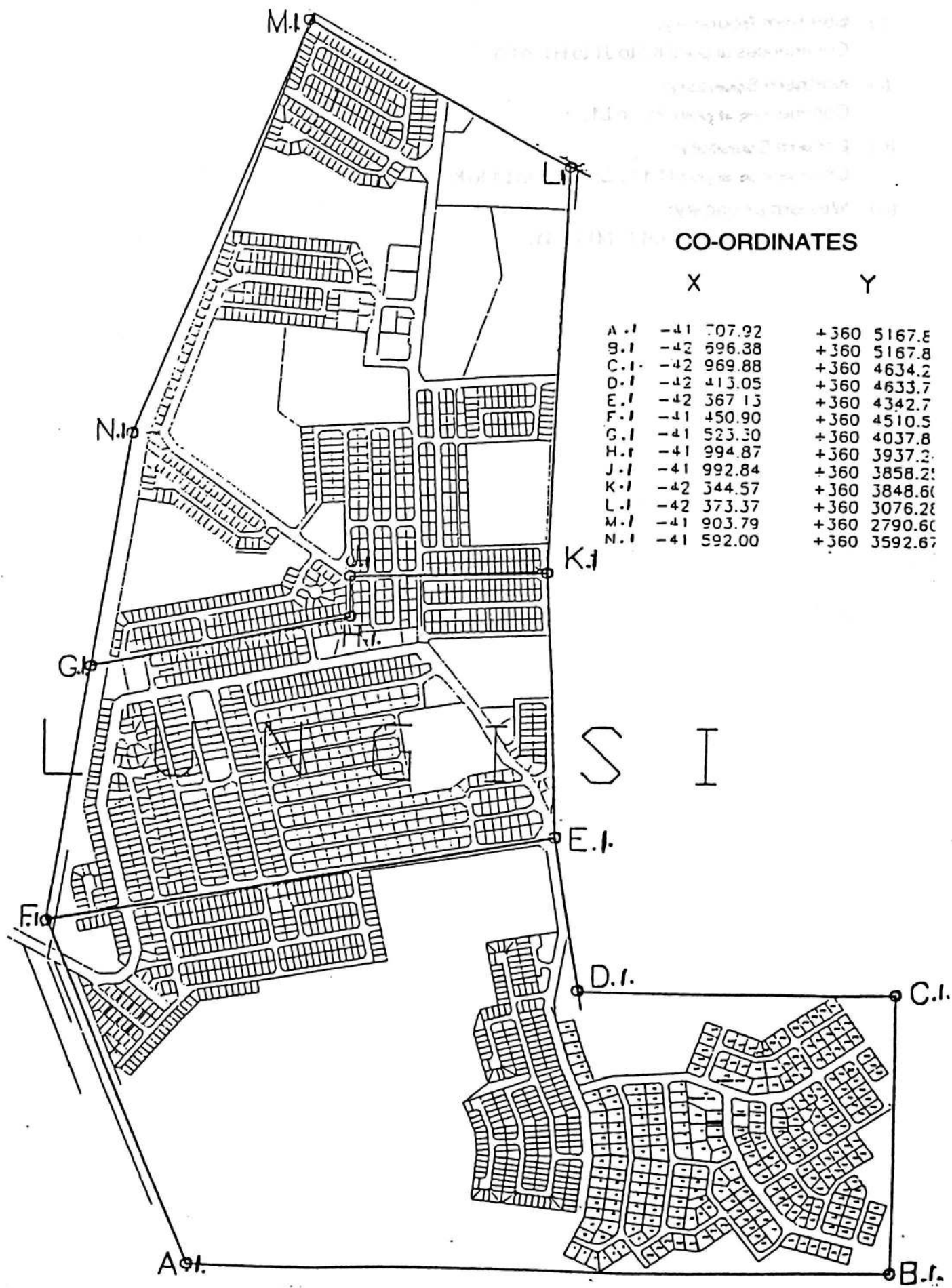
WARD 4

- (i) **Southern Boundary:**
Commences at point A1 to point B1.
- (ii) **Northern boundary:**
Commences at point F1 to point E1 and D1 to C1.
- (iii) **Eastern Boundary:**
Commences at B1 to C1 and point D1 to E1.
- (iv) **Western Boundary:**
Commences at point A1 to F1.



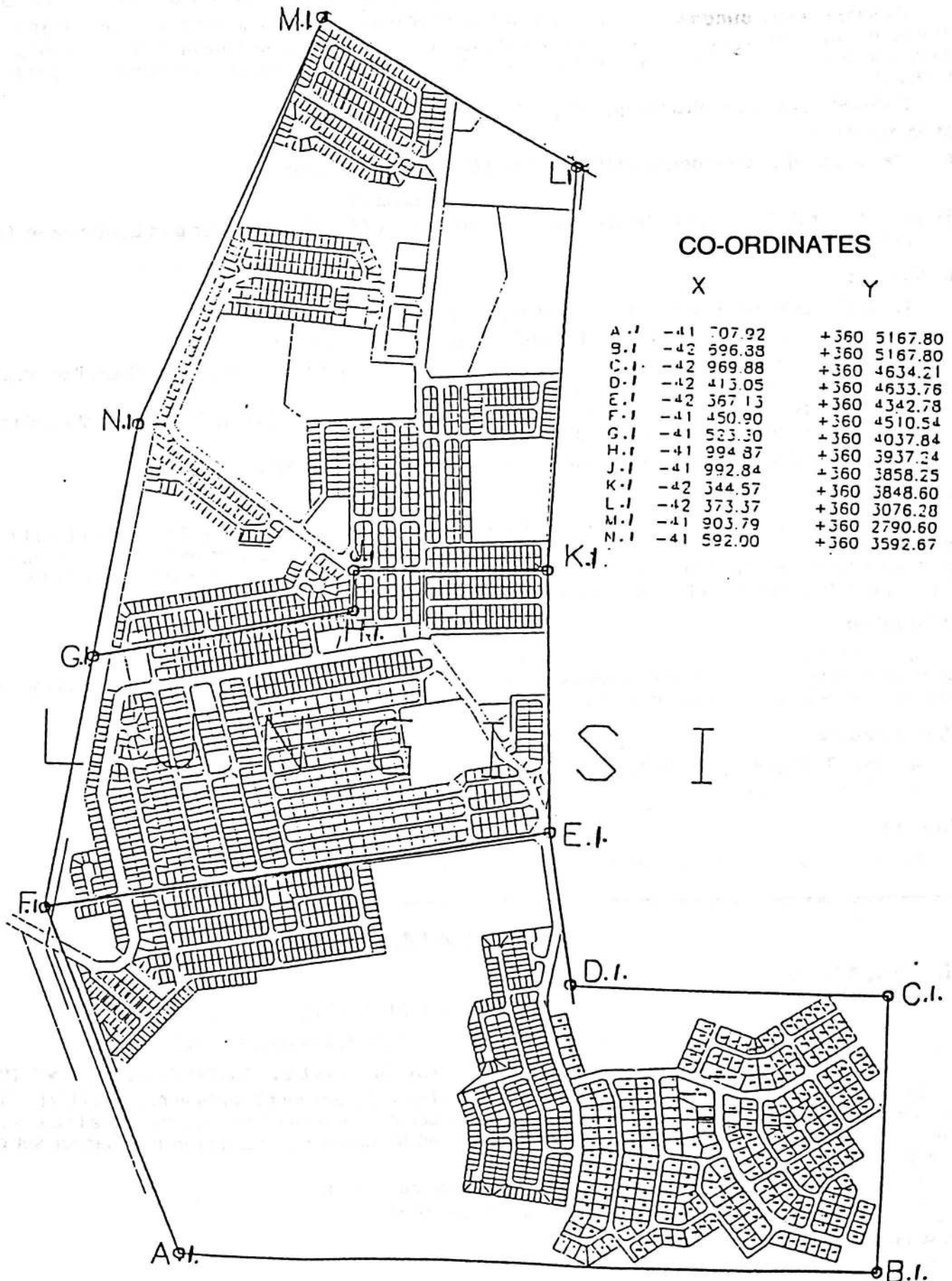
WARD 5

- (i) **Southern Boundary:**
Commences at point E1 to F1.
- (ii) **Northern Boundary:**
Commences at point K1 to J1 to H1 to G1.
- (iii) **Eastern Boundary:**
Commences at point E1 to K1.
- (iv) **Western Boundary:**
Commences at point F1 to point G1.



WARD 6

- (i) **Southern Boundary:**
Commences at point K1 to J1 to H1 to G1.
- (ii) **Northern Boundary:**
Commences at point M1 to L1.
- (iii) **Eastern Boundary:**
Commences at point P1 to Q1 to R1 to L1 to K1.
- (iv) **Western Boundary:**
Commences at point O1 to M1 to G1.



PROCLAMATION

No. 44, 1995

PROVINCE OF THE EASTERN CAPE

DEPARTMENT OF HOUSING AND LOCAL GOVERNMENT

STATUS OF KRAKEELRIVIER AND LOUTERWATER TRANSITIONAL LOCAL COUNCILS

By virtue of the powers vested in me by section 10 of the Local Government Transition Act, 1993 (Act 209 of 1993), and with the concurrence of the Provincial Committee for Local Government for the Eastern Cape Province as required in terms of section 4 of the aforesaid Act, I hereby make the Enactment contained in the Schedule hereunder.

Dated at Queenstown this Seventh day of September 1995.

M. M. MAMASE,

Minister of Local Government and Housing and Competent Authority.

SCHEDULE

To provide for limitations on the legislative competence of the Krakeelrivier and Louterwater Transitional Local Councils.

Definitions

1. In this Enactment, unless the context indicates the contrary—

“Act” means the Local Government Transition Act, 1993 (Act 209 of 1993);

“Krakeelrivier Transitional Council” means the Krakeelrivier Transitional Local Council established under Proclamation No. 61 of 1994 dated 30-11-94.

“Louterwater Transitional Council” means the Louterwater Transitional Local Council established under Proclamation No. 60 of 1994 dated 30-11-94.

“Municipal Ordinance” means the Municipal Ordinance, 1974 (Ordinance 20 of 1974).

Limitation

2. Notwithstanding the establishment of the Krakeelrivier and Louterwater Transitional Local Councils as municipalities governed and represented in terms of the Municipal Ordinance, the aforesaid transitional local councils shall not acquire any administrative or service-delivery capacity more than the administrative or service-delivery capacity they had on the day before they were proclaimed as transitional local councils.

Dissolution

3. On the day contemplated in section 9(1) of the Act, the Krakeelrivier and Louterwater Transitional Local Councils shall be dissolved and their areas of jurisdiction combined with the area of jurisdiction of the Transitional Representative Council in which their aforesaid areas of jurisdiction are situated.

Operative date

4. (a) The operative date of section 2 shall be the date on which this Proclamation is published.

