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PROCLAMATION • PROKLAMASIE

No. 82, 1995

PROCLAMATION

NORTHERN PROVINCE

LAND, HOUSING AND LOCAL GOVERNMENT

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

AMENDMENT OF THE LOCAL TRANSITION ELECTION REGULATION, 1994

Under the powers vested in me by Section 9 (2) of the Local Government Transition Act, 1993 (Act No. 209 of 1993), 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.

Given under my Hand at Pietersburg this Twenty-ninth day of September, One thousand Nine hundred and Ninety-five.

R. J. DOMBO,
Member of the Executive Council.

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.

Amendments to Regulation 1

Regulation 1 is hereby amended by the insertion after regulation 1(1)(vi) of the following regulation:

"1(1)(vi)A "consolidated voters' roll" means a consolidated voters' roll signed and certified or prepared for the purpose of being signed and certified in accordance with the provisions of regulation 12F(4)(a);"

Regulation 1 is hereby amended by the insertion after regulation 1(1)(xxv) of the following regulation:

"1(1)(xxv)A "supplementary voters' roll" means a supplementary voters' roll signed and certified or prepared for the purposes of being signed and certified in accordance with the provisions of regulation 12E(1);"

Regulation 1 is hereby amended by the insertion after regulation 1(1)(xxix) of the following regulation:

"1(1)(xxix)A "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;"

Amendment to Chapter 3

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

CHAPTER 3A

SUPPLEMENTARY VOTERS' ROLL, CONSOLIDATED ROLL AND CORRECTIONS

Making the Roll

- 12A (1) (a) Every transitional authority shall make a supplementary voters' roll.
- (b) Every transitional authority shall not later than 12 September 1995 publish that it proposes to make a supplementary voters' roll and call upon any natural person who is entitled in terms of regulation 2 to be included in such supplementary voters' roll and whose name is not included in the voters' roll for that transitional authority to claim within the period 12 September 1995 and 25 September 1995 inclusive to be enrolled.
- (c) Every transitional authority shall make its voters' roll as certified and signed in accordance with the provisions of regulation 7(1) available for public inspection at not less than one municipal office during normal office hours from 12 September to 25 September 1995 inclusive.
- (2) Each transitional authority shall designate or appoint:
- (a) a voters' roll officer within its employment who shall be responsible for preparing a supplementary voters' roll on its behalf: and
- (b) such employees or other person or persons as may be necessary to assist with the preparation thereof at such remuneration as it may determine.
- (3) A person applying to be enrolled as a voter shall make a claim in accordance with form ER1.
- (4) Any person claiming to be enrolled as a voter shall provide the information required in form ER1 and if the voters' roll officer is satisfied on the face of such information that such person is qualified in terms of regulation 2 to be enrolled as a

voter such person's name and particulars shall be included in the supplementary voters' roll subject to the provisions of regulation 12D.

- (5) (a) At the expiration of the period referred to in subregulation (1), every transitional authority shall cause a supplementary voters' roll to be prepared containing the names of persons qualified to be enrolled as voters for the election and such roll shall:
- (i) contain a serial number unique in respect of each name, which number shall not be the same as any serial number in the voters' roll;
 - (ii) contain the identity number of each person claiming enrolment;
 - (iii) be in alphabetical order according to surnames;
 - (iv) state the address to which the claim relates; and
 - (v) identify the basis of qualification or entitlement.
- (b) Every page of a supplementary voters' roll shall be numbered consecutively and shall identify the name of the transitional authority and the year to which it relates; and where such roll has been divided into parts, every page of such part shall also identify the ward and voting station to which it relates.
- (6) Subject to the provisions of regulation 12G the returning officer shall ensure that:
- (a) A supplementary voters' roll as certified and approved for a transitional local council or for a transitional metropolitan substructure shall be divided into parts according to the wards into which the area of jurisdiction of such transitional local council or transitional metropolitan substructure has been divided;
 - (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 supplementary voters' roll for any ward that had been so divided, shall be divided into such parts;

- (c) A supplementary voters' roll as certified and approved for a transitional metropolitan council shall be divided into parts according to the area of jurisdiction of each transitional metropolitan substructure within the transitional metropolitan council area, and thereafter further into parts which correspond exactly with the wards and parts of such wards, if any, for each such transitional metropolitan substructure;
 - (d) A supplementary voters' roll divided into parts shall comply with the requirements of subregulation (5)(a) in respect of each such part;
 - (e) A voter whose name is included in a supplementary voters' roll shall vote in a ward or part thereof at the voting station where his or her name appears in that supplementary voters' roll for such ward or part thereof.
- (7) When any claimant:
- (a) is under law liable for the payment of assessment rates, rent, service charges or levies in respect of more than one address; or
 - (b) is so liable in respect of an address other than the place at which he or she is ordinarily resident; or
 - (c) is ordinarily resident at more than one place
- within the area of jurisdiction of the same transitional authority, such claimant shall be entitled to be included only once in the supplementary voters' roll of such transitional authority and shall, at the time of making a claim for enrolment, identify one such address as the place for inclusion failing which the voters' roll officer shall make such identification.
- (8) (a) The voters' roll officer may include in the supplementary voters' roll the names and particulars of any person in respect of whom a claim on form ER1 has not been made or received, but whose particulars provide the information required for subregulation (5)(a) and on the face of such particulars satisfy the voters' roll officer that such person is qualified in terms of regulation 2 to be enrolled as a voter.
- (b) Notwithstanding the provisions of subregulation (1) a claim in a form substantially in accordance with form ER1 received between 6 June 1995

and 25 September 1995 shall be a lawful claim and shall be taken into account by the voters' roll officer.

- (9) During the period specified in terms of regulation 12A(1) the voters' roll officer shall ensure that:
- (a) an adequate supply of forms ER1 and ER2 and one or more prominent places or secure receptacles for the deposit of claims delivered by hand, are clearly identified, available and accessible to the public at all times during normal office hours at every office of the transitional authority concerned; and
 - (b) a reasonable quantity of forms ER1 are made available upon request to a party or person who satisfies the voters' roll officer of a *bona fide* intention to canvass or facilitate the submission of claims at no cost to any claimant.
- (10) Nothing herein contained shall be construed as requiring any person to be physically or personally present at any place in order to lodge a claim for his or her enrolment as a voter, or as precluding any person from posting by ordinary mail such a claim to the voters' roll officer at the address specified on form ER1 for the applicable transitional authority.
- (11) Where no address exists, the transitional authority shall cause an address to be determined or identified within its jurisdiction for the purposes of claims and the preparation of the supplementary voters' roll.
- (12) Where any person applying to be enrolled as a voter makes a claim in accordance with form ER1 and certifies or otherwise signifies as the basis of qualification or entitlement to such claim that he or she pays or is liable for the payment of assessment rates, rent, service charges or levies, such certification or signification of payment or liability for payment shall not found or be used as evidence in respect of any legal action, claim or prosecution by a transitional authority, local government body or any other person or persons whatsoever.

Claims and Objections

- 12B (1) The voters' roll officer shall not later than 24 September 1995 publish a notice:
- (a) stating that a copy of such roll and any claim received in terms of regulation 12A(8)(b) may be inspected at the office or offices of the

transitional authority during normal office hours and at such other place or places as the voters' roll officer may appoint during the hours of 06:00 to 22:00 daily, including Saturday, during the period 3 October 1995 to 7 October 1995 inclusive;

(b) calling upon every person who has any objection to the enrolment of any person whose name appears in such roll:

(i) to lodge an objection, in the prescribed form ER2, which shall be available at such office or place specified in paragraph (a); or

(ii) in respect of any person who is unable to write, to appear in person at a stated place and time to lodge an oral objection,

with the voters' roll officer not later than 22:00 on 7 October 1995;

(c) fixing one or more days, during the period 10 October 1995 to 13 October 1995 inclusive, and one or more places, for sitting of the revision court to hear such claims and objections: Provided that at least one such day and at least one such place shall be in an area referred to in regulation 16(1)(b).

(2) The voters' roll officer shall not later than 8 October 1995, prepare a list setting out the name of and particulars relating to every claimant, objector and person in respect of whom an objection has been lodged under subregulation (1)(b).

(3) The voters' roll officer shall lodge with the revision court objections to the enrolment of all claimants whom such officer has reason to believe are not entitled to be enrolled as voters in terms of regulation 2 or any other provision of these regulations.

(4) The voters' roll officer shall, not less than two days before the day fixed for the sitting of the revision court, serve a notice on:

(a) every person whose name appears on the roll or a list of claimants contemplated by subregulation (2) and to whose enrolment an objection has been lodged;

(b) the objector concerned: and

- (c) any claimant for enrolment as a voter whose claim has been objected to or rejected by the voters' roll officer;

setting out the grounds of such objection or rejection, the date on which it will be considered by the revision court, and inviting each such person, claimant and objector to attend; and stating that such objection will not be considered by the revision court unless such objector attends such sitting and every other sitting of the revision court to which consideration of such objection is adjourned:

Provided that where the address of a claimant or objector is not sufficiently precise to permit such service, the voters' roll officer shall in respect of any one or more claimants or objectors publish a notice substantially in accordance with the provisions of this subregulation or where such publication cannot be effected owing to limitations on the availability of a newspaper or newspapers, display such notice at the municipal office closest to the known address or locality of the claimant or objector.

