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PROKLAMASIES

van die Staatspresident van die Republiek van Suid-Afrika

No. R. 46, 1977

WYSIGING VAN DIE BOPHUTHATSWANA-GRONDWETPROKLAMASIE, 1972 (PROKLAMASIE R. 131 VAN 1972)

Kragtens die bevoegdheid my verleen by artikel 2 (3) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971), wysig ek hierby Proklamasie R. 131 van 1972, ooreenkomstig bygaande Bylae.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Drie-en-twintigste dag van Maart Eenduisend Negehoenderd Sewe-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

BYLAE

1. Artikel 3 word hierby gewysig—

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

“(b) agt-en-veertig lede verkies op die wyse bepaal in subartikel (3).”;

(b) deur subartikel (2) te vervang met die volgende subartikel:

“(2) (a) Elk van die volgende streeksowerhede, naamlik die Pilanesbergstreeksowerheid, die Bakgatla Ndebelestreeksowerheid, die Ba Hurutshestreeksowerheid, die Huhudi Bechwanastreeksowerheid, die Taungstreeksowerheid, die Barolongstreeksowerheid, die Ditshobotla-streeksowerheid, die Madikwestreeksowerheid en die Odistreeksowerheid wys vier persone uit eie geledere aan as lede van die Wetgewende Vergadering.

(b) Die Barolongstamowerheid en die Bafokengstamowerheid wys elk vier persone uit eie geledere aan as lede van die Wetgewende Vergadering.

(c) Die Seokama Dichabastreeksowerheid wys twee persone uit eie geledere aan as lede van die Wetgewende Vergadering.

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PROCLAMATIONS

by the State President of the Republic of South Africa

No. R. 46, 1977

AMENDMENT OF THE BOPHUTHATSWANA CONSTITUTION PROCLAMATION, 1972 (PROCLAMATION R. 131 OF 1972)

Under and by virtue of the powers vested in me by section 2 (3) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby amend Proclamation R. 131 of 1972, in accordance with the accompanying Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-third day of March, One thousand Nine hundred and Seventy-seven.

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

SCHEDULE

1. Section 3 is hereby amended—

(a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) forty-eight members elected in the manner provided in subsection (3).”;

(b) by the substitution for subsections (2) of the following subsection:

“(2) (a) Each of the following regional authorities, namely the Pilanesberg Regional Authority, the Bakgatla Ndebele Regional Authority, the Ba Hurutsh Regional Authority, the Huhudi Bechwana Regional Authority, the Taung Regional Authority, the Barlong Regional Authority, the Ditshobotla Regional Authority, the Madikwe Regional Authority and the Odi-Regional Authority shall designate four persons from among its own members as members of the Legislative Assembly.

(b) The Barlong Tribal Authority and the Bafokeng Tribal Authority shall each designate four persons from among its own members as members of the Legislative Assembly.

(c) The Seokama Dichaba Regional Authority shall designate two persons from among its own members as members of the Legislative Assembly.

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(d) Die Bathlapingstamowerheid wys twee persone uit eie geledere aan as lede van die Wetgewende Vergadering.”;

(c) deur subartikel (3) deur die volgende subartikel te vervang:

“(3) Ten opsigte van elke kiesafdeling word vier lede van die Wetgewende Vergadering verkies deur die burgers wat geregtig is om ten opsigte van elke sodanige kiesafdeling te stem.”; en

(d) deur die volgende subartikel by te voeg:

“(4) Ondanks andersluidende wetsbepalings, stel die verkiesingsbeampte bedoel in artikel 2 van Proklamasie R. 150 van 1972 ’n beampte van die Bophuthatswana-regeringsdiens of ’n beampte wat ingevolge artikel 5 (4) van die Wet aangewys is om die Kabinet by te staan, aan om op te tree as voorsitter by ’n vergadering van ’n streeks- of stamowerheid waarby persone ingevolge subartikel (2) as lede van die Wetgewende Vergadering aangewys word.”.

2. Die opskrif van artikel 5 en artikel 5 word hierby deur die volgende opskrif en artikel vervang:

“PERSONE GEREGTIG OM AS KIESERS GEREGETREER TE WORD EN OM TE STEM

5. (1) Behoudens die bepalings van subartikels (2) en (3), is elke burger van 18 jaar oud of ouer is en wat nie onderhewig is nie aan enige van die diskwalifikasies in artikel 5A genoem, geregtig om as kieser geregistreer te word in een van die kiesafdelings van Bophuthatswana en om in sodanige kiesafdeling te stem en het elke sodanige burger by die verkiesing van lede vir die Wetgewende Vergadering soveel stemme as wat daar lede is wat verkies moet word vir die kiesafdeling ten opsigte waarvan hy geregtig is om te stem, maar mag hy nie meer as een stem ten opsigte van enige een kandidaat uitbring nie.