(b) The operative date of section 2 shall be the date referred to therein.

Short title

5. This Enactment not be known as the Krakeelrivier and Louterwater Enactment, 1995.

PROCLAMATION

No. 45, 1995

EASTERN CAPE PROVINCE

LOCAL GOVERNMENT TRANSITIONAL ACT, 1993 (ACT 209 OF 1993)

AMENDMENT OF THE LOCAL GOVERNMENT TRANSITIONAL ELECTION REGULATIONS, 1994

Under the powers vested in me by section 9(2) of the Local Government Transition Act, 1993 (Act 209 of 1993), and with the concurrence of the Provincial Committee for Local Government I hereby amend the Local Government Transition Election Regulations 1994 (hereinafter referred to as the Regulations) in the manner set out in the Schedule hereto.

This Proclamation shall come into operation with immediate effect.

Dated at Queenstown this Seventh day of September 1995.

M. M. MAMASE,

Minister of Local Government.

SCHEDULE

PART A

AMENDMENTS TO REGULATIONS

Unless stated otherwise :

[] Words in bold type in square brackets indicate omissions from enactments.

— Words underlined with solid line indicate insertions in existing enactments.

Amendment to Regulation 7

Regulation 7(1) in respect of the Afrikaans text is hereby amended by the substitution therefore of the following :

"Sertifisering en Ondertekening van Kieserslys

- 7 (1) Die lys [indien] deur die hersieningshof ingevolge regulasie 6 gewysig al dan nie, sal [binne sewe dae vanaf wysiging of binne sewe dae na die kansellasië soos bedoel by regulasie 6(1)] nie later nie as 12:00 op 31 Julie 1995 deur die voorsittende beamppte van sodanige hof gesertifiseer en onderteken word en sal daarna, onderworpe aan die bepalings van regulasies 8 en 9, die kieserslys vir die betrokke oorgangsraad wees totdat 'n nuwe lys wettig opgestel is."

These regulations are amended by the insertion after regulation 7 of the following regulation :

Conversion and Division of Roll

7A (1) Where a voters' roll has been certified and signed in accordance with regulation 7(1) and the area of jurisdiction to which it relates is thereafter by proclamation in terms of the Act delimited or redelimited :

(a) by the exclusion therefrom of part of such area; or

(b) by the inclusion therein of an area in respect of which the whole or part of another voters' roll has been certified and signed in terms of regulation 7(1);
or

(c) by the allocation or division of such area to or into one or more transitional authorities in respect of which no voters' roll has been certified or signed in terms of regulation 7(1);

such roll may be converted or divided in terms of this regulation into a part or parts which shall correspond to the area or areas as proclaimed and delimited or redelimited.

- (2) (a) A roll converted or divided in terms of subregulation (1) shall contain the information required in regulation 3(5)(a) and the serial number allocated to a name in terms of regulation 3(5)(a)(i) shall be retained with such name in any part or parts.
- (b) Where two or more voters' rolls are converted in whole or in part into a single voters' roll and in consequence thereof the name of a voter will be included more than once in any such single roll, the provisions of regulation 3(7) shall apply.
- (c) Where the name of a claimant has been excluded, deleted or removed from a voters' roll by a revision court for the reason that such claimant was entitled to be included only once in such voters' roll, and where such roll is divided into more than one voters' role in terms of subregulation (1) and such claimant thereupon becomes eligible to be included in more than one such roll, the name and particulars of such claimant shall be so included.
- (3) (a) Where in the opinion of the Premier it is necessary or desirable to give effect to the provisions of subregulation (1) the Premier shall constitute in writing a revision committee to control and direct the conversion or division of such roll and to audit and ensure the correctness and the accuracy thereof.
- (b) The chairperson and members of the revision committee shall be appointed in writing by the Premier and shall comprise the presiding officer or in his or her absence a representative of every revision court whose roll is or will be the subject of any conversion or division.

(c) In the event that any conversion or division in terms of subregulation (1) affects the area of jurisdiction of more than one such certified and signed voters' roll, any appointment in terms of subregulation (3)(a) shall be deemed to include and require the simultaneous conversion or division of all such affected rolls separately.

(4) Any committee appointed in terms of subregulation 3(a) shall :

(a) have all the rights conferred upon an appointee in terms of regulation 95(1)(c) and (d);

(b) sign and certify the completion, correctness and accuracy of the roll as converted or divided in terms of this regulation; and

(c) report the performance of its duties in writing to the Premier immediately upon completion of the appointment within such time as the Premier may specify.

(5) Upon signature and certification in terms of subregulation (4)(b) such roll shall be deemed to be the voters' roll in terms of regulation 7(1) for the transitional authority to which it relates and shall supersede and exclude any former voters' roll relating to the whole or part of such area.

(6) The provisions of these regulations relating to any roll which has been signed and certified in terms of regulation 7(1) shall apply to any roll signed and certified in terms of subregulation (4)(b).

Amendment to Regulation 37(2)(a)

Regulation 37(2)(a) is hereby amended by the substitution therefor of the following :

37 (2) Every ballot box shall :

(a) have a lid attached thereto [with hinges];

such roll may be converted or divided in terms of this regulation into a part or parts which shall correspond to the area or areas as proclaimed and delimited or redelimited.

(2) (a) A roll converted or divided in terms of subregulation (1) shall contain the information required in regulation 3(5)(a) and the serial number allocated to a name in terms of regulation 3(5)(a)(i) shall be retained with such name in any part or parts.

(b) Where two or more voters' rolls are converted in whole or in part into a single voters' roll and in consequence thereof the name of a voter will be included more than once in any such single roll, the provisions of regulation 3(7) shall apply.

(c) Where the name of a claimant has been excluded, deleted or removed from a voters' roll by a revision court for the reason that such claimant was entitled to be included only once in such voters' roll, and where such roll is divided into more than one voters' role in terms of subregulation (1) and such claimant thereupon becomes eligible to be included in more than one such roll, the name and particulars of such claimant shall be so included.

(3) (a) Where in the opinion of the Premier it is necessary or desirable to give effect to the provisions of subregulation (1) the Premier shall constitute in writing a revision committee to control and direct the conversion or division of such roll and to audit and ensure the correctness and the accuracy thereof.

(b) The chairperson and members of the revision committee shall be appointed in writing by the Premier and shall comprise the presiding officer or in his or her absence a representative of every revision court whose roll is or will be the subject of any conversion or division.

(c) In the event that any conversion or division in terms of subregulation 3(a) affects the area of jurisdiction of more than one such certified voters' roll, any appointment in terms of subregulation 3(a) shall to include and require the simultaneous conversion or division of all affected rolls separately.

(4) Any committee appointed in terms of subregulation 3(a) shall

(a) have all the rights conferred upon an appointee in terms of subregulation 3(a) and (d);

(b) sign and certify the completion, correctness and accuracy of the converted or divided in terms of this regulation; and

(c) report the performance of its duties in writing to the Premier upon completion of the appointment within such time as the Premier may specify.

(5) Upon signature and certification in terms of subregulation 4(b) any roll shall be deemed to be the voters' roll in terms of regulation 7(1) for the transitional authority to which it relates and shall supersede and replace any former voters' roll relating to the whole or part of such area.

(6) The provisions of these regulations relating to any roll which has been signed and certified in terms of regulation 7(1) shall apply to any roll signed and certified in terms of subregulation 4(b).

Amendment to Regulation 37(2)(a)

Regulation 37(2)(a) is hereby amended by the substitution of the following:

37 (2) Every ballot box shall :

(a) have a lid attached thereto [with hinges].

Amendment to Regulation 41

Regulation 41(2) is hereby amended by the adding of the following paragraph after regulation 41(2)(d):

- 41 (2) (e) the wearing or display of any clothing or apparel by any election officer appointed in terms of regulation 31 or any candidate, agent, party, representative or messenger appointed in terms of regulation 34, which identifies any such person with a particular candidate or party.

These regulations are amended by the insertion after regulation 41(12) the following regulations :

Combined Voting Stations

- 41 (13) (a) Subject to the provisions of subparagraph (b) the returning officer may designate a single voting area or building or structure to accommodate the voting stations from two or more wards within a transitional authority.
- (b) Any designation by the returning officer in terms of subparagraph (a) shall be subject to the prior written concurrence and approval of a majority of the members of the Election Committee in terms of regulation 90(1)(e)(ii).
- (c) In arriving at any decision in terms of subparagraph (b) the Election Committee shall require and consider a written report from the returning officer together, where in its opinion necessary or desirable, with the written comments of the Demarcation Board thereon and shall satisfy itself :
- (i) that such designation is necessary and desirable in the common interest of registered voters affected thereby;
- (ii) that such designation does not unfairly discriminate against or disadvantage any particular voter, candidate or party;

- (iii) that the designated voting area is freely accessible and safe for every registered voter without fear, intimidation or undue inconvenience;
 - (iv) that the building or structure concerned can and will comply with the provisions of subparagraph (d); and
 - (v) taking into account that any other relevant factors including the number of voters and the availability of suitable alternative voting areas, buildings or structures.
 - (d) Any building or structure designated in terms of subparagraph (a) shall be capable of being divided or demarcated in such a manner as to permit each ward and its corresponding voting station :
 - (i) to be clearly identified and accessible; and
 - (ii) to be managed and conducted by the returning officer for the purposes of the election,
 - as a ward and voting station which is legally and physically separate and distinct from every other ward and voting station in the transitional authority and in such building or structure, save in respect of any common entrance to or exit from such building or structure.
- (14) (a) The returning officer shall ensure that any designation is made, conducted and managed in accordance with the provisions of any concurrence or approval given in terms of subregulation (13)(a) and in accordance with the provisions of subregulation (13)(d).
- (b) The returning officer shall advise the Premier in writing immediately of any such concurrence or approval which shall be without prejudice to the provisions of subregulation (7).

Amendment to Schedule 2 : Code of Conduct for Election Officers

Point number 4(7) is hereby amended by the deletion of the word "in" before the word "eat" in the first line.

Amendment to Form ER5

Form ER5 in respect of the Afrikaans text is hereby amended by the deletion of the words "of op 'n partylys van enige ander party".

Reg 29(1)

ER5

..... (OORGANGSRAAD)

Die Kiesbeampte

..... (Oorgangsraad)*

..... (Adres)

.....

.....

NOMINASIE VAN KANDIDAAT VIR WYKSVERKIESING

(Moet deur voornemende kandidate voltooi word)

Datum van Verkiesing

KANDIDAAT SE BESONDERHEDE

Van

Ander Name

Identiteitsnommer

Woonadres

Nommer op die Kieserslys in wyk

Hierdie nominasie is vir Wyk van die bogemelde Oorgangsraad

Telefoonnommer: (H)..... (W)

AANVAARDINGEN SERTIFIKAATDEUR DIE KANDIDAAT OF AGENT

Ek,
die bogemelde kandidaat/agent van die bogemelde kandidaat, behoorlik gemagtig om nominasie namens hom te aanvaar, aanvaar hierdie nominasie en sertifiseer dat *ek/sodanige kandidaat nie ingevolge artikel 2(1) gediskwalifiseer is om as 'n raadslid vir die bogemelde Oorgangsraad verkies te word nie.

