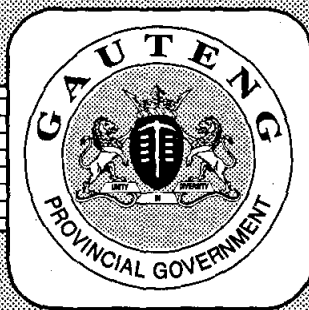


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# **Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant**

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**Vol. 1**

**PRETORIA, 26 OCTOBER 1995**  
**OKTOBER 1995**

**No. 91**

## **PROCLAMATIONS**

### **PROCLAMATION**

#### **No. 85 (Premier's), 1995**

**LOCAL GOVERNMENT TRANSITION ACT, 1993 (ACT No. 209 OF 1993)**

#### **FOURTH 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 No. 209 of 1993), and with the concurrence of the Provincial Committee for Local Government, I hereby amend the Local Government Transition Election Regulations, 1994, as promulgated by Proclamation (Premier's) No. 48 of 1994, dated 22 December 1994, and amended by Proclamation (Premier's) No. 29 of 1995, dated 15 June 1995, Proclamation (Premier's) No. 34 of 1995, dated 14 July 1995 and Proclamation 76 (Premier's) dated 22 September 1995 and altered by Premier's Notice No. 17 of 23 August 1995 and Premier's Notice No. 22 of 13 September 1995 (hereinafter referred to as the Regulations) in the manner set out in Schedule A hereto.

This Proclamation shall come into operation with immediate effect.

Given under my Hand at Johannesburg this Twenty-fifth day of October, One thousand Nine hundred and Ninety-five.

**T. M. G. SEXWALE**

**Premier-in-Executive Council.**

**SCHEDULE A****GENERAL EXPLANATORY NOTE**

Unless stated otherwise:

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

Words underlined with solid line indicate insertions in existing enactments.

The Regulations indicated below are amended as follows:

**Amendments to Regulation 1**

Regulation 1(1)(xxix) A is hereby amended by the substitution thereof by the following:

1 (1) (xxix)A

(xxix)B "unplaced voters' roll" means a voters' roll that consists of the names of voters which appear on a previously certified voters' roll and which could not be allocated to a ward in terms of regulation 3(6)(a) & (b).

[(xxix)A] (xxix)C "voters' roll" means a voters' roll certified and signed in accordance with the provisions of regulation 7(1) and save for the purposes of regulations 3 to 7, 13 to 17, 21, and 23 to 29 inclusive, includes a supplementary voters' roll [and a consolidated voters' roll and an unplaced voters' roll.

**Addition to Regulation 3(6)(b):**

Every ward shall, unless written authorisation by the Premier to the contrary had been obtained, be divided into parts in accordance with the provisions of Regulation 41(3)(c), and the voters' roll for any ward that had been so divided, shall be divided into such parts.

Where the authorisation as referred to above has been obtained, the methods of marking the voters' hand(s) and identity document as provided for in regulation 54A(1) shall apply.

#### Amendments to Regulation 12F

Regulation 12F(5)(c) is hereby amended by the substitution thereof by the following:

- 12F (5) (c) Such consolidated voters' roll as approved shall forthwith be certified and signed by the presiding officer of such court not later than 18:00 on 26 October 1995 and shall, subject to the provisions of regulation 8, thereupon be the new voters' roll for the transitional authority concerned until a new voters' roll has been lawfully made.

#### Amendment to Regulation 12G

Regulation 12G(1)(a) is hereby amended by the substitution therefor of the following:

- 12G (1) (a) by deleting from such roll in respect of any claimant or voter: [a second or subsequent entry repeating the same identity number, name, address, and the basis of qualification or entitlement: Provided that the provisions of regulation 6(3)(a)(ii) shall apply *mutatis mutandis*;

(i) a second or subsequent entry repeating the same identity number, name, address, and the basis of qualification or entitlement; or

(ii) the name of every voter whom it is satisfied is included under a district in the unplaced voters' roll;

Provided that the provisions of regulation 6(3)(a)(ii) shall apply *mutatis mutandis*;

### Amendment to Chapter 3

Chapter 3 is hereby amended by the insertion after Chapter 3A, of the following new Chapter 3AA:

#### CHAPTER 3AA

#### UNPLACED VOTERS' ROLL

##### Identification of Unplaced Voter

12AA (1) Where the voters' roll officer receives a claim to be enrolled in the voters' roll which:

- (a) contains the name and identify number of the claimant;
- (b) identifies the basis of qualification or entitlement of such claimant; and
- (c) does not specify an address but refers to the name of the transitional authority or to a suburb, township or similar locality (hereinafter referred to as the "district") within the jurisdiction of the transitional authority as the place to which such qualification or entitlement relates;

such claim shall, provided the said claim has been included in a certified Voters' Roll, be placed on an unplaced voters' roll.

12BB Nothing herein contained shall be construed as permitting or requiring the use of an unplaced voters' roll or a claim submitted in respect thereof for the purposes of any ward delimitation or nomination of a candidate or registration of a party in terms of these regulations.