(2) Slegs burgers wat in besit is van bewysboeke uitgereik ooreenkomstig die Bantoes (Afskaffing van Passe en Koördinerende van Dokumente) Wet, 1952 (Wet 67 van 1952), en wie se bewysboeke aandui dat hulle as kiesers geregistreer is, is geregtig om by enige verkiesing van lede vir die Wetgewende Vergadering te stem.

(3) Die wyse waarop die registrasie van kiesers, die opstelling van ’n register van kiesers en stemme by ’n verkiesing uitgebring en getel word en die omstandighede waaronder ’n kandidaat vir verkiesing behoorlik verkose geag word en die prosedure (wat loting kan insluit) wat gevolg moet word waar twee of meer kandidate vir dieselfde setel ewe veel stemme verkry het, moet in ooreenstemming wees met die toepaslike wette betreffende die stemreg en verkiesings in die gebied in artikel 2 genoem.”.

3. Die volgende opskrif en artikel word hierby na artikel 5 ingevoeg:

“DISKVALIFIKASIE VAN KIESERS

5A. Geen burger is geregtig om as kieser geregistreer te word of geregistreer te bly of om in enige kiesafdeling te stem nie indien hy—

(a) in Bophuthatswana of elders in die Republiek of in die gebied Suidwes-Afrika skuldig bevind is—

(i) aan hoogverraad; of

(ii) aan moord; of

(b) skuldig bevind is aan enige korrupte of onwetlike praktyk ingevolge die wette betreffende stemreg en verkiesings in Bophuthatswana en onbevoeg verklaar is om te stem by enige verkiesing gedurende enige tydperk, en bedoelde tydperk nie verstryk het nie; of

(d) The Bathlaping Tribal Authority shall designate two persons from among its own members as members of the Legislative Assembly.”;

(c) by the substitution for subsection (3) of the following subsection:

“(3) Four members of the Legislative Assembly shall be elected in respect of each electoral division by the citizens entitled to vote in respect of each such electoral division.”; and

(d) by the addition of the following subsection:

“(4) Notwithstanding anything to the contrary in any law contained, the electoral officer referred to in section 2 of Proclamation R. 150 of 1972, shall appoint an officer of the Bophuthatswana Government Service or an officer designated in terms of section 5 (4) of the Act to assist the Cabinet, to act as chairman at any meeting of a regional or tribal authority at which persons are designated as members of the Legislative Assembly in terms of subsection (2).”.

2. The following superscription and section are hereby substituted for the superscription of section 5 and section 5:

“PERSONS ENTITLED TO BE REGISTERED AS VOTERS AND TO VOTE

5. (1) Subject to the provisions of subsections (2) and (3), every citizen of the age of 18 years or over who is not subject to any of the disqualifications mentioned in section 5A shall be entitled to be registered as a voter in one of the electoral divisions of Bophuthatswana and to vote in such electoral division and every such citizen shall at any election of members to the Legislative Assembly have as many votes as there are members to be elected for the electoral division in respect of which he is entitled to vote but shall not record more than one vote in respect of any one candidate.

(2) Only citizens in possession of reference books issued in terms of the Bantu (Abolition of Passes and Co-ordination of Documents) Act, 1952 (Act 67 of 1952) and whose reference books indicate that they have been registered as voters shall be entitled to vote at any election of members to the Legislative Assembly.

(3) The manner in which the registration of voters, the compilation of a register of voters and the recording and counting of votes at any election shall take place and the circumstances under which any candidate for election shall be deemed to have been duly elected and the procedure (which may include the drawing of lots) to be adopted where two or more candidates for the same seat have obtained the same number of votes shall be in accordance with the relevant laws governing the franchise and elections in the territory referred to in section 2.”.

3. The following superscription and section are hereby inserted after section 5:

“DISQUALIFICATION OF VOTERS

5A. No citizen shall be entitled to be registered as a voter or to the continuation of his registration or to vote in any electoral division if he—

(a) has been convicted in Bophuthatswana or elsewhere in the Republic or in the Territory of South-West Africa—

(i) of treason; or

(ii) of murder; or

(b) has been convicted of any corrupt or illegal practice under the laws governing the franchise and elections in Bophuthatswana and has been declared incapable of voting at any election during any period, and the said period has not expired; or

(c) onderworpe is aan 'n hofbevel waarby hy krank-sinnig of geestelik gekrenk of gebrekkig verklaar is of wettiglik kragtens die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973), as geestelik gekrenk of gebrekkig aangehou word."

4. Artikel 6 word hierby deur die volgende artikel vervang:

"6. (1) Geen persoon is bevoeg om lid van die Wetgewende Vergadering te wees of te bly nie indien hy—

(a) onder die ouderdom van 21 jaar is;

(b) nie 'n burger is nie;

(c) onderhewig is aan enige van die diskwalifikasies genoem in artikel 5A;

(d) behoudens die bepalings van artikel 5A, in Bophuthatswana of elders in die Republiek of in die gebied Suidwes-Afrika skuldig bevind is aan enige misdryf en daarvoor gevonnissen is tot 'n tydperk van gevangenisstraf sonder die keuse van 'n boete uitgesonderd aanhouding totdat die hof verdaag of bevel is om kragtens 'n wetsbepaling betreffende werkkolonies aangehou te word en genoemde tydperk nie verstryk het nie, of bedoelde bevel nie finaal opgehou het om van krag te wees nie.