Ek sertifiseer dat ek geen ander nominasie vir hierdie verkiesing as 'n wykskandidaat [of op 'n partylys van enige ander party] in hierdie Oorgangsraad aanvaar het nie.

Datum

Handtekening van Kandidaat of Agent

LW: DIE GESKREWE MAGTIGING DAT DIE AGENT DIE NOMINASIE NAMENS DIE KANDIDAAT MAG AANVAAR, MOET HIERDIE NOMINASIEVORM VERGESEL.

KIESERS WAT NOMINEER

Hiermee nomineer ons die bogenoemde kandidaat.

Voorletters en van van kieser	Nommer van kieser op die kieserslys	Wyksnommer	Handtekening
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.....

.....

.....

* Skrap wat nie van toepassing is nie

PART BAMENDMENTS TO REGULATIONS

Unless stated otherwise :

[] Words in bold type in square brackets indicate omissions from enactments.

— Words underlined with solid line indicate insertions in existing enactments.

Amendment to Chapter 18

Chapter 18 is hereby amended by the substitution therefor of the following :

[CHAPTER 18APPLICATION OF REGULATIONSCo-Ordinating Committee and Exempted Bodies

- 113 The provisions of these regulations shall, in so far as they apply to a transitional local council, apply to a local government co-ordinating committee established in terms of Section 7 of the Act and to a local government body exempted in terms of Section 5 of the Act.

Annexure

- 114 The annexures to these regulations shall be read as one with these regulations.

Pre-Interim and Interim Phases

- 115 These regulation shall apply during the pre-interim phase and the interim phase defined in section 1(1)(iv) of the Act.

Short Title

- 116 These regulations shall be called the Local Government Transition Election Regulations, 1994.]

CHAPTER 18ELECTORAL CODE OF CONDUCT, SUBSCRIBERS,
ENFORCEMENT AND ADMINISTRATIONDefinitions

113 For the purposes of regulations 113 to 148 inclusive and Schedule 3, 4, 5 and 6, unless the context otherwise indicates :

- (a) "candidate" means any person whose name is publicly declared in terms of regulation 29(4)(b), (c) or (d); and save where the context otherwise requires, includes a proposed candidate;
- (b) "candidate representative" means any person specified in regulation 114(1)(c)(ii) to (v) inclusive;
- (c) "day" means a period of twenty-four consecutive hours commencing at midnight and excluding a Saturday, Sunday or public holiday referred to in the Public Holidays Act, 1994 (Act 36 of 1994);¹⁾
- (d) "party" means any party in respect of which an application for registration as a party has been publicly declared in terms of regulation 26(2)(b) and, save where the context otherwise requires, includes a proposed party;
- (e) "party representative" means any person specified in regulation 114(1)(b)(ii) to (iv) inclusive;
- (f) "Premier" means the Premier as contemplated in Section 144(1) of the Constitution exercising and performing all powers and functions assigned to him or her by regulation 116 in consultation with the Executive Council of the province;
- (g) "prescribed" means prescribed by these regulations;

- (h) "proposed candidate" means any person in respect of whom a nomination paper is delivered in terms of regulation 29(1) or amended in terms of regulation 29(5);
- (i) "proposed party" means any party, association, body or group of people in respect of which an application for registration as a party has been delivered in terms of regulation 24(1) or amended in terms of regulation 25;
- (j) "representative" means a candidate representative and a party representative;
- (k) "Secretary" means the person designated as such in terms of regulations 125 and 126 or his or her authorised representative; and
- (l) "supporter" means a person or organisation whose name is shown as a member or financial subscriber in an official list of local, provincial or national members or financial subscribers of a party or who is otherwise shown to be a supporter of or financial subscriber to a party or candidate.

Subscribers to Electoral Code of Conduct, Penalties and Sanctions

114 (1) The Electoral Code of Conduct (hereinafter referred to as "the Code") in Schedule 3 to these regulations :

(a) shall be deemed to be subscribed to by :

(i) every party; and

(ii) every candidate;

as a condition of application for registration or delivery and receipt of a nomination; and by

(iii) every traditional leader whose name is publicly declared in terms of regulation 29(4)(d);

(b) shall, within the area of jurisdiction of the transitional authority to which such party's application for registration relates, be binding on :

(i) such party;

(ii) every office-bearer, candidate and authorised representative included in such party application in terms of regulation 24(1)(b) or any rectified or amended application or notification to the returning officer;

(iii) every agent or messenger appointed by such party in terms of regulation 34; and

(iv) any other member, representative or supporter of such party;

(c) shall, within the area of jurisdiction of the transitional authority in respect of which his or her nomination paper relates, be binding on :

(i) such candidate;

(ii) every agent authorised by such candidate in terms of regulation 29(1);

(iii) every agent or messenger appointed by such candidate in terms of regulation 34;

(iv) every person who has signed such candidate's nomination paper in terms of regulation 29(1) or any amended or remedied nomination paper in terms of regulation 29(5); and

- (v) any other representative or supporter of such candidate; and
 - (d) shall be binding from noon on 4 September 1995 until 23:59 on 12 November 1995 in the case of a transitional local council or until 23:59 on 10 December 1995 in the case of a transitional metropolitan council and transitional metropolitan substructures.
- (2) Subject to regulation 124, any party which or any party representative, candidate or candidate representative who infringes any provision of the Code shall, upon a finding that any such provision has been so infringed, be liable to one or more of the following penalties or sanctions, of which any or all may be suspended on specified conditions :
- (a) in the case of a party which or candidate or representative who has infringed a provision of the Code :
 - (i) a formal warning;
 - (ii) in the case of a party, the forfeiture of the deposit or any part thereof paid by such party in terms of regulation 24(1);
 - (iii) a fine not exceeding R100 000;
 - (iv) an order prohibiting such party, candidate or representative whether permanently or for a specified period, from utilising any media time, including any such television or broadcasting services as have been or may be made available to such party, candidate or representative for electoral purposes;
 - (v) an order prohibiting such party, candidate or representative :
 - (aa) from holding or organising particular public meetings.

demonstrations or marches, or any kind of such meetings, demonstrations or marches;

(bb) from entering the jurisdiction of any specified transitional authority or any part thereof or any ward or wards therein for purposes of canvassing for membership, or for any other electoral purpose;

(cc) from erecting placards or banners, or from publishing and distributing campaign literature;

(dd) from publishing or distributing campaign literature and electoral advertising,

or limiting the rights of such party, candidate or representative to do so;

(vi) an order prohibiting such party, candidate or representative from receiving, whether wholly or partly, foreign funding, including an order requiring the repayment within a specified period, of any such funding or any part of such funding already received;

(b) in the case of a party, candidate or representative who has infringed the provisions of the Code :

(i) by any act or omission involving violence or intimidation in relation to, or involving the obstruction or prevention of free or safe access by any party, candidate, representative or voter;

(aa) an order excluding such party, candidate or representative from any area, including any ward or

voting station within which such infringement took place;

- (bb) an order cancelling the application for registration of a party in terms of regulation 24 or the registration and/or nomination of a party in terms of regulation 26, or cancelling in respect of a candidate, his or her nomination form in terms of regulation 29(1), or acceptance of nomination in terms of regulation 29(4)(c), or election in terms of regulation 29(4)(b), and consequently cancelling the right of any such party or candidate to participate in the election in the area to which such infringement relates; or
 - (cc) an order disqualifying, in the case of a person who is a party candidate, such person from being a candidate or deleting the name of such candidate from the partly list or lists of candidates concerned; or
 - (dd) an order comprising more than one order in terms of subparagraphs (i)(aa), (bb) or (cc) above;
- (ii) by any fraudulent act by virtue of which votes have been obtained, an order reducing the number of votes counted in favour of that party or candidate by a specified number of votes.

Presumptions in Relation to Acts Performed or Failures to Perform Certain Acts

- 115 If in any proceedings in terms of these regulations it is proved that any act contemplated in regulation 130 has been performed by a party representative, or candidate representative or that any such representative failed to perform any such act :

- (a) in the exercise of his or her powers or in the performance of his or her duties or functions as such representative, such act shall be deemed to have been performed by that party or candidate or it shall be deemed that such party or candidate has failed to perform such act; or
- (b) in carrying on the business of or furthering or endeavouring to further the interests of such party or candidate, such party, candidate, and every other person who was at the time of the performance of such act or the failure to perform such act such party's representative or such candidate's representative, shall be deemed to have performed or to have failed to perform such act, unless it is proved that such party, or other person, as the case may be, did not take part in the performance of, or the failure to perform, such act and that such party, candidate or other person, as the case may be, could not have prevented it.

Establishment and Constitution of Electoral Tribunals

- 116 (1) The Premier may by proclamation establish such number of Electoral Tribunals as he or she may consider necessary and shall delimit and incorporate in such proclamation the area or areas of jurisdiction of such Tribunal or Tribunals.
- (2) An Electoral Tribunal established in terms of subregulation (1) shall upon such proclamation have all the powers, duties and functions of an Electoral Tribunal in terms of these regulations.
- (3) An Electoral Tribunal shall consist of one person, designated as the presiding officer and appointed to that office by the Premier, who shall be an attorney, advocate, or academic lawyer at a university with not less than five years' experience in one or more such capacities, or a retired judge.
- (4) Where by reason of absence or incapacity a presiding officer is unable to

complete the hearings of a complaint, that hearing shall be commenced *de novo* before another presiding officer.

Powers, Duties and Functions of Electoral Tribunals

- 117 (1) An Electoral Tribunal hearing any matter falling within its jurisdiction, shall enquire into the matter in the prescribed manner, consider it and make such decision or give such order or orders as in its opinion is fair and just.
- (2) An Electoral Tribunal finding any person or party guilty of contravening or failing to comply with any provision of the Code, may impose any such penalty or sanction as may be prescribed in terms of these regulations as it may consider appropriate in the circumstances.
- (3) An Electoral Tribunal shall have such other powers, duties and functions as may be prescribed.

Establishment and Constitution of Electoral Appeal Tribunals

- 118 (1) The Premier shall establish one Electoral Appeal Tribunal with jurisdiction in respect of the province or more Electoral Appeal Tribunals with jurisdiction in respect of areas determined and incorporated in such proclamation as he or she may consider necessary.
- (2) An Electoral Appeal Tribunal established in terms of subregulation (1) shall upon such proclamation have all the powers, duties and functions of an Electoral Appeal Tribunal in terms of these regulations.
- (3) An Electoral Appeal Tribunal shall consist of three persons appointed by the Premier of whom :
- (a) the chairperson shall be an attorney, advocate or academic lawyer at a university with not less than ten years' experience in one or more such capacities or a retired judge;

- (b) one shall be a attorney, advocate or academic lawyer at a university with not less than five years' experience in one or more such capacities or a retired judge;
- (c) one shall be a suitable person, who may or may not be legally qualified or experienced.
- (4) The decision of the majority of the members of an Electoral Appeal Tribunal shall be a decision of such Tribunal.

