



REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

GOVERNMENT GAZETTE

FOR THE REPUBLIC OF SOUTH AFRICA

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KANTOOR VAN DIE STAATSPRESIDENT

No. 1783.

3 Julie 1992

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 97 van 1992: Wysigingswet op Referendums, 1992.

STATE PRESIDENT'S OFFICE

No. 1783.

3 July 1992

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:

No. 97 of 1992: Referendums Amendment Act, 1992.

ALGEMENE VERDUIDELIKENDE NOTA:

- []** Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.
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- Woorde met 'n volstreep daaronder, dui inwoegings in bestaande verordenings aan.
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WET

Tot wysiging van die Wet op Referendums, 1983, ten einde die omskrywing van kieser uit te brei; sekere aspekte met betrekking tot die hou van 'n referendum en die aanstelling van 'n hoofreferendumbeampte uitdruklik te reël; en die Minister van Binnelandse Sake se bevoegdheid met betrekking tot die uitvaardiging van regulasies oor voorafstemme aan te pas; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 18 Junie 1992.)*

DAAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 108 van 1983

1. Artikel 1 van die Wet op Referendums, 1983 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van "kieser" deur die volgende omskrywing te vervang:

"kieser", met betrekking tot 'n referendum, 'n persoon **[wat ingevolge die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), as 'n Blanke of as 'n lid van die Kaapse Kleurling-, Maleier-, Griekwa-, Sjinese of Indiërgroep of die Groep Ander Gekleurdes geklassifiseer is en]** wat—

(a) 'n Suid-Afrikaanse burger is ingevolge die Wet op Suid-Afrikaanse Burgerskap, 1949 (Wet No. 44 van 1949);

(b) 18 jaar oud of ouer is;

(c) die houer is van óf 'n identiteitsdokument wat ingevolge artikel 8 van die Wet op Identifikasie, 1986 (Wet No. 72 van 1986), aan hom uitgereik is, óf 'n identiteitsdokument bedoel in subartikel (3)(a) van daardie artikel; en

(d) ingevolge die proklamasie uit hoofde waarvan die referendum gehou word, geregtig is om by die referendum te stem.".

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Wysiging van artikel 2 van Wet 108 van 1983

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2. Artikel 2 van die Hoofwet word hierby gewysig deur na subartikel (1) die volgende subartikel in te voeg:

"(1A) By die toepassing van subartikel (1) kan die Staatspresident, indien hy dit dienstig ag—

(a) bepaal dat meerdere referendums gelyktydig gehou word ten einde die sienswyse van verskillende kategorieë van kiesers vas te stel, hetsoor dieselfde aangeleentheid of oor verskillende aangeleenthede;

(b) dieselfde beampte as hoofreferendumbeampte aanstel ten opsigte van al die referendums wat aldus gehou word."

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GENERAL EXPLANATORY NOTE:

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

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

ACT

To amend the Referendums Act, 1983, so as to extend the definition of voter; to regulate explicitly certain aspects relating to the holding of a referendum and the appointment of a chief referendum officer; and to adjust the power of the Minister of Home Affairs in relation to the making of regulations on prior votes; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 18 June 1992.)*

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 108 of 1983

1. Section 1 of the Referendums Act, 1983 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of “voter” of the following definition:

“‘voter’, in relation to a referendum, means any person [who has, in terms of the Population Registration Act, 1950 (Act No. 30 of 1950), been classified as a White person or as a member of the Cape Coloured, Malay, Griqua, Chinese or Indian Group or the Other Coloured Group and] who—

- (a) is a South African citizen in terms of the South African Citizenship Act, 1949 (Act No. 44 of 1949);
- (b) is of or over the age of 18 years;
- (c) is the holder of either an identity document issued to him in terms of section 8 of the Identification Act, 1986 (Act No. 72 of 1986), or an identity document referred to in subsection (3)(a) of that section; and
- (d) in terms of the proclamation by virtue of which the referendum is held, is entitled to vote at such referendum.”.

Amendment of section 2 of Act 108 of 1983

2. Section 2 of the principal Act is hereby amended by the insertion after subsection (1) of the following subsection:

“(1A) In the application of subsection (1), the State President may, if he deems it expedient—

- (a) determine that more than one referendum shall be held at the same time to ascertain the views of different categories of voters, either on the same matter or on different matters;
- (b) appoint the same officer as chief referendum officer in respect of all the referendums so held.”.

Wysiging van artikel 4 van Wet 108 van 1983, soos gewysig deur artikels 45, 46 en 47 van Wet 97 van 1986**3. Artikel 4 van die Hoofwet word hierby gewysig—**

(a) deur paragraaf (g) van subartikel (1) deur die volgende paragraaf te vervang:

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"(g) indien genoemde Minister meen dat dit nodig is dat kiesers toegelaat moet word om voor die datum waarop die referendum gehou word, hul stemme uit te bring, die wyse waarop 'n kieser wat om 'n rede in die regulasies gemeld nie 'n stemburo kan bywoon nie, voor [die] daardie datum [waarop die referendum gehou word] sy stem kan uitbring; Met dien verstande dat indien die Minister meen dat dit wenslik is dat elke kieser toegelaat moet word om sy stem aldus uit te bring, ongeag of hy 'n stemburo kan bywoon of nie, so 'n rede nie in die regulasies gemeld hoeft te word nie;" ; en

(b) deur in subartikel (3) die woord "kennisgewing" deur die woord "proklamasie" te vervang.

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Kort titel**4. Hierdie Wet heet die Wysigingswet op Referendums, 1992.**

REFERENDUMS AMENDMENT ACT, 1992

Act No. 97, 1992

Amendment of section 4 of Act 108 of 1983, as amended by sections 45, 46 and 47 of Act 97 of 1986**3. Section 4 of the principal Act is hereby amended—**

- 5 (b) by the substitution for paragraph (g) of subsection (1) of the following paragraph:

10 “(g) if the said Minister considers it necessary for voters to be allowed to give their votes before the date on which the referendum is held, the manner in which a voter who for any reason specified in the regulations cannot attend a polling station may give his vote before [the] that date [on which the referendum is held]: Provided that if the Minister considers it desirable that every voter should be allowed so to give his vote, whether or not he can attend a polling station, such a reason need not be specified in the regulations;”; and

15 (b) by the substitution in subsection (3) for the word “notice” of the word “proclamation”.

Short title

4. This Act shall be called the Referendums Amendment Act, 1992.