(2) Vir die toepassing van subartikel (1) (d) word 'n persoon wat ten volle begenadig is, geag nie aan die betrokke misdryf skuldig bevind te gewees het nie en beteken 'n tydperk van gevangenisstraf die hele termyn van 'n vonnis tot gevangenisstraf, al is die vonnis in die geheel of gedeeltelik opgeskort of kwytgeskeld."

5. Artikel 9 word hierby gewysig deur die volgende subartikel by te voeg:

"(4) Die bepalings van artikel 3 (4) is *mutatis mutandis* van toepassing ten opsigte van die aanvulling van vakatures ingevolge subartikels (1) en (2) en vakatures ten opsigte van aangewese lede ingevolge subartikel (3)."

(Lêer R204/3/2)

No. R. 47, 1977

WYSIGING VAN DIE BOPHUTHATSWANA-VERKIESINGSPROKLAMASIE, 1972 (PROKLAMASIE R. 150 VAN 1972)

Kragtens die bevoegdheid my verleen by artikel 2 (3) van die Grondwet van die Bantoeuistande, 1971 (Wet 21 van 1971) wysig ek hierby Proklamasie R. 150 van 1972, deur die Bylae daarvan te vervang met meegaande Bylae.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Drie-en-twintigste dag van Maart Eenduisend Negehoenderd Sewe-en-sewentig.

N. DIEDERICH, Staatspresident.

Op las van die Staatspresident-in-rade:

M. C. BOTHA.

BYLAE

Woordomskrywing

1. In hierdie Proklamasie, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan 'n betekenis in die Grondwet van die Bantoeuistande, 1971 (Wet 21 van 1971), die Wet op Burgerskap van Bantoeuistande, 1970 (Wet 26 van 1970), die Wet op Bantoe-owerhede, 1951 (Wet 68 van 1951), en die Bophuthatswana-grondwet-proklamasie, 1972 (Proklamasie R. 131 van 1972), geheg is, daardie betekenis en beteken—

"agent" 'n persoon wat ingevolge artikel 30 as agent van 'n kandidaat aangestel is;

(c) is subject to an order of court declaring him to be of unsound mind or mentally disordered or defective or is lawfully detained as mentally disordered or defective under the Mental Health Act, 1973 (Act 18 of 1973)."

4. The following section is hereby substituted for section 6:

"6. (1) No person shall be qualified to be or remain a member of the Legislative Assembly, if he—

(a) is under the age of 21 years;

(b) is not a citizen;

(c) is subject to any of the disqualifications mentioned in section 5A;

(d) subject to the provisions of section 5A, has been convicted in Bophuthatswana or elsewhere in the Republic or in the Territory of South-West Africa of any offence and sentence therefor to a term of imprisonment without the option of a fine (other than detention until the rising of the court), or ordered to be detained under any law relating to work colonies, and the said period has not expired or such order has not finally ceased to be operative.

(2) For the purposes of subsection (1) (d) a person who has been granted a free pardon shall be deemed not to have been convicted of the offence concerned, and a term of imprisonment shall mean the full term of a sentence of imprisonment, notwithstanding any suspension or remission of the whole or any portion of the sentence."

5. Section 9 is hereby amended by the addition of the following subsection:

"(4) The provisions of section 3 (4) shall *mutatis mutandis* apply in respect of the filling of vacancies in terms of subsections (1) and (2) and vacancies in respect of designated members in terms of subsection (3)."

(File R204/3/2)

No. R. 47, 1977

AMENDMENT OF THE BOPHUTHATSWANA ELECTION PROCLAMATION, 1972 (PROCLAMATION R. 150 OF 1972)

Under and by virtue of the powers vested in me by section 2 (3) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), I hereby amend Proclamation R. 150 of 1972, by the substitution of the accompanying Schedule for the Schedule thereof.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-third day of March, One thousand Nine hundred and Seventy-seven.