### Amendment to Regulation 12

Regulation 12(a) is hereby amended by the substitution thereof of the following:

- 12 (a) furnishes any false information in any claim or objection lodged in terms of regulation 3, [or] 4, 12AA or in regard to any particulars required for the making of a voters' roll or a supplementary voters' roll or an unplaced voters' roll:

### Amendment to Regulation 29

Regulation 29(4)(d) is hereby amended by the substitution therefor of the following:

- 29 (4) (d) the name if any, supplied in writing by the Premier to such returning officer, identifying any traditional leader [of a community observing a system of indigenous law and residing on land within the area of jurisdiction of the transitional authority who is ex officio a member of the council] in terms of section 182 of the Constitution; and

### Amendment to Regulation 40

Regulation 40(1)(d) is hereby amended by the substitution therefor of the following:

- 40 (1) (d) one copy of: [the voters' roll or applicable part thereof containing the names of voters entitled to vote at his or her voting station;]

(i) the applicable part of:

(aa) the voters' roll; and

(bb) the supplementary voters' roll

containing the names of the voters entitled to vote at his or her voting station; and

- (ii) the unplaced voters' roll, if any:

#### **Amendment to Regulation 41**

Regulation 41(3)(c) is hereby amended by the substitution therefor of the following:

- 41 (3) (c) In the absence of specific or general written authorisation to the contrary by the [Premier]Returning Officer:
- (i) no voting station in a ward delimited in terms of regulation 16(1)(b) shall be allocated part of the voters' roll comprising more than 2 500 enrolled voters; and
  - (ii) no voting station in a ward delimited in terms of regulation 16(1)(a) shall be allocated part of the voters' roll comprising more than 4 000 enrolled voters.

#### **Amendment to Regulation 54**

This regulation is hereby amended by the insertion of Regulation 54A after regulation 54:

##### **Issue of Ballot Papers : Unplaced Voters' Roll**

- 54A (1) When a person whose name appears on the unplaced voters' roll applies to an election officer for a ballot paper and such officer has satisfied himself or herself regarding the provisions of regulation 54(1), he or she shall, prior to proceeding in terms of regulation 54(2):
- (a) require each voter who's name appears on the unplaced voters' roll to complete a form ER1.

- (b) the Presiding Officer shall forthwith determine the Ward in which the voter is entitled to vote, which shall be the ward in which the voter lives; and:

  - (i) if the voter is within the correct ward proceed in terms of Regulations 54 (2)
  - (ii) if the voter is not within his or her correct ward direct the voter to a voting station within his or her correct ward.
- (c) When a voter is directed to the correct ward he or she shall be given the completed form ER1 endorsed and signed on the back by the Presiding Officer indicating the correct ward and the Presiding Officer shall apply the official mark to the said endorsement.
- (d) (i) Where the Returning Officer has determined that only one unplaced voters' roll shall be marked for the transitional authority at a central location the Presiding Officer shall telephone that central location and shall advise the Returning Officer or his or her delegate sufficient details of the unplaced voter so as to enable the Returning Officer to draw a line through the name and number of the voter concerned in the unplaced voters' roll in accordance with regulation 54(2).

(ii) Political parties and organisations contesting the election in question may place inside agents at the central location referred to in (i) above.
- (e) Where the Returning Officer has determined that the unplaced voters' roll shall be marked at each voting station established in the manner set out in subregulation (2)(b) whether such unplaced voter and his or her identity document bears an identification mark of the kind administered in terms of subregulation (2)(a) and (c); and

- (f) having established that such voter or his or her identity document does have such a mark, proceed no further in terms of these regulations, but report the matter forthwith to the presiding officer for attention in terms of subregulation (5)(c) or (6); or
- (g) having established that such voter and/or his or her identity document does not have such mark, require such voter to comply with the provisions of subregulation (2).

(2) The election officer concerned shall request such unplaced voter:

- (a) to mark with an identification mark, one or more fingers of such voters' left and/or right hand, by dipping such finger or fingers into a marking liquid so many times as may be necessary; and thereafter
- (b) to place both hands under an ultra violet light in order that the election officer may ascertain whether the voter bears such identification mark; and
- (c) to make available the identity document to be marked in such manner as determined by the Returning Officer.

(3) (a) Immediately the unplaced voter has complied with the provisions of subregulation (2) and bears the identification mark the election officer shall, in respect of such voter, proceed with the provisions of regulation 54(2);

(b) Immediately the election officer has handed the unplaced voter his or her ballot papers in terms of regulation 54(2)(f) such officer shall put the following question to the voter:

"Are you on a voters' roll in any other transitional authority?"



(c) If the reply by such voter to the question is:

(i) in the negative, the election officer shall direct the voter to proceed to an unoccupied voting compartment for the purpose of voting; or

(ii) in the affirmative, the election officer shall:

(aa) complete form ER15A;

(bb) hand such form to the voter;

(cc) advise the voter to retain the form for presentation if required by the presiding officer at any subsequent voting station at which such voter is entitled and wishes to vote;

(dd) direct the voter to proceed to an unoccupied voting compartment for the purpose of voting.

(4) When an unplaced voter:

(a) refuses to comply with the provisions of subregulation (2)(a) on the grounds that he or she has a religious, conscientious or medical objection to such a mark or process; or

(b) suffers from a physical defect which, in the opinion of the presiding officer, makes the application of subregulation (2) impractical; the provisions of regulation 53(6) shall be applied *mutatis mutandis* by the presiding officer to such voter, and the election officer shall, if so directed by the presiding officer, thereafter immediately proceed with the provisions of regulation 54(2).

(5) An unplaced voter who:

- (a) refuses to comply with a request in terms of subregulation (2)(b);  
or
- (b) subject to subregulation (4), refuses to comply with a request in  
terms of regulation (2)(a); or
- (c) has an identification mark as envisaged in subregulation 2, and who  
fails immediately to present and surrender to the presiding officer  
upon request form ER15A referred to in subregulation (3)(c)(ii)(cc);

shall not be issued with a ballot paper and shall be ordered by the presiding  
officer to leave the voting station and the inner perimeter forthwith.