Powers, Duties and Functions of Electoral Appeal Tribunals

- 119 (1) An Electoral Appeal Tribunal hearing any matter falling within its jurisdiction, shall enquire into the matter in the prescribed manner, consider it and make such decision or give such order or orders as in its opinion is fair and just.
- (2) An Electoral Appeal Tribunal finding any person or party guilty of contravening or failing to comply with any provision of the Code, may impose any such penalty or sanction as may be prescribed as it may consider appropriate in the circumstances.
- (3) An Electoral Appeal Tribunal hearing any appeal or reviewing any decision shall enquire into the matter in the prescribed manner, consider it and confirm, vary or set aside the decision, order, penalty or sanction of an Electoral Tribunal, or make such other decision or give such other order or orders or impose such other penalty or sanction as in its opinion such Electoral Tribunal ought to have made, given or imposed.
- (4) An Electoral Appeal Tribunal shall have such other powers, duties and functions as may be prescribed.

Appeal and Review

- 120 (1) Any claimant or respondent may appeal to the Electoral Appeal Tribunal against any decision, order, penalty or sanction made, given or imposed in respect of such claimant or respondent by Electoral Tribunal, within the period and in the manner prescribed.
- (2) Any claimant or respondent may bring any decision of any Electoral Tribunal under review before the Electoral Appeal Tribunal within the period and in the manner prescribed.

Representation in Proceedings of Tribunals

- 121 (1) Any natural person who is a claimant or respondent to any proceedings in a Tribunal shall appear in person in such Tribunal and may represent himself or herself or may appoint a representative in writing.
- (2) Any other person or party which is a claimant or respondent to any proceedings in a Tribunal may appoint a representative in writing.

Nature of Tribunals, Records and Force of Process

- 122 (1) Every Electoral Tribunal and Electoral Appeal Tribunal shall be a Tribunal of record.
- (2) (a) The oral evidence given in the course of its proceedings of an Electoral Tribunal or an Electoral Appeal Tribunal and the findings of such Tribunal and, if required by the presiding officer or chairperson, as the case may be, the arguments adduced by or on behalf of the parties to the proceedings shall be recorded either in writing or by mechanical means.
- (b) The record of the proceedings of a Tribunal shall contain :

- (i) any affidavits and accompanying documents filed in support of the order, penalty or sanction claimed;
- (ii) any oral evidence given;
- (iii) any objection made to any evidence given or tendered;
- (iv) the proceedings of the Tribunal in general, including the record of any inspection *in loco*;
- (v) any document, appropriately marked in order of the alphabet, handed in, in support of any oral evidence; and
- (vi) any findings and the reasons therefor made by such Tribunal.

(3) Every process issued out of, or in connection with any proceedings instituted or to be instituted in any Tribunal, and any order of, and any penalty or sanction imposed by any Tribunal, shall be of force throughout the province.

Orders as to Costs in Proceedings in Tribunals

123 A Tribunal may make an order in terms of which the reasonable expenses actually and necessarily incurred by any person or party who or which is a claimant or respondent to the proceedings or any other person or party in the proceedings, and approved by the presiding officer or chairperson, as the case may be, are to be paid, whether wholly or partly, by any other person or party.

Institution of Proceedings

- 124 (1) The returning officer may, in respect of the area of jurisdiction for which he or she is appointed, either on his or her own motion or in consequence of any report made to him or her at any time, institute proceedings :
- (a) in the case of an alleged infringement of the Code which in his or her

opinion is of such a nature that it may be subject to a penalty or sanction referred to in regulation 114(2)(a)(iv), (v), (vi) or (b), in the Electoral Appeal Tribunal;

(b) in the case of any other alleged infringement of the Code, in the Electoral Tribunal in whose area of jurisdiction such alleged infringement occurred.

- (2) An Electoral Tribunal adjudicating an alleged infringement of the Code in terms of subregulation (1)(b) may impose a penalty or sanction contemplated in regulation 114(2)(a)(i), (ii) or (iii) : Provided that such Tribunal may refer a matter which in its opinion may warrant a penalty or sanction in excess of its jurisdiction to the Electoral Appeal Tribunal and recommend the imposition of the appropriate penalty or sanction.
- (3) Upon the referral and recommendation of an Electoral Tribunal in accordance with subregulation (2), the Electoral Appeal Tribunal may impose the recommended penalty or sanction or impose any other penalty or sanction contemplated in regulation 114(2) which it may consider appropriate.
- (4) An Electoral Appeal Tribunal adjudicating an alleged infringement of the Code in terms of subregulation (1)(a) may impose a penalty or sanction contemplated in regulation 114(2)(a)(i), (ii) or (iii) in respect thereof, or any other penalty or sanction contemplated in regulation 114(2).
- (5) In the event that the Premier declines in terms of regulation 116(1) to establish an Electoral Tribunal, the Electoral Appeal Tribunal shall adjudicate in respect of all alleged infringements of the Code and may impose any penalty or sanction contemplated in regulation 114(2).
- (6) In making its decision regarding appropriate penalties or sanctions, the relevant Tribunal shall have regard to any other legal consequence that may

result from civil or criminal proceedings instituted by reason of the same occurrence.

Secretarial and Other Services

125 Administrative and secretarial work necessary or incidental to the performance of the functions of an Electoral Tribunal and Electoral Appeal Tribunal shall be conducted under the authority and responsibility of the Director-General of the Province and shall be performed by the Secretary and officers of the provincial government or such other persons designated for this purpose by such Director-General and who shall be under the control, direction and supervision of the Secretary.

Powers, Duties and Functions of Secretary

126 (1) The Secretary shall have the powers, duties and functions conferred or imposed upon him or her by these regulations.

(2) (a) The powers conferred and the duties and functions imposed upon the Secretary by the provisions of these regulations may be exercised or performed by the Secretary personally, or by :

(i) any other person, directly or indirectly appointed or designated by the competent authority within the jurisdiction of the province; or

(ii) any other officer in the public service made available for the purposes of the administration of any provision of these regulations.

authorised thereto in writing by the Secretary.

(b) Any official or officer referred to in paragraph (a) shall exercise any

such powers and perform any such duties and functions under the control, directions and supervision of the Secretary.

Appointment of Interpreters

127 (1) If any person giving evidence in any proceedings before a Tribunal desires to give such evidence in any language other than one of the official languages, the Secretary shall cause a person to be appointed, on such conditions as may be determined by the Secretary, as interpreter to translate such evidence into one of the official languages and vice versa.

(2) (a) Any person appointed in terms of subregulation (1) shall before commencing with his or her functions for the first time, take an oath or make an affirmation subscribed by him or her in the form set out below :

I, AB, do hereby swear/solemnly and sincerely affirm that I shall truly and correctly to the best of my ability interpret from the language I am called to interpret in the Electoral Tribunal and/or the Electoral Appeal Tribunal into either of the official languages and vice versa.

(in case of an oath)

So help me God

(b) An oath or affirmation referred to in paragraph (a) shall be taken or made before the Secretary or the presiding officer or chairperson of the Tribunal in question.

Binding on Premier

- 128 Regulations 116 and 118 shall bind the Premier in that he or she shall be obliged to act in consultation with the Executive Council of the province.

CHAPTER 19ELECTORAL TRIBUNALSAreas of Jurisdiction and Seats of Electoral Tribunals

- 129 (1) The place designated within its area of jurisdiction and published by the Secretary and made known by notice in the Provincial Gazette shall be the seat of an Electoral Tribunal.
- (2) Notwithstanding the provisions of subregulation (1), an Election Tribunal may, as circumstances require, sit at such other place or places within its area of jurisdiction as may from time to time be determined by the Electoral Tribunal or the Secretary.

Matters to be adjudicated and decided upon by Electoral Tribunals

- 130 (1) Subject to the provisions of subregulation (2), an Electoral Tribunal shall have jurisdiction to adjudicate and decide upon any allegation in relation to any act or failure to act by any party or persons which constitutes :
- (a) an infringement of the Code in so far as such party or person is, by virtue of the provisions of regulation 114 bound by such Code;
- (b) (i) an attempt, intention or threat to perform or fail to perform any such act; or

- (ii) a conspiracy with any other person to perform or fail to perform any such act; or
 - (iii) an incitement, instigation, command or procurement of any such other person to perform or fail to perform any such act so contemplated.
- (2) An Electoral Tribunal shall not have jurisdiction to adjudicate and decide upon any matter referred to in subregulation (1), unless :
 - (a) the act contemplated in subregulation (1), was allegedly performed or was required to be performed, wholly or partly, within the area of jurisdiction of such Electoral Tribunal or, in the case of more than one such act or failure, at least one such act was performed or required to be performed, wholly or partly, within such area of jurisdiction; or
 - (b) the party or person against whom the proceedings in the Electoral Tribunal have been instituted either has an address within the area of jurisdiction of such Electoral Tribunal or was identified in terms of these regulations as having had an address within such jurisdiction at the time the Code became binding on such party or person in terms of regulation 114; or
 - (c) such party or person appears in such proceedings and makes no allegation that the Electoral Tribunal has no jurisdiction to adjudicate and decide upon the matter in terms of this subregulation.
- (3) If during the proceedings in any matter before an Electoral Tribunal :
 - (a) it appears to the presiding officer that such Electoral Tribunal

has, in terms of subregulation (2), no jurisdiction to adjudicate and decide upon such matter, the presiding officer shall :

- (i) with the consent of all the parties to such proceedings, proceed with such matter as if that Electoral Tribunal had jurisdiction to adjudicate and decide upon such matter; or
- (ii) if such consent is not given, make an endorsement to that effect in the record of the proceedings and transmit such record to the Electoral Tribunal which has in terms of subregulation (2) jurisdiction to adjudicate and decide upon such matter, or in the absence of such other Electoral Tribunal to the Electoral Appeal Tribunal whereupon such matter shall be continued in such last-mentioned Electoral Tribunal or Electoral Appeal Tribunal as the case may be as if such proceedings had been instituted therein.
- (b) such Tribunal is of the opinion that the matter may warrant a penalty or sanction in excess of its jurisdiction, the presiding officer shall make an endorsement to that effect in the record of the proceedings and transmit such record to the Electoral Appeal Tribunal to adjudicate and decide upon such matter, whereupon such matter shall be considered and dealt with by such Electoral Appeal Tribunal in terms of regulation 115(2) and (3).