N. DIEDERICH, State President.

By Order of the State President-in-Council:

M. C. BOTHA.

SCHEDULE

PART I

Definitions

1. In this Proclamation, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), the Bantu Homelands Citizenship Act, 1970 (Act 26 of 1970), the Bantu Authorities Act, 1951 (Act 68 of 1951), and the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972), shall bear that meaning and—

"agent" means a person appointed an agent of a candidate in terms of section 30;

"Bantoesakekommissaris" 'n Bantoesakekommissaris aangestel is kragtens die Bantoe-administrasie Wet, 1927 (Wet 38 van 1927), en ook met betrekking tot die gebied van die Bophuthatswana- Wetgewende Vergadering, 'n Bantoesakekommissaris aangestel ingevolge genoemde Bantoe-administrasie Wet, gelees met artikel 21 en item 12 van Bylae 1 van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971); "behoorlik verkose" of "behoorlik verkies" ook onbestrede verkose of onbestrede verkies;

"Bewysboek" 'n bewysboek in artikel 3 (1) (b) (i) van die Bantoes (Afskaffing van Passe en Koördinerende van Dokumente) Wet, 1952 (Wet 67 van 1952), genoem en ook enige duplikaat van genoemde bewysboek ingevolge genoemde Wet uitgereik;

"burger" 'n burger van Bophuthatswana;

"distriksbeheerbeampte" 'n Bantoesakekommissaris of landdros wat kragtens artikel 3 'n distriksbeampte is;

"Kiesafdeling" 'n kiesafdeling in artikel 4 van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972), genoem;

"Kiesbeampte" die distriksbeheerbeampte wat kragtens artikel 6 'n kiesbeampte is;

"Kieser" 'n persoon wat 'n burger van Bophuthatswana is en wat geregtig is om te stem in 'n kiesafdeling in Bophuthatswana by 'n verkiesing van lede van die Bophuthatswana- Wetgewende Vergadering;

"landdros" 'n landdros aangestel kragtens die Wet op Landdroshowe, 1944 (Wet 32 van 1944);

"lid" 'n verkose lid van die Wetgewende Vergadering;

"Minister" die lid van die Kabinet van Bophuthatswana aan wie die beheer oor die Departement van Binnelandse Sake toegewys is en wat in oorleg met die Kabinet optree;

"Nominasiehof" 'n nominasiehof in artikel 24 (1) genoem;

"registreer, registrasie of geregistreer" registreer, registrasie of geregistreer as kieser in 'n register van kiesers ten opsigte van 'n kiesafdeling;

"registrasiedistrikt" die regsgebied van 'n Bantoesakekommissaris of landdros waarin hy die distriksbeheerbeampte is;

"registrasiebeampte" 'n registrasiebeampte of 'n addisionele registrasiebeampte kragtens artikel 4;

"stemdistrikt" die gebied waarin 'n distriksbeheerbeampte regsbevoegdheid uitoefen ingevolge artikel 3;

"Stemopnemer" 'n persoon kragtens artikel 7 as stemopnemer aangestel;

"verkiesingsbeampte" 'n beampte kragtens artikel 2 aangestel;

"voorgeskryf" by of kragtens hierdie Proklamasie voorgeskryf en het "voorgeskrewe" 'n dienooreenkomstige beteken; en

"Wetgewende Vergadering" die Bophuthatswana-Wetgewende Vergadering in artikel 3 van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972) genoem.

DEEL II

AANSTELLING EN ALGEMENE PLIGTE VAN BEAMPTES

Verkiesingsbeampte

2. (1) Die Minister stel 'n verkiesingsbeampte vir Bophuthatswana aan wat 'n beampte van die Bophuthatswana-regeringsdiens is of wat 'n beampte is van die Staatsdiens van die Republiek van Suid-Afrika wat ingevolge artikel 5 (4) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971) aangewys is om die Kabinet van Bophuthatswana by te staan.

"Bantu Affairs Commissioner" means a Bantu Affairs Commissioner appointed in terms of the Bantu Administration Act, 1927 (Act 38 of 1927), and in respect of the area of the Bophuthatswana Legislative Assembly includes a Bantu Affairs Commissioner appointed in terms of the said Bantu Administration Act, read with section 21 of, and item 12 of Schedule 1 to the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971);

"citizen" means a citizen of Bophuthatswana;

"district control officer" means a Bantu Affairs Commissioner or magistrate who is a district control officer in terms of section 3;

"duly elected" includes returned unopposed;

"electoral division" means an electoral division referred to in section 4 of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972);

"electoral officer" means an officer appointed in terms of section 2;

"Legislative Assembly" means the Bophuthatswana Legislative Assembly referred to in section 3 of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972);

"magistrate" means a magistrate appointed in terms of the Magistrates' Courts Act, 1944 (Act 32 of 1944);

"member" means an elected member of the Legislative Assembly;

"Minister" means the member of the Cabinet of Bophuthatswana to whom the control of the Department of the Interior has been assigned, acting in consultation with the Cabinet;

"nomination court" means a nomination court referred to in section 24 (1);

"polling district" means the area in which any district control officer exercises jurisdiction in terms of section 3;

"polling officer" means a person appointed a polling officer in terms of section 7;

"prescribed" means prescribed by or under this Proclamation;

"reference book" means a reference book referred to in section 3 (1) (b) (i) of the Bantu (Abolition of Passes and Co-ordination of Documents) Act, 1952 (Act 67 of 1952), and includes any duplicate of such book issued under the said Act;

"registered" or "registration" means registered or registration as a voter in a register of voters in respect of an electoral division;

"registration district" means the area of jurisdiction of a Bantu Affairs Commissioner or magistrate in which he is the district control officer;

"registration officer" means a registration officer or an additional registration officer in terms of section 4;

"returning officer" means the district control officer who is a returning officer in terms of section 6;

"voter" means a person who is a citizen of Bophuthatswana and who is entitled to vote in an electoral division in Bophuthatswana at an election of members of the Bophuthatswana Legislative Assembly.