- (6) (a) The presiding officer shall request an unplaced voter to whom he or  
she is referred in terms of subregulation (1)(e), to present and  
surrender immediately to such officer form ER15A issued to such  
voter in terms of subregulation (3)(c)(ii)(cc);
- (b) When such voter fails immediately to present and surrender such  
form in terms of paragraph (a) above such unplaced voters shall be  
dealt with in terms of subregulation (5)(c).
- (c) Where such voter immediately presents and surrenders such form in  
terms of paragraph (a) above and the presiding officer is satisfied that  
such form relates to another transitional authority, the presiding  
officer shall:
- (i) direct the election officer to proceed in respect of such voter  
in accordance with the provisions of regulation 54(2); and
  - (ii) retain form ER15A for inclusion with form ER15 in envelope  
ER18.

### Amendments of Regulation 90

Regulation 90 is hereby amended by the insertion of the following paragraph after paragraph (f):

- 90 (g) In the event of any dispute arising with respect to the election which is not excluded from the jurisdiction of the committee by virtue of the provisions to paragraph (e):
- (i) the presiding officer of the committee may at his or her own instance and shall forthwith on the referral of the returning officer or an aggrieved party:
    - (aa) direct a member or members or alternate member or members of the election committee to attempt to resolve the dispute through conciliation; or
    - (bb) subject to the availability of financial provision therefor or at no cost to the committee or the transitional authority appoint an independent mediator approved and accredited by the election committee to attempt to resolve the dispute through conciliation; and
  - (ii) impose such time-limits in respect thereof as he or she may deem necessary : provided that if any dispute is unresolved 24 hours after the commencement of attempts to resolve it by conciliation the election committee shall forthwith meet to adjudicate and decide the dispute.

### Amendment to Regulation 90

This regulation is hereby amended by the insertion of Regulation 90A after regulation 90:

### Right of Access to Voters for Canvassing and Voter Education

#### 90A (1) In this regulation:

"canvasser" means a candidate or a duly authorised representative of such a candidate or of a party:

"canvassing" means political canvassing, campaigning, soliciting of membership or support or providing transport to or from campaign meetings or voting stations:

"educator of voters" means a person who is authorised to conduct voter education under the auspices of any organisation or company which has been approved in writing or duly contracted by the Premier to conduct voter education in the province:

"lawful occupier" means the person who is the apparent owner or lawful occupier of the private area or room or dwelling house concerned or who is apparently in charge of the public area concerned; and

"voter" means a person whose name is included on the signed and certified voters' roll of a transitional authority.

- (2) Any canvasser or educator of voters shall have a right of access to any public or private area where voters live or work or which they frequent for the purposes of canvassing or conducting voter education from the day on which the election date for the relevant transitional authority is announced until the close of voting stations in the area of jurisdiction of that transitional authority : Provided that the Premier may in writing authorise any person to have such right of access if this is deemed necessary to achieve any of the objects of these Regulations and further provided that such authorisation shall state the purpose of such access.

(3) At any time before entering an area referred to in subregulation (2) or when entering that area or on request of the lawful occupier any person referred to in subregulation (2) shall:

(a) give his or her full name and inform the lawful occupier, if the latter is within the private or public area concerned or otherwise readily available, that he or she will be or is entering the area concerned for purposes of canvassing or voter education; and

(b) if he or she:

(i) is a candidate give the name of the transitional authority where he or she will be contesting the election;

(ii) is a representative of a candidate present a letter from the candidate appointing him or her as a representative and stating the transitional authority where the candidate will be contesting the election;

(iii) is a representative of a party present a letter from that party appointing him or her as a representative;

(iv) conducts voters' education present a letter from the organisation on behalf of whom the voters' education is conducted and a certified copy of written approval by the Premier;

(v) is any other person referred to in regulation 90A(2), present the authorisation or a certified copy of same to the lawful occupier or his or her representative.

**(4) No person referred to in regulation 90A(2) shall:**

**(a) enter a room or dwelling house except with the consent of the lawful occupier or in the absence thereof, of any voter who is present in the room or dwelling house at the time of the visit;**

**(b) engage in canvassing or voter education of an employee during his or her working hours or conduct any other activity as described by an authority granted in terms of regulation 90A(2) without the consent of the employer or his or her agent.**

**(5) Without derogating from the general right of access afforded by this regulation any person referred to in regulation 90A(2) shall comply with such reasonable measures of security normally applicable to visitors entering the area referred to in subregulation (2).**

**Amendment to Regulation 92**

Regulation 92 is hereby amended by the substitution therefor of the following:

**Indemnity**

92 No act or omission by a chief executive, voters' roll officer, election officer, presiding officer or member of an election committee or other person appointed by the presiding officer to conciliate a dispute, or returning officer shall render such person personally liable for loss or damage of any kind suffered by any person as a result of such act or omission provided that such act or omission is not wilful or malicious and any costs reasonably or necessarily incurred by any such officer or person in opposing any claim, demand, action or other legal proceedings relating to such loss or damage shall be borne by the transitional authority concerned.

### Amendment to Regulation 108

Regulation 108(c) is hereby amended by the substitution therefor of the following:

- 108 (c) impedes or prevents or threatens to impede or prevent the right of [any candidate or any representative of any party or any candidate to gain access, in the manner and during the hours prescribed, to voters in any particular area, whether public or private, for the purposes of conducting political canvassing and campaigning, and of soliciting membership and support] access provided in regulation 90A; or

### Amendment to Regulation 112

Regulation 112 is hereby amended by the substitution therefor of the following:

#### Contraventions to be Reported to Public Prosecutor

- 112 The returning officer shall [after every election] report to the public prosecutor any apparent or alleged [contraventions] contravention of these regulations as soon as possible after he or she becomes aware of such apparent or alleged contravention.