- (5) Non-receipt of a notice or defect in the publication of any notice referred to in subregulation (4) shall not invalidate the voters' roll or any proceeding or decision of the revision court.
- (6) The Premier may with due regard to the date of the election, direct a voters' roll officer to increase the number or the locality of places or sittings referred to in subregulations (1)(a) or (1)(b).

Constitution of Revision Court

- 12C (1) (a) There is hereby established for the purposes of each supplementary voters' roll a revision court with the powers, functions and duties set out in these regulations.
- (b) Notwithstanding the provisions of subregulation (1)(a) above, or (2) below, the Premier may authorise and establish more than one revision court in respect of each supplementary voters' roll or any part of each roll.
- (2) The revision court for each supplementary voters' roll or part of such roll shall consist of three persons appointed by the transitional authority concerned, not later than 29 September 1995, or such earlier date as the Premier may determine in writing to and in respect of one or more transitional authorities, at least one of

whom shall be an advocate, attorney or other legally qualified person who shall be the presiding officer of the court: Provided that the Premier may, upon written application by the transitional authority concerned and upon being satisfied that there is no suitable legally qualified person, approve in writing the appointment by the transitional authority of some other suitably qualified person who shall be the presiding officer, and an alternate.

- (3) The transitional authority shall further appoint alternates to take the place of any member of the revision court who is absent or incapacitated and shall determine the order of precedence of such alternates: Provided that at least one such alternate shall comply with the qualifications prescribed for the presiding officer referred to in subregulation (2).
- (4) The appointment of members and alternates to a revision court in terms of subregulations (2) and (3) shall be decided by a resolution of the council adopted by a majority of at least two-thirds of all its members.
- (5) (a) No person shall be appointed or accept appointment as a member or an alternate member of such court if he or she:
- (i) is the holder of an officer in a party;
 - (ii) is a member or councillor or employee of the transitional authority concerned; or
 - (iii) is not eligible to be enrolled as a voter for a transitional authority in terms of regulation 2;
 - (iv) is a member of the election committee in terms of regulation 90 for that transitional authority; or
 - (v) has been nominated as a candidate or is included in a party list in the election for that transitional authority.
- (b) A member of such a court shall cease to be a member thereof and shall vacate his or her seat if he or she:
- (i) becomes disqualified for appointment as a member of such a court;
 - (ii) tenders his or her resignation to the chief executive; or

(iii) dies;

and any vacancy so arising shall be filled from the appropriate alternate appointment, or in the absence thereof as soon as possible by the transitional authority with a person who has substantially the same qualifications as his or her predecessor.

- (6) The revision court shall determine the manner in which it shall conduct its business.
- (7) Whenever a change in the membership of the revision court takes place any part-heard claim or objection shall, at the request of the applicable claimant or objector, be dealt with *de novo*.
- (8) Administrative work incidental to the performance of the functions of a voters' roll officer and a revision court shall be performed by the chief executive of the transitional authority concerned or by one or more officials of such authority duly appointed in writing and acting under the jurisdiction and control of such chief executive.
- (9) Members of a revision court shall be remunerated on such basis as shall be determined by the Premier not later than the time referred to in subregulation (2), or, failing which, by resolution of the transitional authority.

Powers, Functions and Duties of Revision Court

- 12D (1) On the day or days and at the place or places fixed in terms of regulation 12B(1)(c) or 12B(6) the revision court shall sit to consider and determine claims and objections to the enrolment of persons as voters in the supplementary voters' roll.
- (2) The revision court shall:
- (a) add to or insert in the supplementary voters' roll the name of every claimant:
- (i) whom it is satisfied is entitled to be enrolled;
- (ii) to whose enrolment no objection was lodged; or

- (iii) who notwithstanding any objection is shown to its satisfaction to be entitled to be enrolled as a voter,
 - or place the names of all such claimants on a separate list complying with the provision of regulation 12A(5)(a), and add such list to the supplementary voters' roll; or
 - (b) delete or remove from the supplementary voters' roll the name of every claimant:
 - (i) in respect of whom an objection was lodged; and
 - (ii) who is shown to its satisfaction not to be entitled to be enrolled as a voter;
 - (c) delete or remove from the supplementary voters' roll the name of every claimant whom it is satisfied is included in the voters' roll certified for the same transitional authority in terms of regulation 7(1) whether under the same or a different address; and
 - (d) correct any error or supply any omission which may appear to it to have occurred in any entry in the supplementary voters' roll with regard to the particulars required in terms of regulation 12A(5)(a).
 - (3) (a) (i) Where a name is added to or inserted in the supplementary voters' roll in terms of subregulation (2)(a), the serial number allocated to such name in terms of regulation 12A(5)(a)(i) shall be a number which has not been allocated previously to any other name or claimant: and
 - (ii) Where a name is deleted or removed from the supplementary voters' roll in terms of subregulation (2)(b) or (c), the serial number allocated to such name in terms of regulation 12A(5)(a)(i) shall not be allocated to any other name or claimant.
 - (b) Where a supplementary voters' roll is divided into parts in terms of regulation 12A(6), the serial number allocated to a name in the roll in terms of regulation 12A(5)(a)(i) shall be retained with such name in any part.

(4) The revision court shall not consider any claim or objection unless:

- (a) such claim or objection has been lodged in accordance with these regulations; and
 - (b)
 - (i) in the case of any claim or objection referred to in regulation 12B(1)(b) such claim or objection was received by the voters' roll officer before the expiry of the period referred to therein;
 - (ii) failing compliance with subparagraph (i), the revision court is satisfied that there are exceptional circumstances relating to the late submission of the document concerned warranting the consideration of the claim or objection; and
 - (c) in the case of any person to whose enrolment an objection has been lodged, the objector attends every sitting of the revision court at which the objection is to be considered to substantiate such objection.
- (5) The voters' roll officer shall be entitled to attend and shall be heard in the presence of a claimant or objector at all sittings of the revision court.
- (6) Any person whose claim or objection may be considered by the revision court and any person opposing any such claim or objection shall be entitled to be heard in person or by a representative authorised thereto in writing and to give and call evidence *viva voce*.
- (7) All evidence given before the revision court shall be given on oath or affirmation administered by the presiding officer.
- (8) Sittings of the revision court shall be open to the public and the press.
- (9) Subject to the provisions of these regulations the revision court may adjourn from time to time as it may deem expedient.
- (10) If no claims or objections in terms of regulations 12B(1)(b) or 12B(3) are lodged within the periods referred to in such provisions the voters' roll officer shall, by notice posted at the offices of the transitional authority, forthwith cancel the sitting of the revision court.

Certification and Signature of Roll

- 12E (1) Subject to the provisions of regulation 12F the supplementary voters' roll as amended if any by the revision court in terms of regulation 12D shall be certified and signed by the presiding officer of such court not later than 18:00 on 17 October 1995 and shall, subject to the provisions of regulation 8, thereupon be the supplementary voters' roll for the transitional authority concerned until a new voters' roll has been lawfully made.
- (2) Any document purporting to be the supplementary voters' roll as certified and signed by the presiding officer of the revision court in terms of subregulation (1) or a true copy of such roll certified by the chief executive by the issue of a certificate to that effect shall, unless it is proved that such document is not such supplementary voters' roll or such a true copy, as the case may be, be conclusive proof that the persons whose names appear therein are entitled to exercise any right conferred on voters by these regulations.
- (3) The supplementary voters' roll so certified shall be deposited at the offices of the transitional authority and shall be open for inspection by members of the public during the normal office hours of the transitional authority or during such extended hours and times as such transitional authority may determine by resolution.
- (4) Any voter or candidate or party may obtain a copy of the supplementary voters' roll or part thereof applicable to a ward at such prices as the transitional authority may determine by resolution.
- (5) A certified supplementary voters' roll shall be deemed to be part of the voters' roll of a transitional authority.

Consolidation of Voters' Roll and Supplementary Roll

- 12F (1) The revision court appointed in terms of regulation 12C shall advise the voters' roll officer not later than 6 October 1995 whether it requires such officer:
- (a) to prepare a consolidated voters' roll by amalgamating the voters' roll certified in terms of regulation 7(1) and the supplementary voters' roll certified in terms of regulation 12E(1); and

(b) to divide such consolidated voters'roll into wards and voting stations in accordance with the provisions of regulations 3(5)(b), (6) and (3)(b).

(2) In arriving at a decision to require such consolidation and division, the revision court shall satisfy itself inter alia with due regard to the time available between the date of signature and certification of the supplementary voters'roll and the date of the elections:

(a) that it is necessary and advisable for the conduct and management of the election in the transitional authority concerned that such consolidation and division should be undertaken: and

(b) that such an undertaking:

(i) is within the administrative capacity of the voter'roll officer and such employees or person or persons who may have been designated or appointed in terms of regulation 12A(2); and

(ii) can be entered into and completed without detriment to or adverse impact upon the conduct and management of the election as a whole in the transitional authority concerned.

- (3) For the purpose of subregulation (2) the revision court shall invite and consider the views of the voters'roll officer and the returning officer and may at its sole and absolute discretion invite and consider the views of the election committee appointed in terms regulation 90 and such other person or persons as it may deem necessary or appropriate.
- (4) (a) Where the revision court requires the voter'roll officer to prepare and divide a consolidated voters'roll in terms of subregulation (1) it shall examine and consider such consolidation immediately upon completion thereof.
- (b) Where the revision court is satisfied that such consolidation reflects the true and accurate amalgamation of the respective voters'roll without addition, omission or alteration, it shall approve the consolidated voters'roll.