Institution of Proceedings in Electoral Tribunals

- 131 (1) Any party, association, body or person (hereinafter referred to as the complainant) which or who wishes any proceedings to be instituted in an Electoral Tribunal in terms of these regulations against any party or person (hereinafter referred to as the respondent) in relation to any matter referred to in regulation 130, shall lodge with the returning officer appointed for the area of jurisdiction of the transitional authority

- to which the complaint relates, an affidavit setting forth the factual allegations and submissions supporting the complaint.
- (2) The returning officer, shall, where possible, endeavour to resolve any issue in relation to a complaint lodged with him or her in terms of subregulation (1) by means of mediation and to this end may refer such complaint to the Election Committee in terms of regulation 90(1)(e)(ii).
- (3) (a) If the returning officer refuses to institute proceedings in relation to a complaint lodged with him or her in terms of subregulation (1) a dispute shall be deemed to exist in terms of regulation 90(1)(e)(i) and the returning officer shall forthwith submit such complaint to the Election Committee appointed in terms of regulation 90, and shall also furnish his or her reasons for such refusal in writing to the complainant and the Election Committee.
- (b) Notwithstanding anything to the contrary in these regulations contained, the Election Committee after due consideration of such dispute may request the returning officer to institute proceedings in relation to the complaint and the returning officer shall thereupon do so in terms of these regulations.
- (4) Any fact disclosed during mediation in terms of subregulation (2) or regulation 91(1)(e)(i) shall be privileged.
- (5) If the returning officer acting as provided in regulation 124 intends to institute any proceedings in an Electoral Tribunal in terms of these regulations against any respondent in relation to any matter referred to in regulation 130 he or she shall institute any such proceedings by way of summons accompanied by an appropriate supporting affidavit as near as may be in accordance with the form set out in Schedule 4 :

(a) setting forth the imposition of the penalty or sanction, or the terms of an order, claimed against the respondent on the factual allegations and submissions set out in the aforesaid supporting affidavit;

(b) setting forth the time and date as may be determined by the Secretary, which shall be a date not less than five days after the date upon which the summons was served on the respondent, on which, and the place at which, the matter is set down for adjudication and decision;

(c) calling upon the respondent, if he or she wishes to defend the matter :

(i) to file with the Secretary, not less than two days before the date upon which the matter is set down for adjudication and decision, an affidavit in which the respondent answers to the allegations contained in the affidavit annexed to the summons; or

(ii) if the respondent intends to raise any question of law only, file with the Secretary notice in writing of his or her intention to do so before or on the date referred to in item (i) setting forth such question.

(6) In every summons the complainant shall be cited as the claimant and the claim shall, after the institution of the proceedings by the returning officer be prosecuted by such claimant : Provided that the said returning officer may, if it appears to him or her to be in the interest of justice :

(a) be cited as the claimant and prosecute the claim; or

- (b) at any stage of the proceedings intervene in the proceedings on behalf of the claimant or the respondent.
- (7) (a) The Secretary shall :
- (i) issue the summons referred to in subregulation (4) by signing the original thereof and placing his or her official stamp or seal thereon;
- (ii) allot a consecutive number to each summons so issued by him or her.
- (b) Any other affidavit or document filed or record in any proceedings in an Electoral Tribunal shall be marked with such number by the party filing such affidavit or document.
- (8) A claimant or respondent to the proceedings in an Electoral Tribunal shall not be entitled to file any affidavits other than the affidavits referred to in subregulation (5), except with the special permission of the Electoral Tribunal granted on good cause shown and subject to such conditions, if any, as may be determined by the Electoral Tribunal, in order to bring such proceedings to an expeditious conclusion, due regard being had to fairness and justice.
- (9) The respondent shall in his, her or its affidavit contemplated in subregulation (5)(c)(i) either admit or deny or confess and avoid all the material facts alleged in the supporting affidavit annexed to the summons or state which of the said facts are not admitted and to what extent, and shall clearly and concisely state all material facts upon which he, she or it relies.

Manner of Citation of Parties as Respondents132 In any proceedings in an Electoral Tribunal against a party :

(a) any office-bearer, candidate or authorised representative included in such party application in terms of regulation 24(1)(b) or any rectified or amended application or notification to the returning officer shall be cited as representative of that party, as the respondent, and thereupon the person so cited may, as such representative, be dealt with as if he or she were the party and the respondent against which the proceedings are instituted : Provided that -

(i) if at any stage of the proceedings the said person ceases to be such an office-bearer, candidate or authorised representative of that party or absconds or is unable to attend, the Tribunal in question may, at the request of the claimant, from time to time substitute for the said person any other person who is an office-bearer, candidate or authorised representative of the said party at the time of the said substitution, and thereupon the proceedings shall continue as if no substitution has taken place;

(ii) the citation of an office-bearer, candidate or authorised representative of a party as aforesaid, to represent that party in any proceedings instituted against it, shall not exempt that office-bearer, candidate or authorised representative from proceedings being instituted against him or her in his or her personal capacity;

(b) such party shall be cited by the name of such party referred to in regulation 24(1)(b)(i).

Manner of Citation of a Candidate or Representative of a Candidate or Party as Respondents133 (1) In any proceedings in an Electoral Tribunal :

- (a) against a candidate, the candidate shall be cited as the respondent; or
- (b) against a candidate representative, the candidate representative and the candidate shall be cited as the respondents; or
- (c) against a party representative, the party representative and the party shall be cited as the respondents.

and thereupon the person or persons or party so cited may be dealt with as if he, she, they or it, as the case may be, were the person and the respondent against which the proceedings are instituted : Provided that if at any stage of the proceedings the said person or persons ceases to be a candidate or representative or absconds or is unable to attend, the Tribunal in question may, at the request of the claimant, from time to time substitute for the said person or persons any other person who is a candidate representative at the time of the said substitution, and thereupon the proceedings shall continue as if no substitution has taken place;

- (2) Any candidate, candidate representative, party representative or party shall be cited in the name of such person or party given in the applicable nomination paper, application for registration or public declaration of nomination in terms of these regulations; or in the case of a representative who is an agent or messenger in the name of such person appointed in terms of regulation 34; or in the case of a representative who is a supporter, in the name of such supporter.

Service of Summonses

- 134 (1) A claimant, not being the returning officer may :
- (a) serve any summons issued at his or her or its instance in terms of regulation 131(1) on the respondent concerned personally; or

- (b) with the permission of the respondent previously obtained, serve such summons upon the respondent's legal representative; or
 - (c) deliver such summons to the returning officer for service on the respondent concerned in the manner as provided in subregulation (2).
 - (2) (a) The claimant requiring service of any summons to be effected by the returning officer shall deliver to the said returning officer concerned the original of that summons, together with as many copies thereof as there are respondents.
 - (b) Subject to the provisions of this regulation, any summons shall be served by the returning officer on the respondent concerned by serving a copy thereof in one of the following manners :
 - (i) on the respondent personally or on his or her duly authorised agent;
 - (ii) in the case of a party at the address of such party stated in terms of regulation 24(1)(b)(iii) or at the address of the duly authorised party representative stated in terms of regulation 24(1)(b)(viii);
 - (iii) in the case of a party representative :
 - (aa) at the address of such representative stated in terms of regulation 24(1)(b)(v) or (vi);
 - (bb) where such representative is an agent or messenger at the address of such agent or messenger as shown on the voters' roll referred to in regulation 34; or

- (cc) where such representative is a supporter at the address of such supporter;
- (iv) in the case of a candidate at the address of such candidate stated in terms of regulation 29 on the applicable form ER5;
- (v) in the case of a candidate representative :

 - (aa) at the address of such representative stated in terms of regulation 29; or
 - (bb) where such representative is an agent or messenger at the address of such agent or messenger as shown on the voters' roll referred to in regulation 34; or
 - (cc) where such representative is a voter who has signed such candidate's nomination paper or amended nomination paper at the address of such voter on the voters' roll as identified in Form ER5; or
 - (dd) where such representative is a supporter at the address of such supporter;
- (vi) in the case of a juristic person, partnership or association of persons, whether incorporated or unincorporated, at its office on an office-bearer or employee thereof or on any of its members or office-bearers at his or her place of residence or business address;

Provided that where such service has been effected the returning officer shall indicate in the return of service of the summons the

name of the person to whom it has been served and the capacity in which that person stands in relation to the respondent, and where such service has been effected in the manner prescribed by subparagraph (ii) to (vi) inclusive, the Electoral Tribunal may, if there is reason to doubt whether the summons served has come to the actual knowledge of the respondent to be served, and in the absence of satisfactory evidence, treat such service as invalid.

- (3) Where the party or person on which a summons is to be served keeps its or his or her place of address closed and in so doing prevents the summons to be serviced upon such party or person, it shall be sufficient service to affix a copy thereof to the outer or principal door of such place of address.
- (4) The claimant or the returning officer may, in any case where resistance to the due service of the summons in question has been met with or is reasonably anticipated, call upon any peace officer to render him or her such assistance as may be necessary to effect such service.
- (5) If a summons is served by a claimant on a respondent personally or on his or her legal representative as provided in subregulation (1)(a) or (b), the claimant shall obtain a receipt in the following form, and file the original summons and the receipt with the Secretary as soon as possible :

I, CD, being the respondent/legal representative of the respondent in the matter between claimant and myself/respondent, do hereby acknowledge that a copy of the summons in such matter has been served on me personally and that the original of the summons has been exhibited to me.

Signed at on this the
day of 199

.....
SIGNATURE

(6) The returning officer shall without delay notify the Secretary in writing :

- (a) that service has been duly effected, stating the date and manner of service; or
- (b) that he or she has been unable to effect service and of the reason for such inability.

and return the original of the said summons to the Secretary.

(7) The return of service of the returning officer and the receipt referred to in subregulation (5) shall be *prima facie* evidence of the matters therein stated.

Adjudications and Decisions in Electoral Tribunals

- 135 (1) The rules of the law of evidence shall not apply in respect of the proceedings in an Electoral Tribunal or an Electoral Appeal Tribunal and such Tribunal may ascertain any relevant fact in such manner as it may deem fit.
- (2) If, on the date on which the matter has been set down for adjudication and decision :
- (a) the claimant and the respondent in the proceedings appear before the Electoral Tribunal, each shall be afforded one opportunity to address the Electoral Tribunal, either personally or by way of a legal representative, and no other opportunity shall be granted

except with the special permission of the Electoral Tribunal granted on good grounds shown and on such conditions, if any, as may be determined by the Electoral Tribunal;

(b) the claimant fails to appear at the time determined for adjudication and decision of the matter, the Electoral Tribunal may dismiss the matter or make such other order as it may deem expedient or appropriate in the circumstances;

(c) the respondent fails to so appear, the Electoral Tribunal may, subject to the provisions of subregulation (3), consider the matter and, if satisfied that an order claimed in the summons is justified, issue such an order or make such other order as it may deem expedient or appropriate in the circumstances.