### Amendment to Regulation 152

Regulation 152 is hereby amended by the substitution therefor of the following:

#### The provisions of these regulations:

- (1) in so far as they apply to a transitional local council, apply to a local government coordinating 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;
- (2) shall apply to any district council, transitional representative council or transitional rural council in so far as such provisions are not in conflict with terms and conditions of any proclamation in respect of such council.

**Substitution of ER Forms**

- (1) Form ER 20(A) is substituted by Form ER 20(A) annexed hereto.
- (2) Form ER 20(B) is substituted by Form ER 20(B) annexed hereto.
- (3) Form ER 20(C) is substituted by Form ER 20(C) annexed hereto.
- (4) Form ER 26(A) is substituted by Forms ER 26(A) 1/(i), ER 26 (A) 1/(ii), ER 26(A) 1/(iii), ER 26(A) 2/(i), ER 26(A) 2/(ii) and ER 26(A) 2/(iii) annexed hereto.
- (5) Form ER 26B is substituted by Forms ER 26(B)(i), ER 26(B)(ii), ER 26(B)(iii) and ER 26(B)(iv) annexed hereto.
- (6) Form ER 26(C) is substituted by Forms ER 26(C)(i), ER 26(C)(ii), ER 26(C)(iii), ER 26(C)(iv) and ER 26(C)(v) annexed hereto.

**Insertion of Form ER15A**

Form ER15A to be inserted after form ER15:



Reg 54(6)

ER15A

..... LOCAL AUTHORITY

DATE : .....

WARD/VOTING STATION : .....

I .....(*full name*) being the Presiding officer appointed for the abovementioned ward/voting station in the .....  
(*name of transitional authority*) declare that the following voter did appear and mark his/her fingers in terms of regulation 54(A)(2) and voted at the abovementioned voting station.

.....

NAME OF VOTER

.....

ID NUMBER

Reg. 26(1)(e)

ER20A

**TRANSITIONAL LOCAL COUNCIL  
OR METROPOLITAN SUBSTRUCTURE**

**BALLOT PAPER ACCOUNT—WARD VOTING**

VOTING STATION NAME AND/OR NUMBER:		DATE OF ELECTION...../...../.....		
WARD NAME AND/OR NUMBER:				
		COUNTERFOIL NUMBERS		TOTAL BALLOT PAPERS
		FROM	TO	
A	Ballot papers received from Returning Officer			
B	Ballot papers issued to voters			
C	Ballot papers spoilt/cancelled or impounded in voting stations			
D	TOTAL BALLOT PAPERS TO BE IN BALLOT BOXES (B - C)			
..... (Presiding Officer)		..... (Date)		

**FOR (DEPUTY) RETURNING OFFICER USE ONLY**

		COUNTERFOIL NUMBERS	
		FROM	TO
E	Counterfoil numbers entered by Presiding Officer on receipt for ballot papers		
F	Counterfoil numbers stated at Line A and Line B above:  Reconcile exactly (circle correct box)  If NO, provide statement of discrepancy	YES	NO
..... (Returning Officer/Deputy Returning Officer)		..... (Date)	
BALLOT PAPERS FOUND IN BALLOT BOXES FOR THIS VOTING STATION			
G	Proceeding directly to the count		
H	Set aside for adjudication		
I	TOTAL BALLOT PAPERS FOUND IN BALLOT BOXES (G + H)		
J	DISCREPANCY (I - D)		
..... (Returning Officer/Deputy Returning Officer)		..... (Date)	

(To be enclosed in Envelope ER21)

Reg. 26(1)(e)

ER20B

TRANSITIONAL LOCAL COUNCIL  
OR METROPOLITAN SUBSTRUCTURE

**BALLOT PAPER ACCOUNT—PROPORTIONAL REPRESENTATION VOTING**

VOTING STATION NAME AND/OR NUMBER:		DATE OF ELECTION...../...../.....	
WARD NAME AND/OR NUMBER:			
		COUNTERFOIL NUMBERS	
		FROM	TO
		TOTAL BALLOT PAPERS	
A	Ballot papers received from Returning Officer		
B	Ballot papers issued to voters		
C	Ballot papers spoilt/cancelled or impounded in voting stations		
D	TOTAL BALLOT PAPERS TO BE IN BALLOT BOXES (B - C)		
..... (Presiding Officer)		...../...../..... (Date)	

**FOR (DEPUTY) RETURNING OFFICER USE ONLY**

		COUNTERFOIL NUMBERS	
		FROM	TO
E	Counterfoil numbers entered by Presiding Officer on receipt for ballot papers		
F	Counterfoil numbers stated at Line A and Line B above: Reconcile exactly (circle correct box) If NO, provide statement of discrepancy	YES	NO
..... (Returning Officer/Deputy Returning Officer)		...../...../..... (Date)	
BALLOT PAPERS FOUND IN BALLOT BOXES FOR THIS VOTING STATION			
G	Proceeding directly to the count		
H	Set aside for adjudication		
I	TOTAL BALLOT PAPERS FOUND IN BALLOT BOXES (G + H)		
J	DISCREPANCY (I - D)		
..... (Returning Officer/Deputy Returning Officer)		...../...../..... (Date)	

(To be enclosed in Envelope ER21)

Reg. 26(1)(e)

ER20C

## METROPOLITAN SUBSTRUCTURE

**BALLOT PAPER ACCOUNT—TMC VOTING**

VOTING STATION NAME AND/OR NUMBER:		DATE OF ELECTION...../...../.....	
WARD NAME AND/OR NUMBER:			
	COUNTERFOIL NUMBERS		TOTAL BALLOT PAPERS
	FROM	TO	
A	Ballot papers received from Returning Officer		
B	Ballot papers issued to voters		
C	Ballot papers spoilt/cancelled or impounded in voting stations		
D	TOTAL BALLOT PAPERS TO BE IN BALLOT BOXES (B - C)		
..... (Presiding Officer)		...../...../..... (Date)	