PART II

APPOINTMENT AND GENERAL DUTIES OF OFFICERS

Electoral officer

2. (1) The Minister shall appoint an electoral officer for Bophuthatswana, who shall be an officer of the Bophuthatswana Government Service or an officer of the Public Service of the Republic of South Africa who has been designated in terms of section 5 (4) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), to assist the Cabinet of Bophuthatswana.

(2) Dit is die plig van die verkiesingsbeampte om—

- (a) burgers wat vir registrasie as kiesers bevoeg is, as kiesers te registreer;
- (b) 'n register van kiesers vir elk van die onderskeie kiesafdelings in Bophuthatswana op te stel;
- (c) verkiesings te hou vir lede van die Wetgewende Vergadering; en
- (d) die bepalings van hierdie Proklamasie uit te voer.

Distriksbeheerbeamptes

3. (1) Iedere Bantoesakekommissaris of landdroos is ampshalwe die distriksbeheerbeampte vir die gebied waaroor hy regsbevoegdheid uitoefen: Met dien verstande dat waar beide 'n landdroos en 'n Bantoesakekommissaris oor dieselfde gebied regsbevoegdheid uitoefen, die Bantoesakekommissaris die distriksbeheerbeampte ten opsigte van sodanige gebied is.

(2) Ondanks die bepalings van subartikel (1) bepaal die Minister, ingeval 'n kiesafdeling uit gebiede bestaan waaroor meer as een landdroos of Bantoesakekommissaris, na gelang van die geval, regsbevoegdheid uitoefen, watter landdroos of Bantoesakekommissaris die distriksbeheerbeampte vir sodanige kiesafdeling is.

Aanstelling van registrasiebeamptes

4. Iedere distriksbeheerbeampte is ampshalwe die registrasiebeampte vir sy registrasiedistrikt en kan enige lid van sy personeel skriftelik as plaasvervanger aanstel om die pligte van registrasiebeampte te verrig en kan soveel addisionele registrasiebeamptes skriftelik aanstel as wat nodig is om hom behulpsaam te wees met die registrasie van kiesers in sy registrasiedistrikt ooreenkomstig sodanige voorskrifte as wat die verkiesingsbeampte bepaal.

Pligte van distriksbeheerbeamptes en registrasiebeamptes

5. (1) Iedere distriksbeheerbeampte en iedere registrasiebeampte moet hom ten volle vertrouwd maak met die betrokke bepalings van hierdie Proklamasie, en iedere distriksbeheerbeampte oefen beheer uit oor iedere registrasiebeampte deur hom aangestel en sien toe dat sodanige beampte sy pligte bevredigend uitvoer.

(2) Iedere distriksbeheerbeampte en iedere registrasiebeampte deur hom aangestel, is namens die verkiesingsbeampte verantwoordelik vir die registrasie as kiesers, van burgers wat vir sodanige registrasie bevoeg is.

(3) Die verkiesingsbeampte, iedere distriksbeheerbeampte en enige registrasiebeampte moet daadwerklike stappe doen en alle beskikbare middele gebruik om die registrasie van kiesers van Bophuthatswana te verseker.

Kiesbeamptes

6. (1) Die distriksbeheerbeampte is ampshalwe die kiesbeampte vir die gebied waaroor hy regsbevoegdheid uitoefen.

(2) Die kiesbeampte kan soveel adjunk-kiesbeamptes as wat hy nodig ag, aanstel om hom gedurende verkiesings behulpsaam te wees.

Stemopnemers en getuies

7. Iedere kiesbeampte stel skriftelik soveel stemopnemers en getuies aan as wat nodig is om die stemming doeltreffend te laat plaasvind by iedere stemburo in die gebied waaroor hy regsbevoegdheid uitoefen, en stel soveel telbeamptes aan as wat nodig is vir die tel van die stemme na die sluiting van die stemming.

DEEL III

REGISTRASIE VAN KIESERS

Wanneer registrasie van kiesers geskied

8. (1) Behoudens die bepalings van subartikel (2), kan 'n burger wat geregtig is op registrasie as kieser te eniger tyd aansoek doen om sodanige registrasie.

(2) It shall be the duty of the electoral officer to—

- (a) register as voters, citizens who qualify to be registered as such;
- (b) prepare registers of voters for each of the electoral divisions of Bophuthatswana;
- (c) conduct elections of members of the Legislative Assembly; and
- (d) administer the provisions of this Proclamation.