- (c) Such consolidated voters' roll as approved shall firthith be certified and signed by the presiding officer of such court 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.
- (5) Where a consolidated voters'roll is prepared in terms of subregulation (1)(a)the serial number allocated to a name on a roll in tems of regulation 3(5)(a)(i) or 12A(5)(a)(i) shall be retained with such name in any division of such consolidation into any part.
- (6) The provisions of regulations 7(2) to (4) inclusive shall apply mutatis mutandis to such certified voters' roll.
- (7) The voter'sroll officer shall divide such certified voters'roll into parts in accordance with the provisions of regulation 3(6).

Corrections to Roll

- 12G (1) Notwithstanding the provisions of regulations 4,6 or 12D, the revision court appointed in terms of regulation 12C may at any time after consultation with the voters'roll officer amend the voters'roll prepared or signed and certified in terms of regulation 6 or 7(1) respectively or the supplementary

roll prepared or signed and certified in terms of regulation 12D or 12E(1) respectively:

- (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 mutaris matandis;
 - (b) by amending the spelling or a number relating to a voter or claimant on the roll in such manner that such spelling or number conforms to the spelling or number on the claim which was basis of enrolment of that voter or claimant.
- (2) Any deletion or amendment made in terms of subregulation (1) above shall be made not later than 10 October 1995 and shall be certified, signed and dated on the applicable roll by the presiding officer of the revision court at the time in its made.

- (3) Where any such deletion or amendment is made and certified after the division of a voters' roll into parts in terms of regulation 3(6), the voters' roll officer shall ensure that every such applicable part is amended accordingly and shall make an endorsement in his or her name against every such deletion or amendment.

12H Nothing herein contained shall be construed as permitting or requiring the use of a supplementary voters' roll or a claim submitted in respect thereof on the use of a consolidated voters' roll 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, 12A or 12B or in regard to any particulars required for the making of a voters' roll or a supplementary voters' roll;

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 13

Regulation 13 is hereby amended by the deletion of 13(2):

- [(2) Any delimitation or determination contemplated in subregulation (1)(a), (b) or (c) may from time to time, but not later than a date three months prior to the day determined by the Minister as contemplated in section 9(1) of the Act, be reviewed by the Premier in accordance with the provisions of subregulation (1).]

Amendment to Regulation 21

Regulation 21(1)(e) is hereby amended by the substitution thereof of the following:

- 21 (1) (e) he or she is an employee of the [transitional authority] local government concerned or any other [transitional authority] local government: Provided that the [Executive Council] Premier contemplated in section 149 of the Constitution may exempt any such person if satisfied that such exemption is in the public interest and proof of such exemption accompanies the nomination.

Amendment to Regulation 25

Amend the further proviso to regulation 25 as follows:

Provided that where the rejection is in terms of paragraphs (a), (c), (d), (e), or (f), the returning officer shall in writing grant the party the opportunity to rectify the defect by not later than 16:00 on 19 September 1995, by supplying to such officer the rectified information or address or deposit or substituting another name or names or qualified persons or making other rectifications, as the case may be, and upon due compliance therewith, the returning officer shall approve the application and register the party: Provided further that where a party fails to rectify a defect in terms of subparagraph (d), (e) or (f) only, or where form ER4 in respect of a candidate is not submitted in terms of regulation 24(1)(b)(vi), the returning officer shall reject the person or persons

or, subject to the provisions of regulation 90(1)(e)(iii), the distinguishing mark or symbol concerned, and shall otherwise approve the application and register the party.

Amendment to Regulation 26

Regulation 26(2) is hereby amended by the substitution thereof of the following:

26 (2) At noon on nomination day the returning officer shall, at the place of nomination referred to in regulation 23(1)(e), publicly declare:

(a) the names of the parties whose nominations have been rejected in terms of regulation 25;

(b) the name of any party whose nomination is the only nomination accepted and the name or names of the person or persons taken from the list of the aforesaid party in terms of regulation 75(3) and who are, in terms of subregulation (4), deemed to have been duly elected;

[(b)] (c) the names of the parties whose nominations have been accepted and in respect of which a vote will be held;

[(c)] (d) the names of the accepted candidates on the party list of each party in paragraph (b) and (c); and

[(d)] (e) display the distinguishing mark or symbol of each party, if any, accepted by the returning officer or adjudicated by the election committee in terms of regulation 90(1)(e)(iii).

Regulation 26 is hereby amended by the insertion after regulation 26(3) of the following regulations:

26 (4) (a) Where the application and registration of only one party has been approved and the nomination of such party is declared in terms of this regulation, a vote shall not be held on election day in respect of such party and the total number of seats to be filled by proportional representation shall be deemed to be the number of seats determined for such party in terms of regulation 75(1) and (2).

(b) If the number of persons on the list of candidates for such party is less than the number of seats to be filled in accordance with paragraph (a), the number of seats to be filled by proportional representation shall be

deemed to be the number of seats which can be filled from such list and any vacancies shall remain unfilled until the next election of the council concerned takes place.

- (5) Where no application has been approved and no registration has been made in respect of any party, the returning officer shall make a declaration that no nomination has been accepted, and a by-election shall be held within 90 days from the date of the election substantially in the manner provided in these regulations for the holding of elections.

Amendment to Regulation 29

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

- 29 (4) (d) the name [of the] 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; and

Amendment to Regulation 31

Regulation 31(3)(a) is hereby amended by the substitution therefore of the following:

- 31 (3) (a) The returning officer shall where appropriate designate one election officer or more as a deputy returning officer, presiding officer, deputy presiding officer, voting officer, translation officer or voter's assistant contemplated in subregulation (4), counting officer, and/or other election officer: provided that any election officer may be given more than one designation.

Amendment to Regulation 41

Regulation 41(8) is hereby amended by the substitution thereof of the following:

Certain Powers in Respect of Voting Area

- 41 (8) The presiding officer appointed to a voting station shall have the power to:
- (a) take such steps and give such directions as may be necessary for the orderly conduct of voting and the effectual conduct of the election and

compliance with these regulations, including control of the number of voters to be admitted at a time to the voting station and the inner perimeter; [and]

- (b) exclude or evict from the voting station and the inner perimeter all persons except those permitted in terms of regulation 42[.]; and
- (c) exclude or evict from the voting station and the inner perimeter any person who is in possession of any firearm other than a police officer on duty.

Regulation 41(11) is hereby amended by the substitution thereof of the following:

- 41 (11) The powers conferred by subregulation (8)(a) and (b), (9) and (10) shall not be so exercised as to prevent any person who is entitled to vote from having an opportunity to cast his or her vote.

Regulation 41 is hereby amended by the insertion after regulation 41(14)(b) of the following regulation:

- 41 (15) (a) Subject to the provisions of subparagraph (b) the returning officer for a district council, transitional representative council or transitional rural council may with the concurrence of the transitional authority concerned designate a building or structure within that transitional authority for the purposes of a voting station or combined voting station or place of counting for an election in respect of such council.
- (b) The provisions of regulation 41(13)(b), (c) and (14) shall apply *mutatis mutandis* to any such designation: Provided that where there is no Election Committee in respect of such council any reference thereto shall be construed as a reference to the Premier.

Amendment to Regulation 56

Regulation 56(1)(b) is hereby amended by the substitution thereof of the following:

- 56 (1) (b) when inside such compartment without delay secretly place a cross or clear mark of intention by means of mark or writing other than a cross on the ballot paper [in the square opposite the name and symbol of the candidate for whom he or she wishes to vote in a ward election, and on the ballot paper in the square opposite the name and

symbol of the party for which he or she wishes to vote in the election according to proportional representation;];

- (i) in the case of an election according to proportional representation in the square opposite the name and symbol of the party for which he or she wishes to vote; and
- (ii) in the case of a ward election which has one vacancy in the square opposite the name and symbol of the candidate for whom he or she wishes to vote; or
- (iii) in the case of a ward selection which has more than one vacancy, in the square opposite the name and symbol of one or more candidates for whom he or she wishes to vote but not exceeding the number of vacancies in such ward election.

Amendment to Regulation 65

Regulation 65(a) is hereby amended by the deletion of the following:

65 The returning officer shall take into the place for the counting of votes:

- (a) a copy of the Act; [~~the Constitution; the Electoral Act, 1993 (Act 202 of 1993);~~] and these regulations;

Amendment to Regulation 73

Regulation 73(1)(a) is hereby amended by the substitution thereof of the following:

- 73 (1) (a) [ascertain which candidate or candidates has or have been elected by a majority of votes;]
- (i) in the case of a ward election which has one vacancy ascertain which candidate has been elected by a majority of votes; and
 - (ii) in the case of a ward election which has more than one vacancy ascertain which candidates have been elected by establishing:
 - (aa) the number of vacancies;

(bb) the number of votes cast for each candidate in sequence of descending numerical order;

and by designating one vacancy to each candidate in such sequence until all vacancies for that ward have been so designated;

Regulation 73(1)(e) is hereby amended by the substitution thereof of the following:

73 (1) (e) thereafter transmit such report or form or forms as the Premier may prescribe in writing to such place or places and in such manner as the Premier may require; and

[(e)] (f) in any instance where the returning officer is not the chief executive, deliver a certified copy of completed applicable form ER26 to the chief executive.

Amendment to Regulation 76

Regulation 76(1)(d) is hereby amended by the substitution thereof of the following:

76 (1) (d) thereafter transmit such report or form or forms as the Premier may prescribe in writing to such place or places and in such manner as the Premier may require; and

[(d)] (e) in any instance where the returning officer is not the chief executive, deliver a certified copy of completed applicable forms ER26 to the chief executive.