**FOR (DEPUTY) RETURNING OFFICER USE ONLY**

	COUNTERFOIL NUMBERS	
	FROM	TO
E	Counterfoil numbers entered by Presiding Officer on receipt for ballot papers	
F	Counterfoil numbers stated at Line A and Line E above:	YES
	Reconcile exactly (circle correct box) If NO, provide statement of discrepancy.	NO
..... (Returning Officer/Deputy Returning Officer)		...../...../..... (Date)
BALLOT PAPERS FOUND IN BALLOT BOXES FOR THIS VOTING STATION		
G	Proceeding directly to the count	
H	Set aside for adjudication	
I	TOTAL BALLOT PAPERS FOUND IN BALLOT BOXES (G + H)	
J	DISCREPANCY (I - D)	
..... (Returning Officer/Deputy Returning Officer)		...../...../..... (Date)

(To be enclosed in Envelope ER21)

ER26(A)1/(i)

**RESULT OF COUNT—WARD CANDIDATES (SINGLE VACANCY WARD)**

I declare that at the election in the above-mentioned ward the following is the result of the count of ballot papers received from the above-mentioned voting station.

CANDIDATES (In order appearing on ballot paper)	
TOTAL CANDIDATE VOTES CAST	

.....  
 (Returning Officer/Deputy Returning Officer) ...../...../.....  
 (Date)

Reg. 65(c), 73(1)(c) &amp; (e)

ER26(A)1/(ii)

**TRANSITIONAL LOCAL COUNCIL  
OR METROPOLITAN SUBSTRUCTURE**

**DECLARATION OF RESULT—WARD CANDIDATES (SINGLE VACANCY WARD)**

WARD NAME AND/OR NUMBER:	DATE OF ELECTION...../...../.....
COUNTING CENTRE NAME AND/OR NUMBER:	

I declare that at the election in the above-mentioned ward the total number of votes given for each candidate in the order in which they appear on the ballot paper is as follows and that those marked with an asterisk (\*) have been duly elected as councillors for the above-mentioned ward.

*	CANDIDATES (In order appearing on ballot paper)	TOTAL NUMBER OF VOTES							TOTAL
		Voting Station No.....	Voting Station No.....	Voting Station No.....	Voting Station No.....	Voting Station No.....	Voting Station No.....	Voting Station No.....	
1	TOTAL CANDIDATE VOTES CAST								
2	REJECTED VOTES								
3	TOTAL BALLOT PAPERS COUNTED (1 + 2)								

.....  
(Returning Officer/Deputy Returning Officer)

...../...../.....  
(Date)



Reg. 65(c), 73(1)(c) &amp; (e)

ER26(A)2/(i)

**TRANSITIONAL LOCAL COUNCIL  
OR METROPOLITAN SUBSTRUCTURE**

**RESULT OF COUNT—WARD CANDIDATES (MULTI VACANCY WARD)**

VOTING STATION NAME AND/OR NUMBER:	DATE OF ELECTION...../...../.....
WARD NAME AND/OR NUMBER:	
COUNTING CENTRE NAME AND/OR NUMBER:	

I declare that at the election in the above-mentioned ward the following is the result of the count of ballot papers received from the above-mentioned voting station:

	TOTAL NUMBER OF VOTES	TOTAL NUMBER OF BALLOT PAPERS
<b>1</b> TOTAL BALLOT PAPERS FOUND IN VOTING STATION BALLOT BOXES <i>[From Line 1 on (Deputy) Returning Officer's endorsement on Form ER20A]</i>		
<b>2</b> TOTAL CANDIDATE VOTES CAST		
<b>3</b> REJECTED VOTES		
<b>4</b> TOTAL BALLOT PAPERS COUNTED		
<b>5</b> DISCREPANCY (1 - 4)		

**NOTE:** Total ballot papers counted must be calculated by a physical check. It is NOT the sum of Box 2 plus Box 3.

.....  
(Returning Officer/Deputy Returning Officer)

...../...../.....  
(Date)





ER26(A)2/(iii)

**DECLARATION OF RESULT—WARD CANDIDATES (MULTIPLE MEMBER WARD)**

## COUNCILLORS TO BE ELECTED

WARD: \_\_\_\_\_ DATE OF ELECTION...../...../.....

I declare that at the election in the above-mentioned ward the total number of votes given for each candidate in the order in which they appear on the ballot paper is as follows:

[illegible]

**The following candidates have been elected as Councillors for the above ward:**

[illegible]

.....  
 (Returning Officer) ...../...../.....  
 (Date)

Reg. 65(c), 73(1)(c) & (e)

ER26(B)(i)

**TRANSITIONAL LOCAL COUNCIL  
OR METROPOLITAN SUBSTRUCTURE**

**RESULT OF COUNT—TLC/TMS PROPORTIONAL REPRESENTATION ELECTION**

VOTING STATION NAME AND/OR NUMBER:	DATE OF ELECTION...../...../.....
WARD NAME AND/OR NUMBER:	
COUNTING CENTRE NAME AND/OR NUMBER:	

I declare that at the election in the above-mentioned ward the following is the result of the count of ballot papers received from the above-mentioned voting station.