District control officers

3. (1) Every Bantu Affairs Commissioner or magistrate shall *ex officio* be the district control officer for the area over which he exercises jurisdiction: Provided that, where both a magistrate and a Bantu Affairs Commissioner exercise jurisdiction over the same area, the Bantu Affairs Commissioner shall be the district control officer in respect of such area.

(2) Notwithstanding the provisions of subsection (1) the Minister shall, if any electoral division comprises areas over which more than one magistrate or Bantu Affairs Commissioner, as the case may be, exercises jurisdiction, determine which magistrate or Bantu Affairs Commissioner shall be the district control officer for such electoral division.

Appointment of registration officers

4. Every district control officer shall *ex officio* be the registration officer for his registration district and may depute in writing any member of his staff to perform the duties of registration officer and may appoint in writing as many additional registration officers as may be necessary to assist him with the registration of voters in his registration district in accordance with such directions as may be determined by the electoral officer.

Duties of district control officers and registration officers

5. (1) Every district control officer and every registration officer shall acquaint himself thoroughly with the relative provisions of this Proclamation and every district control officer shall exercise control over every registration officer appointed by him and ensure that such officer satisfactorily performs his duties.

(2) Every district control officer and every registration officer appointed by him shall be responsible, on behalf of the electoral officer, for the registration as voters of citizens who qualify for such registration.

(3) The electoral officer, every district control officer and any registration officer shall take active steps and use all available means to ensure the registration of voters of Bophuthatswana.

Returning officers

6. (1) The district control officer shall *ex officio* be the returning officer for the area over which he exercises jurisdiction.

(2) The returning officer may appoint as many deputy returning officers as he may deem necessary to assist him during elections.

Polling officers and witnesses

7. Every returning officer shall in writing appoint as many polling officers and witnesses as may be necessary for effectually taking poll at every polling station in his area of jurisdiction and he shall appoint as many counting officers as may be necessary for the counting of votes after the close of the poll.

PART III

REGISTRATION OF VOTERS

When registration of voters shall take place

8. (1) Subject to the provisions of subsection (2) a citizen who is entitled to be registered as a voter may apply for such registration at any time.

(2) Wanneer 'n verkiesing gehou moet word vir die verkiesing van lede of enige lid van die Wetgewende Vergadering, moet die Staatspresident by proklamasie in die *Staatskoerant* die registrasie van kiesers in die algemeen of ten opsigte van 'n bepaalde kiesafdeling met ingang van 'n bepaalde datum opskort, en sodanige registrasie word daarna geag opgeskort te wees tot die dag wat onmiddellik volg op die laaste dag vir die stemtydperk bepaal.

Die kiesafdeling waarin 'n kieser geregistreer moet word

9. 'n Burger wat nie aan die diskwalifikasies in artikel 5A van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972), genoem onderhewig is nie, word as kieser geregistreer in 'n kiesafdeling—

(a) indien hy binne sodanige kiesafdeling gedomisileer is; of

(b) indien hy—

(i) buite Bophuthatswana gedomisileer is, maar binne sodanige kiesafdeling gebore is; of

(ii) buite Bophuthatswana gedomisileer en gebore is, maar daarop aanspraak maak dat hy geregtig is om in sodanige kiesafdeling geregistreer te word op grond van sy stamverbinde met die inwoners van sodanige kiesafdeling.

Wyse waarop registrasie geskied

10. (1) Enige burger wat kragtens die bepalings van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972), bevoeg is om as kieser geregistreer te word, moet, vir die doel van registrasie, persoonlik voor 'n registrasiebeampte verskyn, bewys lewer van sy burgerskap en identiteit deur sy bewysboek te toon en sodanige besonderhede te verstrek as wat die registrasiebeampte verlang ten einde kragtens die bepalings van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972), en hierdie Proklamasie vas te stel of hy bevoeg is om as kieser geregistreer te word en in watter kiesafdeling hy aldus geregistreer behoort te word: Met dien verstande dat 'n aanspraak op registrasie deur 'n burger gedurende 'n tydperk van opskorting in artikel 8 genoem, nie oorweeg word nie.

(2) Enige persoon wat 'n burger is, is geregtig om in 'n bepaalde kiesafdeling in Bophuthatswana geregistreer te word, tensy hy ingevolge die bepalings van artikel 5A van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972), onbevoeg is om as kieser geregistreer te word.

Inval van registrasiekaarte en endossement in bewysboek

11. (1) Wanneer 'n persoon ooreenkomstig artikel 10 geregistreer staan te word, moet die registrasiebeampte bepaal of sodanige persoon bevoeg is om in Bophuthatswana as kieser geregistreer te word en in watter kiesafdeling hy geregistreer behoort te word, en—

(a) as sodanige persoon bevoeg is om as kieser geregistreer te word, die voorgeskrewe registrasiekaart inval deur sodanige persoon se bewysboeknommer, sy name in blokletters (wat in dieselfde volgorde aangeteken moet word as wat hulle in die bewysboek verskyn), die kiesafdeling en die registrasiedistrikt duidelik daarop aan te teken, en die verklaring op sodanige kaart dateer en onderteken: Met dien verstande dat in gevalle waar slegs die voorletters van 'n persoon in sy bewysboek voorkom, die registrasiebeampte hom van die persoon se volle name moet vergewis;

(2) The State President shall by proclamation in the *Gazette*, whenever any election is to be held for the election of members or any member of the Assembly, suspend the registration of voters either generally or in respect of a specific electoral division as from a specified date and such registration shall thereupon be so suspended until the day immediately succeeding the last day fixed for the polling period.