Amendment to Regulation 90

Regulation 90(1)(a) is hereby amended by the substitution thereof of the following:

90 (1) (a) A transitional authority shall establish an election committee not later than 31 May 1995 which will function [for such period as the transitional authority or Premier may determine but in any event not later than 23:59 on the day immediately preceding the date contemplated by section 9(1) of the Act.] until 23.59 on the day of the election for such transitional authority or such later date as may be determined by the Premier.

Amendment to Regulation 93

Regulation 93(2)(a) and (b) are hereby amended by the substitution thereof of the following:

93 (2) (a) In the case of a transitional local council:

Returning Officer	1 - 10 000 registered voters:	R 400,00
	10 001 - 50 000 registered voters:	R 600,00
	50 001 - 100 000 registered voters:	R 800,00
	100 001 - 250 000 registered voters:	R 1 000,00
	251 001 upwards registered voters :	R 1 250,00

Deputy Returning Officer: 70 % of the above

Presiding Officer	:	R 240,00
<u>Deputy Presiding Officer</u>	:	<u>R 200,00</u>
Any other Election Officer	:	R 160,00
Counting Officer	:	R 120,00

(b) In the case of a transitional metropolitan substructure:

Returning Officer	:	R 1 500,00
Deputy Returning Officer	:	R 1 000,00
Presiding Officer	:	R 320,00
Deputy Presiding Officer	:	<u>R 200,00</u>
[R240]		
Any other Election Officer	:	R 160,00
Counting Officer	:	R 120,00

Amendment to Regulation 95

Regulation 95(1) is hereby amended by adding the following new regulation after regulation 95(1)(e):

95 (1) (f) Where a returning officer, voters' roll officer or any election officer dies, resigns, becomes incapacitated or otherwise absents himself or herself from the performance of his or her functions, power or duties, and the transitional authority or returning officer does not or cannot immediately replace or reappoint such officer, the Premier may forthwith authorise or appoint any authority, body or person to the position of such returning officer, voters' roll officer or election officer.

Amendment to Regulation 102

Regulation 102 is hereby amended by the substitution thereof of the following:

Infringement of Secrecy

102 Any person who:

- (a) contravenes regulation 52 of 99;
- (b) unlawfully attempts to ascertain or directly or indirectly aids any other person to ascertain for which candidate or candidates or party any person intends to vote or has voted;
- (c) directly or indirectly induces or attempts to induce any person to whom a ballot paper has been issued to display his or her ballot paper after he or she has marked it, in such a manner as to disclose the name or names of the candidate or candidates or party for whom he or she has voted;
- (d) places upon any ballot paper, other than the ballot paper issued to him or her, any mark or writing whereby the person who records his vote thereon may be identified;
- (e) except in reply to a question lawfully put to him or her in the course of proceedings in a competent court, discloses or communicates any information he or she may have obtained as to the candidate or candidates or party for whom a vote has been given on any ballot paper; or
- (f) unlawfully breaks the seal or fastening on or in any other manner opens or removes any of the contents of a ballot box, parcel or envelope referred to in regulations 56(2), 62, 72 or 73,

shall be guilty of an offence.

Regulation 110

Regulation 110(1)(g) is hereby amended by the substitution thereof by the following:

- 110 (1) (g) other than a police officer on duty; enters or remains in a voting station or the inner perimeter of a voting area in possession of a firearm:

BYLAE

WYSIGINGS VAN REGULASIES

Tensy anders vermeld, dui -

[] Woorde in vet letters tussen vierkantige hake skrappings uit verordenings aan, en

— Woorde met 'n volstreep daaronder invoegings in bestaande verordenings aan.

Wysigings van Regulasie 1

Regulasie 1 word hierby gewysig deur die vervanging van regulasie 1(1)(i) met die volgende:

"1(1)(i) "aanvullende kieserslys", 'n aanvullende kieserslys gesertifiseer en onderteken of opgestel met die oog op ondertekening en sertifisering ooreen-komstig die bepalings van regulasie 12E(1);".

Regulasie 1 word hierby gewysig deur die invoeging van die volgende regulasie na regulasie 1(1)(i):

"1(1)(i)A "adres", 'n wyse van identifikasie van 'n plek wat presies voldoende is om 'n persoon soos bedoel in regulasie 2 en wat gewoonlik in die regsgebied van 'n oorgangsraad woonagtig is of regtens aanspreeklik is vir die betaling van eiendomsbelasting, huurgeld, dienstegeld of heffings aan daardie oorgangsraad, op 'n kieserslys te registreer, ten einde sy of haar stem by 'n stemburo in 'n wyk of gedeelte van 'n wyk geleë, uit te oefen;".

Regulasie 1 word hierby gewysig deur die invoeging van die volgende regulasie na regulasie 1(1)(v):

1(1)(v)A "gekonsolideerde kieserslys", 'n gekonsolideerde kieserslys onderteken en gesertifiseer of opgestel met die oog op ondertekening en sertifisering ooreenkomstig die bepalings van regulasie 12F(4)(a);".

Regulasie 1 word hierby gewysig deur die invoeging van die volgende regulasie na regulasie 1(1)(xii):

"1(1)(xii)A "kieserslys", 'n kieserslys ooreenkomstig die bepalinge van regulasie 7(1) gesertifiseer en onderteken, en sluit dit behoudens die bepalinge van regulasies 3 tot 7, 13 tot 17, 21 en 23 tot en met 29 'n aanvullende en gekonsolideerde kieserslys in;".

Wysiging van Hoofstuk 3

Hoofstuk 3 word hierby gewysig deur die invoeging van die volgende nuwe Hoofstuk 3A na Hoofstuk 3:

HOOFSTUK 3A

AANVULLENDE KIESERSLYS, GEKONSOLIDEERDE KIESERSLYS EN REGSTELLINGS

Saamstel van Lys

12A (1) (a) Elke oorgangsraad sal 'n aanvullende kieserslys opstel.

(b) Elke oorgangsraad sal nie later nie as 12 September 1995 publiseer dat hy van voorneme is om 'n aanvullende kieserslys saam te stel en enige natuurlike persoon, wat ingevolge regulasie 2 daarop geregtig is om in sodanige aanvullende kieserslys ingesluit te word en wie se naam nie in die kieserslys vir daardie oorgangsraad ingesluit is nie, oproep om binne die tydperk 12 September tot en met 25 September 1995 as kieser te registreer.

(c) Elke oorgangsraad sal sy kieserslys ooreenkomstig die bepalings van regulasie 7(1) gesertifiseer en onderteken, by nie minder as een munisipale kantoor tydens normale kantoorure vanaf 12 September tot en met 25 September 1995 vir openbare inspeksie beskikbaar stel.

(2) Elke oorgangsraad moet die volgende aanstel of aanwys:

(a) 'n kieserslysbeampte in sy diens wat namens hom verantwoordelik sal wees vir die opstel van 'n aanvullende kieserslys; en

- (b) sodanige werknemers of ander persoon of persone wat nodig mag wees om met die opstel daarvan behulpsaam te wees teen sodanige vergoeding wat hy mag bepaal.
- (3) 'n Persoon wat aansoek doen om as kieser geregistreer te word sal 'n eis in ooreenstemming met vorm ER1 indien.
- (4) Enige persoon wat eis om as 'n kieser geregistreer te word, moet die inligting in vorm ER1 verlang, verskaf en indien die kieserslysbeampte op grond van sodanige inligting tevrede is dat sodanige persoon ingevolge regulasie 2 kwalifiseer om as kieser te registreer, word sodanige persoon se naam en besonderhede op die aanvullende kieserslys behoudens die bepalinge van Regulasie 12(D) ingesluit.
- (5) (a) By verstryking van die tydperk bedoel in subregulasie (1), sal elke oorgangsraad 'n aanvullende kieserslys voorberei met die name van gekwalifiseerde persone om as kiesers vir die verkiesing geregistreer te word en sodanige lys moet:
- (i) 'n reeksnommer uniek ten opsigte van elke naam bevat, welke nommer nie dieselfde sal wees as enige reeksnommer op die kieserslys nie;
- (ii) die identiteitsnommer van elke persoon wat aanspraak maak op registrasie, bevat;
- (iii) in alfabetiese volgorde volgens vanne wees;
- (iv) die adres waarmee die aanspraak verband hou vermeld; en
- (v) die gronde vir kwalifikasie of aanspraak aandui.

(b) Elke bladsy van 'n aanvullende kieserslys sal opeenvolgend genummer word en die naam van die oorgangsraad en die jaar waarmee dit verband hou, aandui; en waar sodanige lys in dele verdeel is, moet elke bladsy van sodanige deel ook die wyk en stemburo waarmee dit verband hou, aandui.