		TOTAL NUMBER OF VOTES	TOTAL NUMBER OF BALLOT PAPERS
1	TOTAL BALLOT PAPERS FOUND IN VOTING STATION BALLOT BOXES <i>[From Line 1 on (Deputy) Returning Officer's endorsement on Form ER20B]</i>		
	PARTIES (In order appearing on ballot paper)		
2	TOTAL PARTY VOTES CAST		
3	REJECTED VOTES		
4	TOTAL BALLOT PAPERS COUNTED (2 + 3)		
5	DISCREPANCY (1 - 4)		

.....  
(Returning Officer/Deputy Returning Officer)

...../...../.....  
(Date)

Reg. 65(c), 73(1)(c) &amp; (e)

ER26(B)(ii)

**TRANSITIONAL LOCAL COUNCIL  
OR METROPOLITAN SUBSTRUCTURE**

**WARD TOTAL COUNT—TLC/TMS PROPORTIONAL REPRESENTATION ELECTION**

WARD NAME AND/OR NUMBER:	DATE OF ELECTION...../...../.....
COUNTING CENTRE NAME AND/OR NUMBER:	

I declare that at the election in the above-mentioned ward for proportional representation the total number of votes given for each party in the order in which they appeared on the ballot paper is as follows:

	PARTIES (In order appearing on ballot paper)	TOTAL NUMBER OF VOTES							TOTAL
		Voting Station	Voting Station	Voting Station	Voting Station	Voting Station	Voting Station	Voting Station	
		No.....	No.....	No.....	No.....	No.....	No.....	No.....	
1	TOTAL PARTY VOTES CAST								
2	REJECTED VOTES								
3	TOTAL BALLOT PAPERS COUNTED (1 + 2)								

.....  
(Returning Officer/Deputy Returning Officer)

.....  
(Date)

Reg. 65(c), 73(1)(c) & (e)

ER26(B)(iii)

**TRANSITIONAL LOCAL COUNCIL  
OR METROPOLITAN SUBSTRUCTURE**

**DECLARATION OF RESULT—TLC/TMS PROPORTIONAL REPRESENTATION ELECTION**

DATE OF ELECTION...../...../.....

I declare that at the election in the above-mentioned Authority for proportional representation the total number of votes given for each party in the order in which they appeared on the ballot paper is as follows:

PARTIES (In order appearing on ballot paper)	TOTAL NUMBER OF VOTES							
	Ward No.....	Ward No.....	Ward No.....	Ward No.....	Ward No.....	Ward No.....	Ward No.....	TOTAL
1 TOTAL PARTY VOTES CAST								
2 REJECTED VOTES								
3 TOTAL BALLOT PAPERS COUNTED (1 + 2)								

.....  
(Returning Officer/Deputy Returning Officer)

...../...../.....  
(Date)

ER26(B)(iv)

**DECLARATION OF RESULT—TLC/TMS PROPORTIONAL REPRESENTATION ELECTION**

**The quota votes per seat is:**

[illegible][illegible]

(Date)

ER26(C)(i)

### RESULT OF COUNT—TMC PROPORTIONAL REPRESENTATION ELECTION

I declare that at the election in the above-mentioned ward the following is the result of the count of ballot papers received from the above-mentioned voting station.

PARTIES (In order appearing on ballot paper)		
2	TOTAL PARTY VOTES CAST	

4	TOTAL BALLOT PAPERS COUNTED (2 + 3)	
---	-------------------------------------	--

5	DISCREPANCY (1 - 4)	
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...../...../.....  
(Returning Officer/Deputy Returning Officer) (Date)

Reg. 65(c), 73(1)(c) &amp; (e)

ER26(C)(ii)

..... **TRANSITIONAL METROPOLITAN SUBSTRUCTURE**

**WARD TOTAL COUNT—TMC PROPORTIONAL REPRESENTATION ELECTION**

WARD NAME AND/OR NUMBER:	DATE OF ELECTION...../...../.....
COUNTING CENTRE NAME AND/OR NUMBER:	

I declare that at the election in the above-mentioned ward for proportional representation the total number of votes given for each party in the order in which they appeared on the ballot paper is as follows:

PARTIES (In order appearing on ballot paper)	TOTAL NUMBER OF VOTES							
	Voting Station	Voting Station	Voting Station	Voting Station	Voting Station	Voting Station	Voting Station	TOTAL
	No.....	No.....	No.....	No.....	No.....	No.....	No.....	
1 TOTAL PARTY VOTES CAST								
2 REJECTED VOTES								
3 TOTAL BALLOT PAPERS COUNTED (1 + 2)								

.....  
(Returning Officer/Deputy Returning Officer)

...../...../.....  
(Date)



Reg. 65(c), 73(1)(c) & (e)

ER26(C)(iii)

TRANSITIONAL METROPOLITAN SUBSTRUCTURE

RESULT OF COUNT—TMC PROPORTIONAL REPRESENTATION ELECTION

TO: THE METROPOLITAN RETURNING OFFICER

TRANSITIONAL METROPOLITAN COUNCIL

DATE OF ELECTION ...../...../.....

I declare that at the election in the above-mentioned Authority for proportional representation the total number of votes given for each party in the order in which they appeared on the ballot paper is as follows:

PARTIES (In order appearing on ballot paper)	TOTAL NUMBER OF VOTES							
	Ward No.....	Ward No.....	Ward No.....	Ward No.....	Ward No.....	Ward No.....	Ward No.....	TOTAL
1 TOTAL PARTY VOTES CAST								
2 REJECTED VOTES								
3 TOTAL BALLOT PAPERS COUNTED (1 + 2)								

(Returning Officer)

(Date)

Reg. 65(c), 73(1)(c) &amp; (e)

ER26(C)(iv)

..... TRANSITIONAL METROPOLITAN COUNCIL

**RESULT OF COUNT—TMC PROPORTIONAL REPRESENTATION ELECTION**

DATE OF ELECTION ...../...../.....