(3) A respondent against whom an order has been issued under subregulation (2)(c), may as soon as practicable after the order has come to his or her knowledge apply to the Electoral Tribunal upon written notice to the claimant to set aside such order and the Electoral Tribunal may, upon good cause shown, set aside such order and make such order as it may deem fit in order to bring the proceedings to an expeditious conclusion.

(4) If the matter cannot be decided on the affidavits filed in terms of regulation 131, the Electoral Tribunal may :

(a) proceed inquisitorially to ascertain the relevant facts and to that end the Tribunal may question any claimant or respondent or person at any stage of the proceedings;

(b) order that oral evidence be heard on issues specified in such order immediately or on a date or dates determined by it at the time of making such an order, with a view to resolving any dispute of fact;

- (c) order any person or party present at the proceedings, or any other person or party by way of a subpoena as near as may be in accordance with the form set out in Schedule 5 hereto and issued by the Secretary, to appear before it on a date or dates determined by it at the time of making such an order, to be questioned by the Tribunal, or if necessary to be examined and cross-examined as a witness, or to produce any document or article for examination;
- (d) order the returning officer to enter upon any place or vehicle specified in such order to search for and seize any document or article so specified for production and examination in the proceedings in such Electoral Tribunal;
- (e) make such other order as it may deem necessary in order to ensure a fair and expeditious decision on the matter.
- (5) A claimant or respondent to the proceedings in which it has been ordered as provided in subregulation (4)(b) that oral evidence be heard who wishes, for the purposes of determining the issues specified in such order, any person or party to appear in such proceedings in order to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination :

 - (a) may cause such person or party to be ordered by way of a subpoena as near as may be in accordance with the form set out in Schedule 5 hereto and issued by the Secretary to appear before the Electoral Tribunal in question on such date as has been specified or, if necessary, to produce any such document or article for examination;
 - (b) shall ;

- (i) cause such notice to be served *mutatis mutandis* in accordance with the provisions of regulation 134 as if such notice were a summons;
 - (ii) hand or cause to be handed to such person or party such sum of money as may be necessary to pay such person's or party's reasonable transport expenses to and from his or her or its address.
 - (6) If any person or party ordered in terms of subregulation (4) or (5) to appear before an Electoral Tribunal to be questioned by the Tribunal or to be examined and cross-examined as a witness or to produce any document or article for examination in such Electoral Tribunal fails to attend or to give evidence or to produce any such document or article or, unless excused, fails to remain in attendance throughout the proceedings, the Electoral Tribunal may, if such Electoral Tribunal is satisfied :
 - (a) that the notice referred to in subregulation (4) or (5) has been duly served on such person or party; and
 - (b) that the transport expenses referred to in subregulation (5)(b)(ii) have been paid or offered.
- order the returning officer in writing in such form as may be determined by it to cause the arrest and detention of such person or party and to cause him or her or it to be brought before such Electoral Tribunal in order to cause him or her or it to be questioned by the tribunal or to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination.
- (7) A person or party required in terms of this regulation to appear in an

Electoral Tribunal in order to be questioned by the Tribunal or to be examined and cross-examined as a witness to produce any document or article for examination shall be entitled to be paid by the Tribunal, claimant or respondent which or who procured his or her or its attendance in such proceedings, such reasonable travelling and subsistence expenses as such person or party has incurred in attending the proceedings and such other fees and allowances as would have been payable to a witness in a civil case in a magistrate's court.

- (8) The provisions of regulation 135(4) and (5) shall not affect the power of an Electoral Tribunal to decide that sufficient evidence has been adduced on which a decision can be arrived at, and to order that no further evidence shall be adduced or that no further witness shall appear.

Orders Which May be Issued by Electoral Tribunals

- 136 (1) An Electoral Tribunal is empowered on having found that the claimant is not entitled to the order claimed, to dismiss such claim, or, on having found that it has been proved on a balance of probabilities that the respondent concerned has performed any act referred to in regulation 130 or was required to perform such act, to issue :
- (a) in the case of any act or failure to act contemplated in regulation 130(1) an order in terms of which any one or more of the penalties or sanctions referred to in regulation 114(2)(a)(i), (ii) or (iii) is imposed upon the respondent concerned;
- (i) in the case of a party, to forfeit the deposit or any part thereof paid by such party in terms of regulation 24(1);
- (ii) to pay a fine not exceeding R100 000;
- (iii) by way of a prohibitory interdict to discontinue, or to

refrain from performing, any such act, or to perform such act, to the extent specified in such order;

(iv) by way of a mandatory interdict to perform such act as may be specified in such order to the extent so specified, or to rectify in such manner as may be specified in such order any consequences which have arisen in consequence of such act or failure;

(v) by way of a compensatory order to pay any party or person who suffered patrimonial damages in consequence of such act or failure, such an amount as may in the discretion of the Electoral Tribunal be necessary to compensate such party or person for such damages;

(b) in the case of an act or failure to act by any party representative or candidate representative who is a respondent to the proceedings contrary to the instructions or aims of such party or candidate respectively, an order in terms of which the party or candidate concerned is ordered by way of a mandatory interdict to remove such representative from its or his or her office as such representative or where applicable to employ him or her in such other capacity as may be specified in such order;

(d) any order, other than an order referred to in regulation 114(2)(a)(iv), (v), (vi) or (b) as the circumstances may require, including an order as to costs against any of the parties.

(2) The provisions of subregulation (1) shall not be construed as preventing an Electoral Tribunal from issuing in so far as it may be appropriate, two or more of the orders referred to in that subregulation.

- (3) Any fine imposed upon any party or person in terms of subregulation (1) shall be paid to the Secretary who shall forthwith pay the amount so paid into the State Revenue Fund.
- (4) Any amount to be paid by any party or person in any proceedings in an Electoral Tribunal by way of a fine shall be recovered by the Secretary or, by way of a compensatory order, by the party or person concerned as if such amount were an amount payable in terms of a judgment delivered by the magistrate's court which has jurisdiction in the area in which such Electoral Tribunal is situated.
- (5) Any order other than an order referred to in subregulation (4) issued by an Electoral Tribunal shall for the purposes of the execution thereof be deemed to be an order of that nature issued by the Division of the Supreme Court of South Africa which has jurisdiction in the area in which such Electoral Tribunal is situated.
- (6) An Electoral Tribunal shall make known its finding, decision and order, together with its reasons for such finding, decision and order, in public at a place and on a date determined by it and shall make known such place and date to all the parties to the proceedings.

Interim Orders Claimed as Matters of Urgency

- 137 (1) Subject to the provisions of subregulation (2), an Electoral Tribunal may at any time issue :
- (a) an order dispensing with the time limits as provided in regulation 131;
- (b) a prohibitory interdict referred to in regulation 136(1)(a)(iii), as an interim measure, until such time as the matter is finally adjudicated and decided upon or until such earlier date as may be anticipated by the claimant concerned.

(2) An Electoral Tribunal shall not grant an order referred to in subregulation (1), unless it is satisfied on evidence adduced, either orally or by way of affidavit, before it :

(a) that the summons in question has been served upon the respondent in accordance with regulation 134 or, if the delay to effect such service will defeat the aims of the order sought, in such other manner as the Electoral Tribunal in its discretion deems reasonable in the circumstances.

(b) that the claimant has established :

(i) that a right to which the complainant is entitled has been, is being, or is about to be infringed in consequence of an act or of a failure to act by the respondent as contemplated in regulation 130;

(ii) that there is a reasonable apprehension that the complainant will suffer irreparable harm if the order sought is not granted as an interim measure; and

(iii) that the balance of convenience favours the granting of such an order.

CHAPTER 20ELECTORAL APPEAL TRIBUNALSEstablishment, Areas of Jurisdiction and Seats of Electoral Appeal Tribunals

- 138 The place where the seat of the provincial division of the Supreme Court is situated shall be the seat of the Electoral Appeal Tribunal.

Appeals Against Decisions and Orders of Electoral Tribunals

- 139 (1) (a) An appeal referred to in regulation 120(1) shall be noted by the claimant or respondent concerned not later than three days from the date on which the decision, order, penalty or sanction in question has in terms of regulation 136(6) been made known by the Electoral Tribunal concerned.
- (b) Such appeal shall be noted by lodging with the Secretary at the seat of the Electoral Tribunal concerned a notice of appeal setting out fully the grounds of appeal and specifying the findings of fact and law against which the appeal is noted.
- (c) Such claimant or respondent shall forthwith submit a copy of such notice of appeal to any other person who or party which was a claimant or respondent to the proceedings in the Electoral Tribunal.
- (2) The Secretary shall :
- (a) upon receipt of a notice of appeal, in consultation with the chairperson of the Electoral Appeal Tribunal, forthwith determine a date on which the appeal shall be heard, which shall be a date not later than five days from the date of such receipt or such later date as may be determined by the chairperson concerned;

- (b) forthwith notify the claimant or respondent to the proceedings of the date so determined; and
 - (c) make copies of the record of the proceedings available to the Electoral Appeal Tribunal not later than three days before the date so determined, and, at the request of any claimant or respondent to the proceedings and upon payment of such amount as may be determined by the Secretary, to any such claimant or respondent.
- (3) Noting an appeal to an Electoral Appeal Tribunal shall not have the effect of suspending any decision, order, penalty or sanction, by the Electoral Tribunal in question unless the Electoral Appeal Tribunal determines otherwise upon an application made to it after notice in writing to all claimants or respondents to the proceedings.

Appeals Heard and Determined by, and Orders of, Electoral Appeal Tribunals

- 140 (1) An appeal in an Electoral Appeal Tribunal shall be heard *mutatis mutandis* in the manner in which appeals from magistrates' courts in civil matters are heard in the Supreme Court.
- (2) The Electoral Appeal Tribunal may :
- (a) on hearing an appeal from an Electoral Tribunal receive any evidence, orally or by way of affidavit, which such Electoral Tribunal was required to hear, but incorrectly failed to hear, or remit in its discretion the matter to the Electoral Tribunal in question for hearing such evidence, with instructions as regards the taking of such evidence;
 - (b) after hearing any such appeal, confirm, set aside or vary any order made by the Electoral Tribunal in question or make any

order which the circumstances may require and which in its opinion ought to have been made by that Electoral Tribunal.

Institution of, and Procedure in, Proceedings in Terms of Regulation 115 in Electoral Appeal Tribunals

141 The provisions of regulations 130(1) and (2), 131, 132, 133, 134, 135, 136(3), (4), (5) and (6) and 137 shall apply *mutatis mutandis* in relation to proceedings in an Election Appeal Tribunal in relation to an infringement of the Code referred to in regulation 124 including :

- (a) the manner of citation of parties in such proceedings;
- (b) the service of summonses on respondents in such proceedings;
- (c) the manner in which matter in such proceedings are to be adjudicated and decided upon; and
- (d) any interim order which may be claimed as a matter of urgency.