(6) Behoudens die bepalings van regulasie 12G sal die kiesbeamppte toesien dat:

- (a) 'n Aanvullende kieserslys soos gesertifiseer en goedgekeur vir 'n plaaslike oorgangsraad of vir 'n metropolitaanse oorgangsubstruktuur verdeel sal word in dele volgens die wyke waarin die regsgebied van sodanige plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur verdeel is.
- (b) Elke wyk, tensy skriftelike magtiging deur die Premier tot die teendeel verkry is, in dele in ooreenstemming met die voorskrifte vervat in regulasie 41(3)(c) verdeel word en die kieserslys van enige wyk aldus verdeel, sal in sodanige dele verdeel word.
- (c) 'n Aanvullende kieserslys soos gesertifiseer en goedgekeur vir 'n metropolitaanse oorgangsraad verdeel sal word in dele in ooreenstemming met die regsgebied van elke metropolitaanse oorgangsubstruktuur binne die metropolitaanse oorgangsraadgebied, en daarna verder in dele wat presies ooreenstem met die wyke en dele van sodanige wyke, indien enige, vir elke sodanige metropolitaanse oorgangsubstruktuur.
- (d) 'n Aanvullende kieserslys in dele verdeel, aan die vereistes van subregulasie (5)(a) ten opsigte van elke sodanige deel voldoen.
- (e) 'n Kieser wie se naam in 'n aanvullende kieserslys ingesluit is, in 'n wyk of deel daarvan by die stemburo waar sy of haar naam op die aanvullende kieserslys vir sodanige wyk of deel daarvan verskyn, sal stem.

(7) Wanneer enige eiser:

- (a) kragtens wet aanspreeklik is vir die betaling van belasting, huur, dienstegeld of heffings ten opsigte van meer as een adres; of

(b) aldus aanspreeklik is ten opsigte van 'n adres behalwe die plek waar hy of sy gewoonlik woonagtig is; of

(c) gewoonlik op meer as een plek woonagtig is;

binne die regsgebied van dieselfde oorgangsraad, sal sodanige eiser daarop geregtig wees om slegs een keer opgeneem te word op die aanvullende kieserslys van sodanige oorgangsraad en sal tydens eis om registrasie, een

sodanige adres identifiseer as die plek vir opname, by gebreke waaraan die verkiesingslysbeampte sodanige identifikasie sal maak.

- (8) (a) Die kieserslysbeampte mag die name en besonderhede van enige persoon ten opsigte van wie 'n eis op vorm ER1 nie gemaak of ontvang is nie, maar wie se besonderhede die benodigde inligting vir subregulasie (5)(a) verskaf, op grond waarvan die kieserslysbeampte oortuig is dat sodanige persoon ingevolge regulasie 2 kwalifiseer om as kieser geregistreer te word, op die aanvullende kieserslys insluit.
- (b) Ondanks die bepalings van subregulasie (1) sal 'n eis op 'n vorm wesenlik in ooreenstemming met vorm ER1 tussen 6 Junie 1995 en 25 September 1995 ontvang 'n geldige eis wees en sal dit deur die kieserslysbeampte in berekening gebring word.
- (9) Die kieserslysbeampte sal gedurende die tydperk bedoel in regulasie 12A(1), verseker dat:
- (a) 'n voldoende voorraad vorms ER1 en ER2, en een of meer prominente plekke of veilige bewaarplekke vir die aflewering van eise per hand, duidelik geïdentifiseer, beskikbaar en te alle tye gedurende normale kantoorure toeganklik vir die publiek, by elke kantoor van die betrokke oorgangsraad is; en
- (b) 'n redelike hoeveelheid vorms ER1 op versoek, aan 'n party of persoon wat die kieserslysbeampte oortuig van 'n bona fide bedoeling om die indiening van eise, kosteloos vir enige eiser, te werf of te vergemaklik, beskikbaar gestel word.
- (10) Niks hierin vervat, sal vertolk word as vereiste dat enige persoon fisies of persoonlik aanwesig moet wees op enige plek of kantoor ten einde sy of haar

eis om registrasie as kieser in te dien, of as verbod op enige persoon om 'n eis per gewone pos aan die kieserslysbeampte by die adres op vorm ER1 vir die toepaslike oorgangsraad gespesifiseer, te pos nie.

- (11) Waar geen adres bestaan nie, sal die oorgangsraad stappe neem ter vasstelling of identifikasie van 'n adres binne sy jurisdiksie vir die doeleindes van eise en die voorbereiding van die aanvullende kieserslys.

- (12) Waar enige persoon wat aansoek doen om as 'n kieser geregistreer te word 'n eis ooreenkomstig vorm ER1 indien en sertifiseer of andersins aandui dat die grond van sy of haar kwalifikasie of reg tot sodanige eis die betaling of die aanspreeklikheid vir die betaling van eiendomsbelasting, huur, dienstegeld of heffings is, sal sodanige sertifisering of aanduiding van betaling of aanspreeklikheid vir betaling nie as bewys dien of as getuienis gebruik word in enige hofgeding, eis of vervolging deur 'n oorgangsraad, plaaslike regeringsliggaam of enige ander persoon of persone nie.

Eise en Besware

- 12B (1) Die kieserslysbeampte publiseer nie later nie as 24 September 1995 'n kennisgewing:
- (a) wat vermeld dat 'n kopie van sodanige lys en enige eis in terme van regulasie 12A(8)(b) ontvang gedurende gewone kantoorure by die kantoor of kantore van die oorgangsraad en by sodanige ander plek of plekke wat die kieserslysbeampte mag bepaal, gedurende die ure vanaf 06:00 tot 22:00 daaglik, Saterdag ingesluit, gedurende die periode 3 Oktober 1995 tot en met 7 Oktober 1995 ter insae lê;
- (b) wat elke persoon wat enige beswaar het teen die registrasie van enige persoon wie se naam op sodanige lys verskyn, oproep:
- (i) om 'n beswaar op die voorgeskrewe vorm ER2 wat by sodanige kantoor of plek bedoel by paragraaf (a) beskikbaar sal wees, in te dien; of

(ii) ten opsigte van enige persoon wat nie kan skryf nie, persoonlik by 'n vermelde plek en tydstip te verskyn om mondelings beswaar te maak,

by die kiesersbeampte nie later nie as 22:00 op 7 Oktober 1995;

(c) wat een of meer dae gedurende die tydperk 10 Oktober 1995 tot en met 13 Oktober 1995 bepaal, en een of meer plekke vir sitting van die hersieningshof om sodanige eise en besware aan te hoor: Met dien

- (5) Nie-ontvangs van 'n kennisgewing of gebreke in die publikasie van enige kennisgewing bedoel in subregulasie (4) sal nie die kieserslys of enige verrigting of besluit van die hersieningshof ongeldig maak nie.
- (6) Die Premier mag met inagneming van die verkiesingsdatum 'n kieserslys-beampte gelas om die getal of die ligging van plekke of sittings bedoel in subregulasie (1)(a) of (1)(b) te vermeerder.

Instelling van Hersieningshof

- 12C (1) (a) Daar word hierby vir doeleindes van elke aanvullende kieserslys 'n hersieningshof met die bevoegdhede, werksaamhede en pligte in hierdie regulasies bepaal, ingestel.
- (b) Nieteenstaande die bepalinge van subregulasie (1)(a) hierbo of (2) hierna, mag die Premier meer as een hersieningshof ten opsigte van elke aanvullende kieserslys of enige deel van elke lys magtig en instel.
- (2) Die hersieningshof vir elke aanvullende kieserslys of deel van sodanige lys sal bestaan uit drie persone aangestel deur die betrokke oorgangsraad, nie later nie as 29 September 1995, of sodanige vroeëre datum as wat die Premier skriftelik mag bepaal ten opsigte van een of meer oorgangsrade, van wie minstens een 'n advokaat, prokureur of ander regsgekwalfiseerde persoon sal wees wat ook die voorsittende beampte van die hof sal wees. Met dien verstande dat die Premier op die skriftelike versoek van die betrokke oorgangsraad en indien tevrede dat daar nie 'n paslik regsgekwalfiseerde persoon beskikbaar is nie, die oorgangsraad skriftelik kan magtig om 'n ander paslik gekwalfiseerde persoon as voorsittende beampte asook 'n plaasvervanger aan te stel.

- (3) Die oorgangsraad sal verder sekundi aanstel om die plek in te neem van enige lid van die hersieningshof wat afwesig of ongesteld is en sal die rangorde van sodanige sekundi bepaal: Met dien verstande dat minstens een sodanige sekundus sal voldoen aan die kwalifikasies vereis vir die voorsittende beampte bedoel in subregulasie (2).
- (4) Die aanstelling van lede en sekundi tot 'n hersieningshof ingevolge subregulasies (2) en (3) sal beslis word deur 'n besluit van die raad aanvaar met 'n meerderheid van minstens twee derdes van al sy lede.

- (5) (a) Geen persoon sal as lid of sekundus van sodanige hof aangestel word of aanstelling aanvaar indien hy of sy:
- (i) 'n ampsdraer van 'n party is;
 - (ii) 'n lid of raadslid of werknemer van die betrokke oorgangsraad is; of
 - (iii) nie daarop geregtig is om kragtens regulasie 2 as kieser vir 'n oorgangsraad geregistreer te word nie;
 - (iv) 'n lid van die verkiesingskomitee ingevolge regulasie 90 vir daardie oorgangsraad is; of
 - (v) vir die verkiesing vir daardie oorgangsraad as kandidaat genomineer is of op 'n partylys ingesluit is nie.
- (b) 'n Lid van sodanige hof hou op om lid daarvan te wees en sal sy of haar amp ontruim indien hy of sy:
- (i) onbevoeg raak vir aanstelling as lid van sodanige hof;
 - (ii) sy of haar bedanking by die hoof-uitvoerende beampte indien; of
 - (iii) te sterwe kom;
- en enige vakature wat aldus ontstaan, sal gevul word by wyse van aanstelling van die toepaslike sekundus, of by afwesigheid daarvan so spoedig moontlik deur die oorgangsraad met 'n persoon wat oor wesenlik dieselfde kwalifikasies as sy of haar voorganger beskik.