I declare that at the election in the above-mentioned Authority for proportional representation the total number of votes given in each substructure for each party in the order in which they appeared on the ballot paper is as follows:

PARTIES (In order appearing on ballot paper)	TOTAL NUMBER OF VOTES							
	S/struc- ture	S/struc- ture	S/struc- ture	S/struc- ture	S/struc- ture	S/struc- ture	S/struc- ture	TOTAL
1 TOTAL PARTY VOTES CAST								
2 REJECTED VOTES								
3 TOTAL BALLOT PAPERS COUNTED (1 + 2)								

.....  
(Returning Officer)

...../...../.....  
(Date)

Reg. 65(c), 73(1)(c) & (e)

ER26(C)(v)

..... TRANSITIONAL METROPOLITAN COUNCIL

# **DECLARATION OF RESULT—TMC PROPORTIONAL REPRESENTATION ELECTION**

DATE OF ELECTION...../...../.....

The quota votes per seat is:

The number of votes cast for each party in each ward will be made available on request.

The number of seats awarded for each party in the order in which they appeared on the ballot paper is as follows:

PARTY	TOTAL NUMBER OF VOTES CAST	NUMBER OF SEATS ALLOCATED
TOTAL		

The following candidates in alphabetical order appearing on the party list shall now serve as councillors representing the above parties.

NAME	PARTY

.....  
(Returning Officer)

...../...../.....  
(Date)

## PROCLAMATION

### No. 86 (Premier's), 1995

LOCAL GOVERNMENT TRANSITION ACT, 1993 (ACT No. 209 OF 1993)

#### FIFTH 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 No. 209 of 1993), and with the concurrence of the Provincial Committee for Local Government, I hereby amend the Local Government Transition Election Regulations, 1994, as promulgated by Proclamation (Premier's) No. 48 of 1994, dated 22 December 1994, and amended by Proclamation (Premier's) No. 29 of 1995, dated 15 June 1995, Proclamation (Premier's) No. 34 of 1995, dated 14 July 1995 and Proclamation 76 (Premier's) dated 22 September 1995 and altered by Premier's Notice No. 17 of 23 August 1995 and Premier's Notice No. 22 of 13 September 1995 (hereinafter referred to as the Regulations) in the manner set out in Schedule A hereto.

This Proclamation shall come into operation with immediate effect.

Given under my Hand at Johannesburg this Twenty-fifth day of October, One thousand Nine hundred and Ninety-five.

**T. M. G. SEXWALE,**  
Premier-In-Executive Council.

### SCHEDULE A

#### GENERAL EXPLANATORY NOTE

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 75

Regulation 75 (2) is hereby amended by the substitution therefor of the following:

75. (2) (a) Where the calculation in sub-regulation (1) yield a surplus, such surplus shall compete with similar surpluses accruing to any other party or parties and any undistributed seat or seats shall be awarded to the party or parties concerned in sequence of the highest surplus.
- (b) In the event of the surplus for two or more parties being equal, the returning officer shall determine by lot which of such parties shall be elected in the following manner:
- (i) Record the names of the parties, for whom there was an equality, on separate pieces of paper of the same size, shape and appearance, fold them so that they look identical and place them in an empty ballot box in the presence of such party agent or agents who may be present;
  - (ii) close the ballot box and shake it and without looking therein draw one of the pieces of paper from the ballot box and, in the presence of such agent or agents, show such piece of paper to such agent or agents and sign such piece of paper;
  - (iii) announce the name of the party whose name appears on such piece of paper.

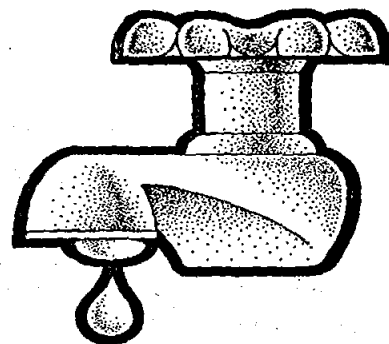
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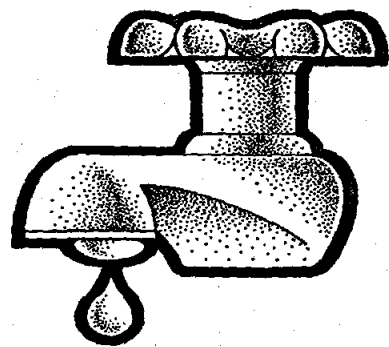