The electoral division in which a voter shall be registered

9. A citizen who is not subject to the disqualifications mentioned in section 5A of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972), shall be registered in an electoral division—

(a) if he is domiciled within such electoral division; or

(b) if he—

(i) is domiciled outside Bophuthatswana but was born within such electoral division; or

(ii) is domiciled and was born outside Bophuthatswana but claims that he is entitled to be registered in such electoral division by reason of his tribal affiliation with the residents of such electoral division.

Method of registration

10. (1) Any citizen who qualifies to be registered as a voter in terms of the provisions of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972), shall, for the purpose of registration, personally appear before a registration officer, furnish proof of his citizenship and identity by producing his reference book and furnish such particulars as may be required by the registration officer to determine, in terms of the provisions of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972), and this Proclamation, whether he is qualified to be registered as a voter and in which electoral division he is to be so registered: Provided that a claim of a citizen to be registered during a period of suspension mentioned in section 8 shall not be entertained.

(2) Any person who is a citizen shall be entitled to be registered in a particular electoral division in Bophuthatswana, unless he is disqualified from registration as a voter in terms of the provisions of section 5A of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972).

Completion of registration cards and endorsement in reference book

11. (1) Whenever a person is to be registered in terms of section 10 the registration officer shall determine whether such person is qualified to be registered as a voter in Bophuthatswana, and in which electoral division he is to be registered and shall—

(a) if such person is qualified to be registered as a voter, complete the prescribed registration card by clearly entering thereon such person's reference book number, his names in block letters (to be entered in the same sequence as they appear in the reference book), the electoral division and the district of registration, and shall date and sign the declaration on such card: Provided that in cases where only the initials of a person appear in his reference book the registration officer shall ascertain his full names;

(b) die volgende endossement in die afdeling gemerk E, in die geval van 'n man, en in die afdeling gemerk D, in die geval van 'n vrou, van die aansoeker se bewysboek aanbring:

"As kieser geregistreer in die kiesafdeling van Bophuthatswana.

Datum.....

.....
Handtekening van registrasiebeampte"

en genoemde endossement dateer en onderteken.

(2) As 'n persoon nie bevoeg is om geregistreer te word as kieser in 'n kiesafdeling in Bophuthatswana nie moet die registrasiebeampte registrasie weier: Met dien verstande dat indien 'n persoon wie se registrasie aldus geweier is, nie met die registrasiebeampte se beslissing tevrede is nie, hy onmiddellik by die registrasiebeampte aansoek kan doen om die verstrekking van sy redes vir sodanige weiering, en in dié geval moet die registrasiebeampte sodanige redes op die voorgeskrewe vorm verstrekk en die aansoeker in kennis stel dat hy binne 'n tydperk van sewe dae teen sodanige beslissing persoonlik na die distriks-beheerbeampte kan appelleer en genoemde vorm van kennisgewing moet toon wanneer hy aldus appelleer.

Verdere optrede in verband met registrasiekaarte deur distriksbeheerbeamptes

12. (1) Iedere registrasiebeampte stuur sonder versuim iedere registrasiekaart wat hy ingevul het aan die distriks-beheerbeampte wat hom aangestel het.

(2) Die distriksbeheerbeampte moet periodiek die registrasiekaarte deur hom ontvang of deur hom ingevul per geregistreerde pos aan die verkiesingsbeampte laat stuur.

Stappe wat verkiesingsbeampte moet doen by ontvangs van registrasiekaarte

13. (1) By ontvangs van die registrasiekaarte moet die verkiesingsbeampte—

(a) die totale getal sodanige kaarte ontvang van elke individuele distriksbeheerbeampte ten opsigte van elke afsonderlike kiesafdeling aanteken; en

(b) sodanige kaarte, afsonderlik vir mans en vrouens, in streng numerieke volgorde van bewysboeknommers, as 'n register van kiesers ten opsigte van elke kiesafdeling in Bophuthatswana, bewaar.