- (6) Die hersieningshof sal die wyse waarop hy sy sake verrig, bepaal.
- (7) Wanneer daar ook al 'n verandering in die lidmaatskap van die hersieningshof plaasvind, sal enige gedeeltelik verhoorde eis of beswaar, op versoek van die betrokke eiser of beswaarmaker, de novo hanteer word.

- (8) Administratiewe werk verbonde aan die uitvoer van die werksaamhede van 'n kieserslysbeampte en hersieningshof word uitgevoer deur die hoof-uitvoerende beampte van die betrokke oorgangsraad of deur een of meer beamptes van sodanige owerheid behoorlik skriftelik aangestel en wat onder die jurisdiksie en beheer van sodanige hoof-uitvoerende beampte optree.
- (9) Lede van 'n hersieningshof sal vergoed word op die basis wat deur die Premier vasgestel word, nie later nie as die tyd bedoel in subregulasie (2), of by gebrek, deur besluit van die oorgangsraad.

Bevoegdhede, Werksaamhede en Pligte van Hersieningshof

- 12D (1) Die hersieningshof sal op die dag of dae en by die plek of plekke ingevolge regulasie 12B(1)(c) of 12B(6) vasgestel, sitting neem om eise en besware teen die registrasie van persone as kiesers op die aanvullende kieserslys te oorweeg en te bepaal.
- (2) Die hersieningshof sal:
- (a) die naam van elke eiser op die aanvullende kieserslys byvoeg of invoeg:
- (i) wat geregtig is op registrasie en die hof aldus oortuig het;
- (ii) teen wie se registrasie geen beswaar ingediën is nie; of
- (iii) wat niteenstaande enige beswaar, die hof oortuig dat hy of sy daarop geregtig is om as 'n kieser geregistreer te word;

of die name van alle sodanige eisers op 'n aparte lys wat voldoen aan die bepaling van regulasie 12A(5)(a) plaas, en sodanige lys tot die aanvullende kieserslys byvoeg; of

(b) die naam van elke eiser skrap of van die aanvullende kieserslys verwyder;

(i) ten opsigte van wie 'n beswaar ingedien is; en

- (ii) by gebrek aan voldoening aan subparagraaf (i), die hersieningshof oortuig is dat daar uitsonderlike omstandighede met betrekking tot die laat indiening van die betrokke dokument bestaan wat die oorweging van die eis of beswaar regverdig; en
- (c) in die geval van enige persoon oor wie se registrasie 'n beswaar ingedien is, die beswaarmaker elke sitting van die hersieningshof waarby die beswaar oorweeg gaan word, bywoon om sodanige beswaar te staaf.
- (5) Die kieserslysbeampte is daarop geregtig om alle sittings van die hersieningshof by te woon en sal in die teenwoordigheid van 'n eiser of beswaarmaker aangehoor word.
- (6) Enige persoon wie se eis of beswaar deur die hersieningshof oorweeg word en enige persoon wat enige sodanige eis of beswaar teenstaan, is daarop geregtig om persoonlik of deur 'n verteenwoordiger skriftelik daartoe gemagtig, aangehoor te word en om mondelinge getuienis te lewer en getuies te roep.
- (7) Alle getuienis voor die hersieningshof afgelê, sal onder eed of bevestiging deur die voorsittende beampte afgeneem, gelewer word.
- (8) Sittings van die hersieningshof sal vir die publiek en die pers toeganklik wees.
- (9) Die hersieningshof mag, behoudens die bepalings van hierdie regulasies, van tyd tot tyd soos wat hy dienstig ag, verdaag.
- (10) Indien geen eise of besware ingevolge regulasies 12B(1)(b), of 12B(3) binne die tydperk bedoel in sodanige bepalings ingedien word nie, sal die kieserslysbeampte deur kennisgewing aangebring by die kantore van die oorgangsraad, die sitting van die hersieningshof onverwyld kanselleer.

Sertifisering en Ondertekening van Lys

- 12E (1) Onderworpe aan die bepalings van regulasie 12F sal die aanvullende kiesers-lys, indien deur die hersieningshof ingevolge regulasie 12D gewysig al dan nie, sal nie later nie as 18:00 op 17 Oktober 1995 deur die voorsittende beampte van sodanige hof gesertifiseer en onderteken word, en daarna, onderworpe aan

die bepalings van regulasie 8, die aanvullende kieserslys vir die betrokke oorgangsraad wees totdat 'n nuwe lys wettig opgestel is.

- (2) Enige dokument wat voorgee om die aanvullende kieserslys te wees soos gesertifiseer en onderteken deur die voorsitter van die hersieningshof ingevolge subregulasie (1) of as 'n ware afskrif van sodanige lys deur die hoofuitvoerende beampte gesertifiseer deur die uitreiking van 'n sertifikaat tot daardie effek, sal, tensy bewys word dat sodanige dokument nie sodanige aanvullende kieserslys of sodanige ware afskrif is nie, na gelang van die geval, as afdoende bewys dien dat die persone wie se name daarop verskyn daarop geregtig is om enige reg wat aan kiesers by hierdie regulasies verleen is, uit te oefen.
- (3) Die gesertifiseerde aanvullende kieserslys sal by die kantore van die oorgangsraad gelewer word en sal gedurende normale kantoorure van die oorgangsraad of gedurende sodanige verlengde ure en tye soos wat dit deur besluit mag bepaal, beskikbaar wees vir insae deur lede van die publiek.
- (4) Enige kieser of kandidaat of party mag 'n afskrif van die aanvullende kieserslys of deel daarvan van toepassing op 'n wyk, teen sodanige pryse soos wat die oorgangsraad deur besluit bepaal, bekom.
- (5) 'n Gesertifiseerde aanvullende kieserslys word geag deel te wees van die kieserslys van 'n oorgangsraad.

Konsolidering van Kieserslys en Aanvullende Kieserslys

- 12F (1) Die hersieningshof ingevolge regulasie 12C aangestel, sal die kieserslys-beampte nie later nie as 6 Oktober 1995 adviseer of dit van sodanige beampte verlang word om:

- (a) 'n gekonsolideerde kieserslys saam te stel deur die samevoeging van die ingevolge regulasie 7(1) gesertifiseerde kieserslys en die aanvullende kieserslys ingevolge regulasie 12E(1) gesertifiseer; en
- (b) sodanige gekonsolideerde kieserslys in wyke en stemburo's ooreenkomstig die voorwaardes van regulasies 3(5)(b), (6) en 6(3)(b) te verdeel.

- (2) Om tot 'n besluit te kom om sodanige konsolidering en verdeling te verlang, sal die hersieningshof homself onder andere, met behoorlike inagneming van die beskikbare tyd tussen die datum van ondertekening en sertifisering van die aanvullende kieserslys en die datum van die verkiesing, tevrede stel:
- (a) dat dit vir die hou en bestuur van die verkiesing in die betrokke oorgangsraad nodig en raadsaam is dat sodanige konsolidasie en verdeling onderneem moet word; en
- (b) dat sodanige onderneming:
- (i) binne die administratiewe vermoë van die kieserslysbeampte en sodanige werknemers of persoon of persone ingevolge regulasie 12A(2) aangewys of aangestel, is; en
- (ii) onderneem en voltooi kan word sonder afbreuk aan of negatiewe gevolg op die hou en bestuur van die verkiesing as 'n geheel in die betrokke oorgangsraad.
- (3) Vir doeleindes van subregulasie (2) sal die hersieningshof die mening van die kieserslysbeampte en kiesbeampte versoek en oorweeg en mag dit in eie en absolute diskresie die mening van die verkiesingskomitee ingevolge regulasie 90 aangestel en sodanige ander persoon of persone wat dit nodig of toepaslik vind, versoek en oorweeg.
- (4) (a) Waar die hersieningshof van die kieserslysbeampte verlang om 'n gekonsolideerde kieserslys ingevolge subregulasie (1) op te stel en te verdeel, sal dit onmiddellik by voltooiing daarvan sodanige konsolidasie ondersoek en oorweeg.

- (b) Waar die hersieningshof tevrede is dat sodanige konsolidasie die ware en akkurate samevoeging van die onderskeie kieserslyste sonder byvoeging, weglating of wysiging weerspieël, sal dit die gekonsolideerde kieserslys goedkeur.

- (c) Sodanige gekonsolideerde kieserslys soos goedgekeur sal onverwyld gesertifiseer en onderteken word deur die voorsittende beampte van sodanige hof en sal, behoudens die bepalings van regulasie 8, daarop die nuwe kieserslys vir die betrokke oorgangsraad wees totdat 'n nuwe kieserslys wettig opgestel is.
- (5) Waar 'n gekonsolideerde kieserslys ingevolge subregulasie (1)(a) opgestel is, sal die reeksnommer ingevolge regulasie 3(5)(a)(i) of 12A(5)(a)(i) toegeken, met sodanige naam in enige konsolidasie en enige verdeling van sodanige konsolidasie in dele behou word.
- (6) Die bepalings van regulasie 7(2) tot en met (4) is *mutatis mutandis* van toepassing op sodanige gesertifiseerde kieserslys.
- (7) Die kieserslysbeampte sal sodanige gesertifiseerde kieserslys ooreenkomstig die bepalings van regulasie 3(6) in dele verdeel.