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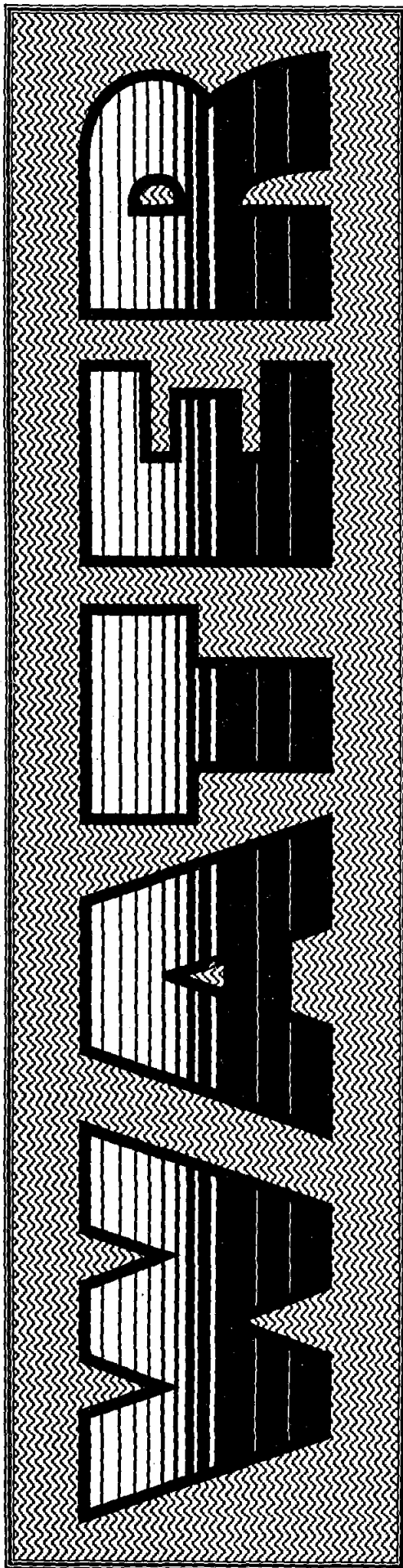
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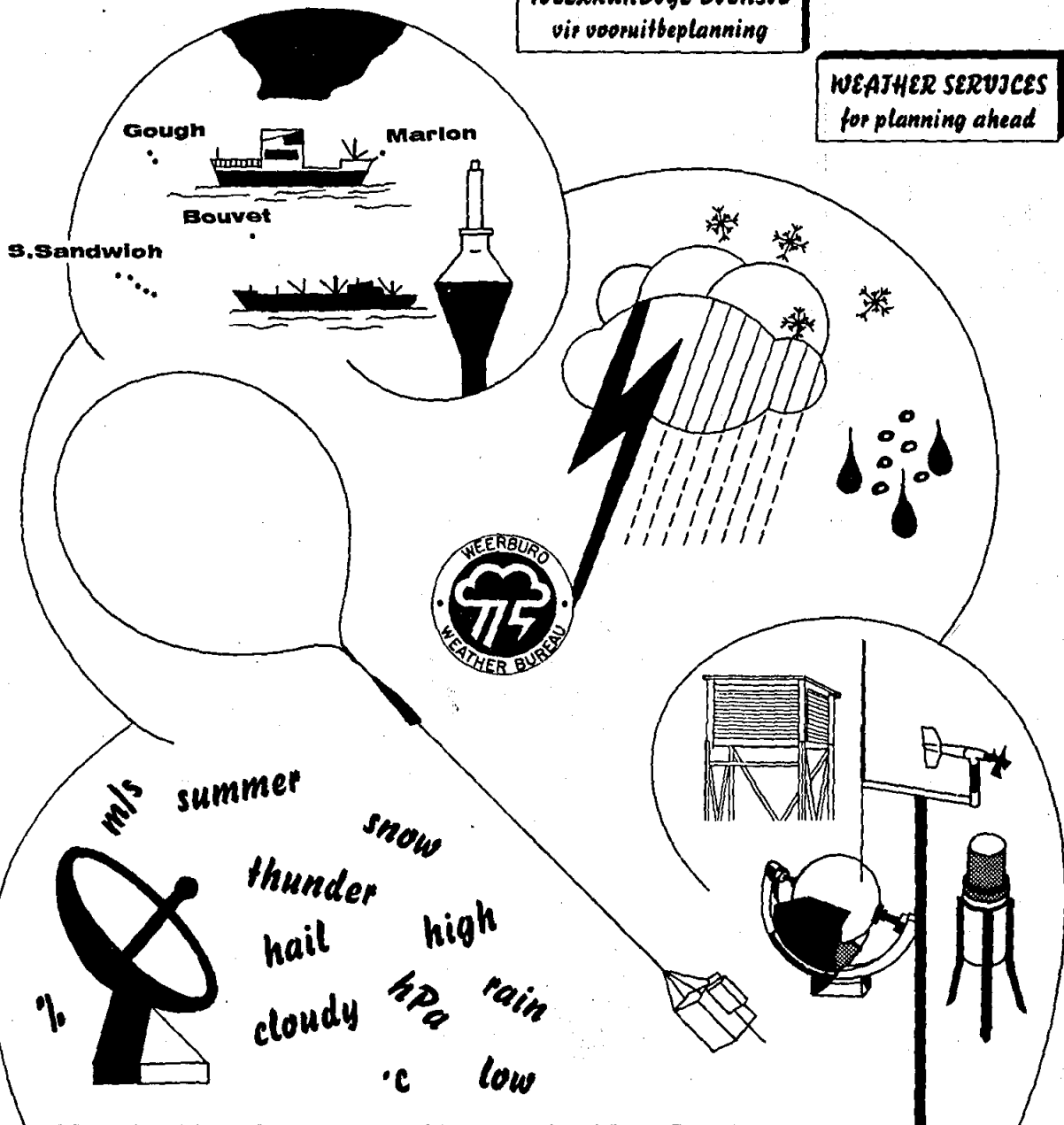
DAARMEE !



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for planning ahead



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WEATHER WATCH SERVICE  
AREA FORECASTS  
TRAVELLERS FORECASTS  
METROPOLITAN FORECASTS  
TRUCKERS FORECASTS  
SPECIAL FORECASTS  
AVIATION FORECASTS  
CLIMATOLOGICAL DATA  
PUBLICATIONS

SKEEPPVAARTVOORSPELLINGS  
WEERWAAKDIENS  
STREEKVOORSPELLINGS  
REISIGERS VOORSPELLINGS  
METROPOLITAANSE VOORSPELLINGS  
VOORSPELLINGS VIR VRAGMOTORBESTUURDERS  
SPESIALE VOORSPELLINGS  
LUGVAART VOORSPELLINGS  
KLIMATOLOGIESE DATA  
PUBLIKASIES

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**CONTENTS • INHOUD**

No.	Page No.	Gazette No.
<b>PROCLAMATION</b>		
85 Local Government Transition Act (209/1993): Fourth Amendment of the Local Government Transition Election Regulations, 1994 .....	1	91
86 do.: Fifth Amendment of the Local Government Transition Election Regulations, 1994 .....	36	91

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