Orders which may be Issued by Electoral Appeal Tribunals

142 An Electoral Appeal Tribunal is empowered on having found that the claimant is not entitled to the order claimed, to dismiss such claim, or, on having found that it has been proved on a balance of probabilities that the respondent concerned has infringed the Code, if in its opinion an order contemplated in regulation 114(2) or 136(1) ought to be issued in respect of such infringement, to issue any such order or orders.

Review of Decisions of Electoral Tribunals

143 Any proceedings in terms of which a decision of an Electoral Tribunal is brought under review shall be commenced within 10 days after the decision was taken or within such longer period after such decision was taken as the Electoral Appeal Tribunal may on good cause shown allow.

Institution of Review Proceedings

144 (1) Any claimant or respondent in any proceedings in an Electoral Tribunal who or which wishes to bring a decision of such Electoral Tribunal under review shall do so by directing to the presiding officer of such Electoral Tribunal and to any other claimant or respondent who or which is affected by the decision, a notice of review in a form as near as may be in accordance with the form set out in Annexure "6" and by delivering such notice to the Secretary at the seat of the Electoral Appeal Tribunal and by serving such notice on all other claimants or respondents in the manner provided for a summons in regulation 134 :

(a) setting forth such time and date as may be determined by the Secretary after consultation with the chairperson of the Electoral Appeal Tribunal in question, which shall be a date not less than five days after the date upon which the notice of review has been delivered to the presiding officer or has been served on every other claimant or respondent concerned, whichever is the later date, on which, and the place at which the review is set down for hearing;

(b) setting out the decision sought to be reviewed;

(c) calling upon such presiding officer and every claimant or respondent to show cause why such decision should not be reviewed and set aside or corrected;

(d) calling upon such presiding officer and every claimant or respondent if any of them wishes to oppose the matter :

(i) to file with the Secretary not less than two days before the date upon which the matter is set down for hearing, an affidavit in which such presiding officer claimant or

respondent answers to the allegations contained in the affidavit annexed to the notice of review; or

- (ii) if such presiding officer or claimant or respondent intends to raise any question of law only, to file with the Secretary a notice in writing of such intention to do so before or on the date referred to in item (i) setting forth such question.

- (2) The notice of review referred to in subregulation (1) shall be supported by an affidavit annexed to such notice setting out the grounds and the facts and circumstances upon which the decision is sought to be reviewed and set aside or corrected.
- (3) The Secretary shall, upon the receipt of a notice of review, make copies of the record of the proceedings available, not later than five days before the date of hearing determined as provided in subregulation (1), to the Electoral Appeal Tribunal, the presiding officer of the Electoral Tribunal in question and, at the request of any claimant or respondent to the proceedings and upon payment of such amount as may be determined by the Secretary, to any such claimant or respondent.
- (4) Any claimant or respondent in the proceedings calling for the decision in question to be reviewed may upon receipt of the record of proceedings file one set of supplementary affidavits.

Manner in Which Review Matters are to be Heard in Electoral Appeal Tribunals

- 145 (1) If, on the date on which a review matter has been set down for hearing :
- (a) the presiding officer in question, and all claimants and respondents appear before the Electoral Appeal Tribunal, each

shall be afforded one opportunity to address the Electoral Appeal Tribunal, either personally or by way of a legal representative, and no other opportunity shall be granted, except with the special permission of the Electoral Appeal Tribunal granted on good grounds shown and on such conditions, if any, as may be determined by the Electoral Appeal Tribunal;

(b) the presiding officer in question or any claimant or respondent fails to appear at the time determined for hearing of the matter, the Electoral Appeal Tribunal may make such order as it may deem expedient or appropriate in the circumstances.

(2) If the matter cannot be decided on the affidavits filed in terms of regulation 131 the Electoral Appeal Tribunal may :

(a) proceed inquisitorially to ascertain the relevant facts and to that end the Tribunal may question any claimant or respondent or person at any stage of the proceedings;

(b) order that oral evidence be heard on issues specified in such order immediately or on a date or dates determined by it at the time of making such an order with a view to resolving any dispute of fact;

(c) order any person or party present at the proceedings, or any other person or party by way of subpoena as near as may be in accordance with the form set out in Schedule 5 hereto and issued by the Secretary, to appear before it on a date or dates determined by it at the time of making such an order, to be questioned by the Tribunal, or if necessary to be examined and cross-examined as a witness, or to produce any document or article for examination;

- (d) order the returning officer to enter upon any place or vehicle specified in such order to search for and seize any document or article so specified for production and examination in the proceedings in such Tribunal;
 - (e) make such other order as it may deem necessary in order to ensure a fair and expeditious decision on the matter.
 - (3) A claimant or respondent to the proceedings in which it has been ordered as provided in subregulation (2)(b) that oral evidence be heard who wishes, for the purposes of determining the issues determined in such order, any person or party to appear in such proceedings in order to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination :
 - (a) may cause such person or party to be ordered by notice in writing by way of subpoena as near as may be in accordance with the form set out in Schedule 5 hereto and issued by the Secretary to appear before the Electoral Appeal Tribunal in question on such date as has been specified or, if necessary, to produce any such document or article for examination;
 - (b) shall -
 - (i) cause such notice to be served *mutatis mutandis* in accordance with the provisions of regulation 134 as if such notice were a summons;
 - (ii) hand or cause to be handed to such person or party such sum of money as may be necessary to pay such person's or party's reasonable transport expenses to and from his or her or its address.

(4) If any person or party ordered in terms of subregulation (2) or (3) to appear before an Electoral Appeal Tribunal to be questioned by the Tribunal or to be examined and cross-examined as a witness or to produce any document or article for examination in such Electoral Appeal Tribunal fails to attend or to give evidence or to produce any such document or article or, unless excused, fails to remain in attendance throughout the proceedings, the Electoral Appeal Tribunal may, if such Electoral Appeal Tribunal is satisfied :

(a) that the notice referred to in subregulation (2) or (3) has been duly served on such person or party; and

(b) that the transport expenses referred to in subregulation (3)(b)(ii) have been paid or offered,

order the returning officer in writing in such form as may be determined by it to cause the arrest and detention of such person or party and to cause him or her or it to be brought before such Tribunal in order to cause him or her or it to be questioned by the tribunal or to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination.

(5) A person or party required in terms of this regulation to appear in an Electoral Appeal Tribunal in order to be questioned by the Tribunal or to be examined and cross-examined as a witness or to produce any document or article for examination shall be entitled to be paid by the Tribunal, claimant or respondent which or who procured his or her or its attendance in such proceedings, such reasonable travelling and subsistence expenses as such person or party has incurred in attending the proceedings and such other fees and allowances as would have been payable to a witness in a civil case in a magistrate's court.

- (6) The provisions of regulation 145(2) and (3) shall not affect the power of an Electoral Appeal Tribunal to decide that sufficient evidence has been adduced on which a decision can be arrived at, and to order that no further evidence shall be adduced or that no further witness shall appear.

CHAPTER 21

GENERAL

Obstruction or Hindrance

- 146 Any party which or person who obstructs or hinders the returning officer or any representative of the returning officer or any peace officer in the execution or serving of a search warrant, summons or subpoena, shall be guilty of an offence.

Tribunal Open to Public Save for Disturbance

- 147 (1) Subject to the provisions of subregulation (2), the proceedings in an electoral Tribunal or Electoral Appeal Tribunal shall take place in open and in public.
- (2) If any person present at the proceedings of an Electoral Tribunal or an Electoral Appeal Tribunal disturbs the order of such a Tribunal, that Tribunal may order that such person be removed and detained in custody until the Tribunal adjourns, or the Tribunal may, if in its opinion order cannot be otherwise maintained, order that the Tribunal room be cleared and that the public shall not be present at the proceedings.

Contempt

- 148 A person who wilfully insults a member of the Electoral Tribunal or the Electoral Appeal Tribunal during a hearing of such a Tribunal, or the Secretary

or the returning officer or his or her representative at that session, or who wilfully interrupts the proceedings of a Tribunal or otherwise misbehaves in the place where the hearing of a Tribunal is held shall be liable to be sentenced summarily or upon summons to a fine not exceeding R500.00.

Persons to Act on behalf of Returning Officer

- 149 The Director-General of the provincial government shall appoint or designate in writing such person or persons as he or she deems necessary or appropriate to assist or act on behalf of any returning officer for the purposes of instituting proceedings and implementing or otherwise conducting the provisions of regulations 123 - 147 inclusive, in whole or in part, in which event such person or persons shall be the authorised representative of the returning officer, capable of acting in his or her name and duly authorised to do all things necessary or required in terms of the aforementioned regulations.

Inspection of Documents by Public and Custody Thereof

- 150 (1) The documents of an Electoral Tribunal and Electoral Appeal Tribunal shall be available for inspection by the public under the supervision of the Secretary during normal office hours and those documents shall be available and preserved at such place and for such period as the Director-General of the provincial government may determine.
- (2) The Director-General may order that after the expiry of the period contemplated in subregulation (1) the documents so preserved shall be removed to a specified place of custody or be destroyed or otherwise disposed of.

CHAPTER 22OFFENCES AND PENALTIES
FOR CODE OF CONDUCTOffences and Penalties

151 (1) Any party or person who is convicted of any offence in terms of regulations 114 to 148 inclusive in respect of which a penalty has not expressly been prescribed, shall be liable to a fine not exceeding R20 000 or to imprisonment for a period not exceeding one year.

(2) (a) Any party or person who contravenes or fails to comply with an order of an Electoral Tribunal or Electoral Appeal Tribunal shall be guilty of an offence and on conviction be liable to a fine not exceeding R20 000 or to imprisonment for a period not exceeding one year.

(b) Any party or person who has been duly subpoenaed in terms of these regulations to give evidence or to produce any document or article in its or his or her possession or under its or his or her control who :

(i) fails, without lawful excuse, so to attend or to give evidence or to produce such document or article in accordance with the subpoena; or

(ii) unless duly excused, fails to remain in attendance throughout the proceedings.

shall be guilty of an offence and on conviction be liable to a fine not exceeding R20 000 or to imprisonment for a period not exceeding one year.

CHAPTER 23

APPLICATION OF REGULATIONS

Co-Ordinating Committee and Exempted Bodies

- 152 The provisions of these regulations shall, in so far as they apply to a transitional local council, apply to a local government co-ordinating committee established in terms of Section 7 of the Act and to a local government body exempted in terms of Section 5 of the Act.

Annexure

- 153 The annexures to these regulations shall be read as one with these regulations.

Pre-Interim and Interim Phases

- 154 These regulation shall apply during the pre-interim phase and the interim phase defined in section 1(1)(iv) of the Act.

Short Title

- 155 These regulations shall be called the Local Government Transition Election Regulations, 1994.