Regstellings aan Lys

- 12G (1) Ondanks die bepalings van regulasies 4, 6 of 12D, kan die hersieningshof ingevolge regulasie 12C aangestel, te enige tyd na konsultasie met die kieserslysbeampte die kieserslys ingevolge regulasie 6 of 7(1) onderskeidelik opgestel of geteken en gesertifiseer, of die aanvullende kieserslys ingevolge regulasie 12D of 12E(1) onderskeidelik opgestel of geteken en gesertifiseer, wysig:
- (a) deur die skapping van enige eiser of kieser van sodanige lys ten opsigte van wie 'n tweede of daaropvolgende inskrywing wat dieselfde identiteitsnommer, naam, adres en gronde van kwalifikasie tot aanspraak herhaal: Met dien verstande dat die bepalings van regulasie 6(3)(a)(ii) *mutatis mutandis* toegepas sal word.

- (b) deur die wysiging van die spelling of 'n nommer met betrekking tot 'n kieser of eiser op die lys op sodanige wyse dat sodanige spelling of nommer voldoen aan die spelling of nommer op die eis wat die basis van daardie kieser of eiser se registrasie was.
- (2) Enige skrapping of wysiging ingevolge subregulasie (1) hierbo gemaak, sal nie later nie as 10 Oktober 1995 gemaak word, en sal ten tye wat dit op die

toepaslike lys gemaak word, deur die voorsittende beampte van die hersieningshof gesertifiseer, geteken en gedateer word.

- (3) Waar enige sodanige skrapping of wysiging na die verdeling van 'n kieserslys ingevolge regulasie 3(6) in dele aangebring word, sal die kieserslysbeampte toesien dat elke sodanige toepaslike deel dienoooreenkomstig gewysig is en 'n endossement in sy of haar naam teenoor elke sodanige skrapping of wysiging maak.

12H Niks hierin vervat sal vertolk word as sou dit die gebruik van 'n aanvullende kieserslys of 'n eis ten opsigte daarvan ingedien vir gebruik by 'n gekonsolideerde kieserslys vir doeleindes van enige wyksafbakening of nominasie van 'n kandidaat of registrasie van 'n party kragtens hierdie regulasies toelaat of vereis nie.

Wysiging van Regulasie 12

Regulasie 12(a) word hiermee gewysig deur die vervanging daarvan met die volgende:

- 12 (a) Vals inligting in enige eis of beswaar ingevolge regulasie 3, [of] 4, 12A of 12B ingedien, of ten opsigte van enige besonderhede wat nodig is vir die saamstel van [die] 'n kieserslys of aanvullende kieserslys verstrekk;

WYSIGINGS VAN REGULASIES

Tensy anders vermeld dui:

[] Woorde in vet letters tussen vierkantige hake skappings uit verordenings aan, en

Woorde met 'n volstreep daaronder invoegings in bestaande verordenings aan.

Wysiging van Regulasie 13

Regulasie 13 word hiermee gewysig deur die skapping van 13(2):

- [(2) Enige afbakening of bepaling beoog by subregulasie (1)(a), (b) of (c) mag van tyd tot tyd, maar nie later as 'n datum drie maande voor die dag deur die Minister ingevolge artikel 9(1) van die Wet bepaal, deur die Premier in ooreenstemming, met subregulasie (1) hersien word nie.]

Wysiging van Regulasie 21

Regulasie 21(1)(e) word hiermee gewysig deur die vervanging daarvan met die volgende:

- (e) hy of sy 'n werknemer van die betrokke [oorgangsraad] plaaslike regering of 'n ander [oorgangsraad] plaaslike regering is: Met dien verstande dat die [Uitvoerende Raad] Administrateur soos bedoel in artikel 149 van die Grondwet enige sodanige persoon kan vrystel as hy oortuig is dat sodanige vrystelling in die openbare belang is en bewys van so 'n vrystelling die benoeming vergesel.

Wysiging van Regulasie 25

Die verdere voorbehoud tot regulasie 25 word as volg gewysig:

Met dien verstande dat waar die verwerping ingevolge paragrawe (a), (c), (d), (e) of (f) is, die kiesbeamppte die party skriftelik geleentheid sal bied om die gebrek nie later as 16:00 op 19 September 1995 reg te stel, deur aan sodanige beamppte die reggestelde inligting of adres of deposito te voorsien of 'n ander naam of name van bevoegde persone in die plek te stel of ander regstellings te maak, na gelang van die geval. By

behoorlike voldoening daaraan, sal die kiesbeampte die aansoek goedkeur en die party registreer. Met dien verstande dat waar 'n party in gebreke bly om slegs 'n tekortkoming ingevolge subregulasies (d), (e) of (f) reg te stel, of waar vorm ER4 ten opsigte van 'n kandidaat nie ingevolge regulasie 24(1)(b)(vi) ingedien is nie, die kiesbeampte die betrokke persoon of persone of behoudens die bepalings van regulasie 90(i)(e)(iii), die betrokke onderskeidende merk of simbool sal verwerp en die aansoek andersins goedkeur en die party registreer.

Wysiging van Regulasie 26

Regulasie 26(2) word hiermee gewysig deur die vervanging daarvan met die volgende:

26 (2) Om 12 uur die middag van nominasiedag sal die kiesbeampte by die plek van nominasie soos bedoel by regulasie 23(1)(e) in die openbaar:

(a) die name van partye wie se nominasies in terme van regulasie 25 verwerp is, verklaar;

(b) die naam van enige party wie se nominasie die enigste nominasie is wat aanvaar is en die naam of name van die persoon of persone van die lys van voormelde party ingevolge regulasie 75(3) verwyder, verklaar, kragtens subregulasie (4) as behoorlik verkose geag word;

[(b)] (c) die name van partye wie se nominasies aanvaar is en ten opsigte van wie 'n verkiesing gehou sal word, verklaar;

- [(c)] (d) die name van die aanvaarde kandidate op die partylys van elke party in paragraaf (b) en (c) vermeld, verklaar; en
- [(d)] (e) die onderskeidende merk of simbool van elke party, indien enige; en deur die kiesbeamppte aanvaar of deur die verkiesingskomitee in terme van regulasie 90(1)(e)(iii) beslis, vertoon.

Regulasie 26 word hiermee gewysig deur die invoeging na regulasie 26(3) van die volgende regulasies:

26 (4) (a) Waar die aansoek en registrasie van slegs een party goedgekeur is en die nominasie van sodanige party kragtens hierdie regulasie verklaar is, sal 'n stemming nie op verkiesingsdag ten opsigte van sodanige party gehou word nie en sal die totale aantal setels wat by wyse van proporsionele verteenwoordiging gevul moet word, geag word die aantal setels te wees wat vir sodanige party ingevolge regulasie 75(1) en (2) bepaal is.

(b) Indien die aantal persone op die kandidaatslys vir sodanige party minder is as die aantal setels wat ingevolge paragraaf (a) gevul moet word, sal die aantal setels wat by wyse van proporsionele verteenwoordiging gevul moet word, geag word die aantal setels wat vanaf sodanige lys gevul kan word en sal enige oorblywende vakatures vakant bly totdat die volgende verkiesing vir die betrokke raad plaasvind.

(5) Waar geen aansoek goedgekeur en geen registrasie ten opsigte van enige party gedoen is nie, sal die kiesbeamppte verklaar dat geen nominasie aanvaar is nie en dat 'n tussenverkiesing binne 90 dae vanaf die datum van die verkiesing gehou sal word, wesenlik op die wyse soos in hierdie regulasies voorgeskryf vir die hou van verkiesings.

Wysiging van Regulasie 29

Regulasie 29(4)(d) word hiermee gewysig deur die vervanging daarvan met die volgende:

- 29 (4) (d) die naam [van die] indien enige, skriftelik deur die Premier aan sodanige kiesbeampte voorsien wat enige tradisionele leier van 'n gemeenskap wat 'n stelsel van inheemse reg toepas en woonagtig is op grond binne die regsgebied van 'n oorgangsraad [en] wat ex officio lid van die raad is, identifiseer, verklaar; en

Wysiging van Regulasie 31

Regulasie 31(3)(a) word hiermee gewysig deur die vervanging daarvan met die volgende:

- 31 (3) (a) Die kiesbeampte sal, waar toepaslik, een verkiesingsbeampte of meer aanwys as 'n adjunkkiesbeampte, adjunk voorsittende beampte, voorsittende beampte, kiesbeampte, vertalingsbeampte of kiesersassistent soos bedoel in subregulasie (4), telbeampte, en/of ander verkiesingsbeampte: Met dien verstande dat enige verkiesingsbeampte meer as een aanwysing gegee mag word.

Wysiging van Regulasie 41

Regulasie 41(8) word hiermee gewysig deur die vervanging daarvan met die volgende:

Sekere magte in verband met Stemgebied

- 41 (8) Die voorsittende beampte by 'n stemlokaal aangestel sal bevoeg wees om;

- (a) sekere stappe te neem en sodanige aanwysings te gee as wat nodig mag wees vir die ordelike verloop van stemming en die doeltreffende verloop van die verkiesing en die nakoming van hierdie regulasies, insluitende beheer oor die aantal kiesers wat op 'n keer toegelaat word tot die stemburo en die binne-omtrek; [en]

(b) alle persone behalwe die ingevolge regulasie 42 toegelaat, die stemlokaal en binne-omtrek te verbied, [.]; en

(c) enige persoon in besit van 'n vuurwapen ander dan 'n polisiebeampte aan diens van die stemburo en die binne-omtrek uit te sluit of te verwyder.

