



PROVINCE OF THE EASTERN CAPE

IPHONDO LEMPUMA KOLONI

PROVINSIE OOS-KAAP

Provincial Gazette
Igazethi Yephondo
Provinsiale Koerant

Selling price: **R1,50**

Other countries: **R1,95**

Vol. 2

BISHO/
KING WILLIAM'S TOWN, 31

OCTOBER
OCTOBER 1995

No. 117
(Extraordinary)

PROCLAMATIONS

PROCLAMATION

No. 43, 1995

PROVINCE OF THE EASTERN CAPE

DEPARTMENT OF HOUSING AND LOCAL GOVERNMENT

LOCAL GOVERNMENT TRANSITION ACT 1993 (ACT 209 OF 1993):

AMENDMENT OF THE LOCAL GOVERNMENT TRANSITION 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 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 be deemed to have come into effect on 1 August, 1995.

M.M. MAMASE

M.E.C. for Housing and Local Government

SCHEDULE

Amendment to Regulation 24

Regulation 24 is hereby amended by the insertion after regulation 24(4) of the following new regulation 24(5):

- “(5) (a) In respect of the election for any transitional representative council, the provisions of subregulations (1)(b)(iii) and (v) shall be deemed to include and permit as an alternative, an address or addresses in the area of the Magisterial District within which such transitional representative council is situated.
- (b) A decision by a returning officer to reject an application made in terms of regulation 24 by a party for the reason that such party or one or more office bearers of such party does not have an address within the area of jurisdiction of the transitional representative council to which the application relates, shall be null and void in that respect and to that extent, provided that such party or such office bearer or office bearers have included in such application an address in terms of subparagraph (a), and the returning officer shall forthwith approve such application and register such party in terms of regulation 26(1), which approval and registration shall take effect not later than the date of nomination specified in terms of these regulations.
- (b) Immediately after compliance with the provisions of paragraph (b) the returning officer shall, at the place of nomination referred to in regulation 23(1)(c), publicly declare:
- (i) the name of such party whose nomination has been accepted and in respect of which a vote will be held;
 - (ii) the names of the accepted candidates on the party list of such party; and
 - (iii) display the distinguishing mark or symbol of such party, if any, accepted by the returning officer or adjudicated by the election committee in terms of regulation 90(1)(e)(iii).
- (d) The returning officer shall as soon as possible after compliance with the provisions of paragraph (c), publish:
- (i) the full name and address of such registered party;
 - (ii) the distinguishing mark or symbol, if any, of such registered party; and
 - (iii) the list of such party candidates,
- and post a copy of such notice outside the place of nomination referred to in regulation 23(1)(e).
- (e) The nomination of a party whose nomination has been declared in terms of paragraph (c) may not be withdrawn in respect of such party.
- (f) The provisions of regulations 24(2), 26(2), 27(1) and (2) shall not apply in respect of any approval and registration in terms of subregulation (5) and compliance by the returning officer with the provisions of paragraphs (c) and (d) shall be regarded as constituting compliance, by such officer with any other necessary provision of regulations 25, 26 and 27.”.

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