SCHEDULE 3ELECTORAL CODE OF CONDUCT

1. The object of the Code is to promote conditions conducive to the conduct of a free and fair election and a climate of democratic tolerance, in which electoral activity may take place without fear of coercion, intimidation or reprisals.
2. All parties, candidates and representatives bound to the Code in regulation 114 shall endeavour to promote its object in order to enable electoral campaigning and public debate to take place in all parts of the province.
3. Parties, candidates and representatives commit themselves :
 - (a) to give wide publicity to the Code;
 - (b) to promote voter education campaigns;
 - (c) to condemn violence and intimidation;
 - (d) to instruct their members and supporters accordingly;
4. Parties, candidates and representatives acknowledge and undertake not to contravene the right of any party, candidate, representative, voter or participant in the election :
 - (a) to express divergent political and other opinions;
 - (b) to debate and contest the policies and programmes of parties and candidates;
 - (c) to canvas freely and safely for membership and support from voters;
 - (d) to hold public meetings;

- (e) to attend public meetings;
- (f) to distribute electoral literature and campaign materials;
- (g) to publish and distribute notices and advertisements;
- (h) to erect banners, placards and posters;
- (i) to have free and safe access to any area; and
- (j) to promote electoral campaigns by all lawful means.

5. Parties, candidates and representatives undertake :

- (a) to condemn violence or intimidation;
- (b) to refrain from any action involving violence or intimidation;
- (c) to refrain from language which may lead to violence or intimidation;
- (d) to refrain from action which may lead to violence or intimidation;
- (e) to ensure that no arms or weapons of any kind are carried or displayed at or in any voting station or at political or electoral meetings or in the course of any march, demonstration or other event of a political or electoral nature;
- (f) to refrain from publishing or repeating false, defamatory or inflammatory allegations concerning any party or candidate or other person in connection with the election;
- (g) to co-operate and liaise in good faith with other parties, candidates and representatives to avoid, in so far as possible, arrangements involving public meetings, demonstrations, rallies or marches taking place at the

same time and venue as similar political or electoral events organised by other parties or candidates;

- (h) to do nothing to impede any party or candidate directly or through canvassers and representatives, from having access to voters for the purposes of conducting voter education, fund raising, canvassing membership and soliciting support;
- (i) to avoid plagiarizing the symbols, colours or acronyms of any other party or candidate;
- (j) to discourage and, if possible, prevent the removal, disfigurement or destruction of political or electoral campaign materials of any party or candidate;
- (k) to refrain from offering any direct or indirect pecuniary or material inducement or reward or position to any person in consideration of such person joining or not joining any party; supporting or not supporting any candidate; attending or not attending any political or electoral event; voting or not voting either at all, or in any particular manner; or accepting, refusing or withdrawing nomination as a candidate in the election;
- (l) to refrain from any offer or attempt to abuse a position of power, privilege or influence, including parental, patriarchal or traditional authority, for political or electoral purposes, including any offer for reward or threat of penalty;
- (m) to avoid any discrimination based on race, sex, ethnicity, class, gender or religion, in connection with the election and political or electoral activity;

- (n) in relation to the role of women :
- (i) to accept and facilitate the right of women to vote in the election;
 - (ii) to facilitate full participation by women in political or electoral activities on the basis of equal opportunity;
 - (iii) to ensure access by women to political or electoral meetings, facilities and venues;
 - (iv) to respect the right of women to communicate with parties, candidates, canvassers and representatives in relation to the election; and
 - (v) to refrain from forcing or attempting to force any woman to adopt any particular political or electoral conduct or to engage or refrain from engaging in any political or electoral activity;
- (o) to co-operate in the official investigation of issues and allegations arising in connection with the election;
- (p) to take all reasonable steps to ensure the safety of electoral officers, voters' roll officers and their authorised representatives from insult, hazard or threat in the course of their official duties;
- (q) to reassure voters with regard to the secrecy and integrity of the ballot, and that no one will know how any other person has voted;
- (r) to take necessary and reasonable steps to discipline and restrain such party's or candidate's representatives, employees, and supporters from :

- (i) infringing the Code;
 - (ii) committing any offence in terms of these regulations or any other law;
 - (iii) committing any prescribed electoral irregularity;
 - (iv) contravening or failing to comply with any provision of these regulations; and
 - (s) to establish and maintain communication with the Provincial Government, the voters' roll officer, the returning officer and the election committee, and with parties and candidates at provincial and local level, including the exchange of names, addresses and contact telephone and facsimile numbers of election agents and other relevant office-bearers and representatives.
6. Each party, candidate or representative nominated thereto, shall ensure its or his or her attendance and participation at meetings of any liaison committee or other forums in connection with the election convened by or on behalf of the Premier;

SCHEDULE 4

(Regulation 131(5))

LOCAL GOVERNMENT TRANSITION ELECTION REGULATIONS, 1994

FORM OF SUMMONS

IN THE ELECTORAL TRIBUNAL

(..... Transitional Authority)

In the matter between :

Case No : 199

AB

.....
..... Claimant

CD

.....
..... Respondent

TO :

CD, of (state address):

WHEREAS it is alleged that you have infringed the Electoral Code of Conduct, in that on or
about the day of 199, and at or near

.....
.....
.....

TAKE NOTICE that you are hereby summoned by AB of (area
of Transitional Authority) sitting at on the day of
199 to give reasons why the following order should not be granted against you :

1.
.....
2.
.....
3.
.....

TAKE FURTHER NOTICE that the annexed affidavit will be used in support of the orders claimed by the claimant;

TAKE FURTHER NOTICE that if you wish to defend this matter you are required to file :

(a) not later than two days before the date upon which this matter is set down for adjudication and decision (or, in the case of an urgent matter on or before) with the Secretary at the seat of the abovementioned Electoral Tribunal :

(i) any affidavit or affidavits in answer to the facts and other averments stated in the annexed affidavit;

(ii) if you intend to raise any question of law, a notice in writing of your intention to do so setting forth such question,

and to forthwith inform the claimant (or his or her legal representative) at the address set out below of having done so; and

(b) to appear before the Electoral Tribunal on the date and at the time this matter has been set down for adjudication and decision.

TAKE FURTHER NOTICE that if you fail to file the affidavit or notice as aforesaid or to appear before the Electoral Tribunal on the date and at the time that this matter has been set down for adjudication and decision, an order in the terms set out herein may be given against you without further notice to you.

DATED aton thisday of 199

CLAIMANT (OR HIS OR HER
LEGAL REPRESENTATIVE)

SECRETARY

ADDRESS :

ADDRESS :

TELEPHONE NO :

TELEPHONE NO :

FAX NO :

(Regulation 135(5))

SCHEDULE 5

LOCAL GOVERNMENT TRANSITION ELECTION REGULATIONS, 1994SUBPOENAIN THE ELECTORAL TRIBUNAL(.....Transitional Authority)In the matter between :Case No :199ABClaimantCDRespondentTO :EF, of (state address of witness):

TAKE NOTICE THAT you are hereby ordered to appear in person before the Electoral Tribunal for the
.....(Transitional Authority) sitting at at on the
day of199..... to give evidence in the above matter and, if required, to bring with you and
produce to the Electoral Tribunal for examination the documents and articles set out in the list hereunder.

TAKE NOTICE FURTHER THAT should you, having been given notice to appear before the above Electoral
Tribunal to give evidence and, if required, to bring with you and produce for examination the said documents and
articles, fail to so appear or to produce such documents or articles or, unless excused, fail to remain in attendance
throughout the proceedings :

- (a) the Electoral Tribunal may issue a warrant for your arrest so that you may be brought before such Electoral
Tribunal to give such evidence or to produce such documents or articles; and
- (b) you are guilty of a contravention of regulation 135(5) read with regulation 151(2)(b) of the Local
Government Election Regulations, 1994 and, upon conviction, you may be sentenced to a fine not
exceeding R20 000 and in default of payment, to imprisonment for a period not exceeding one year.

DATED at on this day of 199.....

ADDRESS :

TELEPHONE NO :

LIST OF DOCUMENTS OR ARTICLES TO BE PRODUCED

1.
2.
3.

(Regulation 144(1))

SCHEDULE 6

FORM OF NOTICE OF REVIEWIN THE APPEAL TRIBUNAL(..... Transitional Authority)In the review matter of:Case No:/199..AB..........Review ApplicantandCD..........Presiding OfficerEF..........RespondentNOTICE OF REVIEW

TAKE NOTICE that you are hereby called upon by AB of (state address) to appear before the Electoral Appeal Tribunal for the (Transitional Authority) sitting at at on the day of 199..... to show cause why the decision dated the day of 199 in Case No. in the Electoral Tribunal for the (Transitional Authorities) should not be reviewed and set aside or corrected and why an order should not be made in the following terms:

1.
.....
2.
.....
.....
3.
.....
.....

(here set forth the form of order prayed):TAKE FURTHER NOTICE that the accompanying affidavit of will be used in support thereof:TAKE FURTHER NOTICE that if you wish to defend this matter you are required to file:

- (a) not later than two days before the date upon which this matter is set down for adjudication and decision (or, in the case of an urgent matter on or before), with the Secretary at the seat of the abovementioned Electoral Tribunal:

- i) any affidavit or affidavits in answer to the facts and other averments stated in the annexed affidavit;
 ii) if you intend to raise any question of law, a notice in writing of your intention to do so setting forth such question,

and to forthwith inform the reviewing applicant (or his or her legal representative) at the address set out below of having done so; and

- (b) to appear before the Electoral Appeal Tribunal on the date and at the time this matter has been set down for adjudication and decision.

TAKE FURTHER NOTICE that if you fail to file the affidavit or notice as aforesaid or to appear before the Electoral Appeal Tribunal on the date and at the time that this matter has been set down for adjudication and decision, an order in the terms set out herein may be given against you without further notice to you.

DATED at on this day of 199

REVIEWING APPLICANT (OR HIS
OR HER REPRESENTATIVE)

ADDRESS:

TELEPHONE No.:

FAX No.:

TO: CD

The Presiding Officer of the Electoral Tribunal
.....(State address)

AND TO: EF

Respondent

.....(State address)

AND TO: The Secretary

c/o Electoral Appeal Tribunal for the Province

.....(State address)

PROVINCIAL NOTICE

No. 29

4 October 1995

AMATOLA REGIONAL SERVICES COUNCIL: VESTING OF LAND

The MEC for Public Works has, in terms of section 22 of the Roads Ordinance, 1976 (Ordinance 19 of 1976), directed that the ownership of land transversed by that portion of Divisional Road 2753, within the Amatola Regional Services Council area, indicated by means of an unbroken green line marked A—B on Plan RL 42/60 A, which is filed in the offices of the Department of Public Works, Bisho, and the Amatola Regional Services Council, East London, shall vest in (Amatola Regional Services Council) upon the closing of said road portion in terms of section 3 of the said Ordinance.

T. S. MHLAHLO,
MEC for Public Works.

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