Regulasie 41(11) word hiermee gewysig deur die vervanging daarvan met die volgende:

- 41 (11) Die [magte] bevoegdhede deur subregulasie (8) (a) en (b) (9) en (10) verleen, sal nie so uitgevoer word dat enige stemgeregtigde persoon die geleentheid ontnem word om sy of haar stem uit te bring nie.

Regulasie 41 word hiermee gewysig deur die invoeging na regulasie 41(14)(b) van die volgende regulasie:

- 41 (15) (a) Behoudens die bepalinge van subparagraaf (b) mag die kiesbeampde van 'n distriksraad, verteenwoordigende oorgangsraad of landelike oorgangsraad met die instemming van die betrokke oorgangsraad 'n gebou of struktuur binne daardie oorgangsraad vir doeleindes van 'n stemburo of gekombineerde stemburo of telplek vir 'n verkiesing ten opsigte van sodanige raad aanwys.

- (b) Die bepalinge van regulasie 41(13)(b), (c) en (14) is *mutatis mutandis* op sodanige aanwysing van toepassing: Met dien verstande dat waar daar geen Verkiesingskomitee ten opsigte van sodanige raad is nie, 'n verwysing daarna vertolk sal word as 'n verwysing na die Premier.

Wysiging van Regulasie 56

Regulasie 56(1)(b) word hiermee gewysig deur die vervanging daarvan met die volgende:

- 56 (1) (b) sodra binne 'n stemkompartement sonder verwyd in die geheim 'n kruisie of 'n duidelike aanduiding deur middel van 'n merk of skrifbeeld anders as 'n kruisie op die stembrief maak [in die blok teenoor die naam en simbool van die kandidaat vir wie hy of sy wens in 'n wyksverkiezing te stem maak, asook op die stembrief in die blok teenoor die naam en simbool van die party vir wie hy of sy wens te stem in 'n verkiezing volgens proporsionele verteenwoordiging];

(i) in die geval van 'n verkiesing volgens proporsionele verteenwoordiging in die blok teenoor die naam en simbool van die party vir wie hy of sy wens te stem; en

(ii) in die geval van 'n wyksverkiesing met een vakature in die blok teenoor die naam van simbool van die kandidaat vir wie hy of sy wens te stem; of

(iii) in die geval van 'n wyksverkiesing met meer as een vakature, in die blok teenoor die naam en simbool van een of meer kandidate vir wie hy of sy wens te stem, maar wat nie die aantal vakatures by sodanige wyksverkiesing oorskry nie.

Wysiging van Regulasie 65

Regulasie 65(a) word hiermee gewysig deur die skapping van die volgende:

65 Die kiesbeampte sal die volgende by die plek waar die stemme getel word inneem:

- (a) 'n afskrif van die Wet;[die Grondwet; die Kieswet, 1993 (Wet 202 van 1993);] en hierdie regulasies;

Wysiging van Regulasie 73

Regulasie 73(1)(a) word hiermee gewysig deur die vervanging daarvan met die volgende:

73 (1) (a) [bepaal watter kandidaat of kandidate met 'n meerderheid van stemme verkies is;]

(i) in die geval van 'n wyksverkiezing met een vakature
bepaal watter kandidaat met 'n meerderheid van stemme verkies
is; en

(ii) in die geval van 'n wyksverkiesing met meer as een vakature bepaal watter kandidate verkies is deur vasstelling van:

(aa) die aantal vakatures;

(bb) die aantal stemme vir elke kandidaat uitgebring in afnemende numeriese volgorde;

en deur toewysing van een vakature aan elke kandidaat in sodanige volgorde totdat al die vakatures vir daardie wyk aldus toegewys is;

Regulasie 73(1)(e) word hiermee gewysig deur die vervanging daarvan met die volgende:

73 (1) (e) daarna sodanige verslag of vorm of vorms wat die Premier skriftelik mag voorskryf aan sodanige plek of plekke en op sodanige wyse as wat die Premier mag verlang, versend; en

[(e)] (f) in enige geval waar die kiesbeamppte nie die hoof-uitvoerende beamppte is nie, 'n gesertifiseerde afskrif van voltooide vorm ER26 aan die hoof-uitvoerende beamppte oorhandig.

Wysiging van Regulasie 76

Regulasie 76(1)(d) word hiermee gewysig deur die vervanging daarvan met die volgende:

76 (1) (d) daarna sodanige verslag of vorm of vorms wat die Premier skriftelik mag voorskryf aan sodanige plek of plekke en op sodanige wyse as wat die Premier mag verlang, versend; en

[(d)] (e) in enige geval waar die kiesbeamppte nie die hoof-uitvoerende beamppte is nie, 'n gesertifiseerde afskrif van voltooide toepaslike vorm ER26 aan die hoof-uitvoerende beamppte oorhandig.

Wysiging van Regulasie 90

Regulasie 90(1)(a) word hiermee gewysig deur die vervanging daarvan met die volgende:

- 90 (1) (a) 'n Oorgangsraad sal 'n verkiesingskomitee saamstel wat [vir sodanige tydperk as wat die oorgangsraad of die Premier mag bepaal, sal funksioneer, maar in elk geval nie later nie as 23:59 op die dag wat die datum bedoel by artikel 9(1) van die Wet, voorafgaan.] tot 23:59 op die dag van die verkiesing vir sodanige oorgangsraad of sodanige later datum deur die Premier bepaal.

Wysiging van Regulasie 93

Regulasie 93(2)(a) en (b) word hiermee gewysig deur die vervanging daarvan met die volgende:

- 93 (2) (a) In die geval van 'n plaaslike oorgangsraad;

Kiesbeampte:

1 - 10 000 geregistreerde kiesers:

R 400,00

10 001 - 50 000 geregistreerde kiesers:

R 600,00

50 001 - 100 000 geregistreerde kiesers:

R 800,00

100 001 - 250 000 geregistreerde kiesers:

R 1 000,00

250 001 en meer geregistreerde kiesers:

R 1 250,00

Adjunkkiesbeampte: 70 % van die bostaande

Voorsittende Beampte:

R 240,00

Adjunk voorsittende beampte

R 200,00

Enige ander verkiesingsbeampte

R 160,00

Telbeampte:

R 120,00

(b) In die geval van 'n metropolitaanse oorgangstruktuur:

Kiesbeampte:	R	1 500,00
Adjunkkiesbeampte:	R	1 000,00
Voorsittende beampte:	R	320,00
Adjunk voorsittende beampte:		
[R240,00]	R	<u>200,00</u>
Enige ander verkiesingsbeampte:	R	160,00
Telbeampte:	R	120,00

(c) In die geval van 'n metropolitaanse oorgangsraad:

Metropolitaanse kiesbeampte:	R	1 500,00
Adjunk metropolitaanse kiesbeampte:	R	1 000,00

Wysiging van Regulasie 95

Regulasie 95(1) word hiermee gewysig deur die invoeging van die volgende nuwe regulasie na regulasie 95(1)(e):

- 95 (1) (f) Waar 'n kiesbeampte, kieserslysbeampte of enige verkiesingsbeampte te sterwe kom, bedank, onbevoeg raak of hom of haar andersins van die uitvoering van sy of haar funksies of pligte

verskoon en die oorgangsraad of kiesbeampste nie sodanige beampste vervang of her aanstel nie of nie daartoe in staat is nie, kan die Premier onverwyld enige raad, liggaam of persoon in die hoedanigheid van sodanige kiesbeampste, kieserslysbeampste of verkiesingsbeampste magtig of aanstel.

Wysiging van Regulasie 102

Regulasie 102 word hiermee gewysig deur die vervanging daarvan met die volgende:

Skending van Geheimhouding

102 Enige persoon wat:

- (a) regulasie 52 of 99 oortree;
- (b) wederregtelik poog om vas te stel of direk of indirek enige ander persoon help om vas te stel vir watter kandidaat of kandidate of party enige persoon van plan is om te stem of gestem het;
- (c) direk of indirek enige persoon aan wie 'n stembrief uitgereik is oorreed of probeer oorreed om sy stembrief te vertoon nadat hy of sy dit gemerk het, op sodanige wyse om die naam of name van die kandidaat of kandidate of party vir wie hy of sy gestem het, openbaar te maak;
- (d) op enige ander stembrief as die stembrief wat aan hom of haar uitgereik is, enige merk of skrifteken plaas waardeur die persoon wat sy of haar stem daarop uitgebring het, geïdentifiseer mag word;
- (e) behalwe in antwoord op 'n vraag wat wettig aan hom of haar gestel is gedurende die verloop van hofverrigtinge, van 'n bevoegde hof, enige inligting

bekendmaak of meedeel wat hy of sy rakende die kandidaat of kandidate of party vir wie 'n stem uitgebring is op enige stembrief mag bekom het; of

(f) wederregtelik die seël of hegstuk verbreek of op enige wyse die inhoud van 'n stembus, pakkie of koevert oopmaak of verwyder, soos bedoel by regulasies 56(2), 62, 72 of 73,

is aan 'n misdryf skuldig.

Wysiging van Regulasie 110

Regulasie 110(1)(g) word hiermee gewysig deur die vervanging daarvan met die volgende:

110 (1) (g) ander dan 'n polisiebeampte aan diens in besit van 'n vuurwapen, 'n stemburo of die binne-omtrek van 'n stemgebied betree of vertoef.

[(g)] (h) wat die bepalings regulasies 12, 91 of 100(a) oortree of versuim om daaraan te voldoen; of

[(h)] (i) enige oortreding van hierdie regulasies begaan,

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