(2) Wanneer 'n registrasiekaart ontvang word wat 'n bewysboeknommer daarop het wat reeds op 'n registrasiekaart in 'n register van kiesers, soos in subartikel (1) (b) bedoel, vir 'n kiesafdeling verskyn, moet die verkiesingsbeampte onverwyld—

(i) indien sodanige kaart 'n klaarblyklieke duplikasie is van die registrasiekaart met dieselfde bewysboeknommer reeds in sy besit, die registrasie weier;

(ii) indien sodanige kaart nie 'n klaarblyklieke duplikasie is van die registrasiekaart met dieselfde bewysboeknommer reeds in sy besit nie, beide sodanige registrasiekaarte stuur aan die Direkteur van die Bantobewysburo wat dan onverwyld moet vasstel watter een van die registrasiekaarte aldus aangestuur, betrekking het op die persoon wat in sy Buro onder daardie bewysboeknommer geregistreer is, en genoemde kaarte daarna aan die verkiesingsbeampte terugstuur en hom dienoreenkomstig verwittig: Met dien verstande dat as dieselfde bewysboeknommer aan twee verskillende persone toegeken is, die Direkteur van die Bantobewysburo die nodige stappe moet doen om die fout reg te stel en die verkiesingsbeampte dienoreenkomstig verwittig.

(3) By ontvangs van die registrasiekaarte van die Direkteur van die Bantobewysburo, doen die verkiesingsbeampte onverwyld die nodige stappe om die fout reg te stel.

(b) endorse in the section marked E in the case of men and in the section marked D in the case of women in the applicant's reference book the following:

"Registered as a voter in the electoral division of Bophuthatswana.

Date

.....
Signature of registration officer"

and shall date and sign the said endorsement.

(2) If a person is not qualified to be registered as a voter in an electoral division in Bophuthatswana, the registration officer shall refuse registration: Provided that any person whose registration has been so refused may forthwith, if he is not satisfied with the decision of the registration officer, apply to the registration officer for the furnishing of his reasons for such refusal, in which case the registration officer shall furnish such reasons on the prescribed form and notify the applicant that he may, within a period of seven days, personally appeal to the district control officer against such decision and that he must produce the said form of notification when so appealing.

Further action in connection with registration cards by district Control officers

12. (1) Every registration officer shall without delay forward every registration card completed by him to the district control officer who appointed him.

(2) The district control officer shall periodically cause the registration cards received by him or completed by him to be forwarded by registered post to the electoral officer.

Action to be taken by electoral officer on receipt of registration cards

13. (1) The electoral officer shall, upon receipt of the registration cards—

(a) record the total number of such cards received from each individual district control officer in respect of each individual electoral division; and

(b) file such cards, separately for men and women, in strict numerical order of reference book numbers as a register of voters in respect of each electoral division in Bophuthatswana.

(2) Whenever a registration card is received bearing a reference book number which already appears on a registration card in a register of voters referred to in subsection (1) (b) for an electoral division, the electoral officer shall forthwith—

(i) if such card is an apparent duplication of the registration card bearing the same reference book number already in his possession, disallow the registration;

(ii) if such card is not an apparent duplication of the registration card bearing the same reference book number already in his possession, forward both such registration cards to the Director of the Bantu Reference Bureau who shall forthwith ascertain which of the registration cards so forwarded refers to the person registered in his bureau under that reference book number, and shall thereafter return the said cards to the electoral officer and notify him accordingly: Provided that if the same reference book number has been assigned to two different persons, the Director of the Bantu Reference Bureau shall take the necessary steps to rectify the error and notify the electoral officer accordingly.

(3) Upon receipt of the registration cards from the Director of the Bantu Reference Bureau, the electoral officer shall forthwith take the necessary action to rectify the mistake.

Opgawes deur die Direkteur van die Bantoebewysburo, klerke en griffiers van howe en superintendente van inrigtings vir sielstiekes

14. Voor of op die 10de dag van elke maand word daar aan die verkiesingsbeampte verstrek—

(a) deur die Direkteur van die Bantoebewysburo, 'n opgawe met vermelding van die bewysboeknommer en name van elke kieser wie se dood gedurende die vorige maand geregistreer of onder sy aandag gebring is;

(b) deur die Registrateur van Geboortes, Huwelike en Sterfgevallen vir Bophuthatswana, 'n opgawe met vermelding van die bewysboeknommer en name van elke kieser wie se dood gedurende die vorige maand in Bophuthatswana geregistreer is;

(c) deur die griffier of klerk van 'n hof, 'n opgawe op die voorgeskrewe vorm van elke kieser wat gedurende die vorige maand skuldig bevind is aan enige van die misdrywe, of onderworpe geword het aan enige hofbevel genoem in artikel 5A van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972); en

(d) deur die superintendent van iedere inrigting, soos omskryf in artikel 1 van die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973), 'n opgawe op die voorgeskrewe vorm van elke kieser onderhewig aan 'n diskwalifikasie genoem in artikel 5A (c), van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972), wat gedurende die vorige maand as 'n herstelde pasiënt ontslaan is.

Wysiging van registers van kiesers deur verkiesingsbeampte

15. Die verkiesingsbeampte moet te eniger tyd, behalwe gedurende 'n tydperk van opskorting van die registrasie van kiesers genoem in artikel 8 (2), indien hy oortuig is ten opsigte van die feite wat ter sake is, die register van kiesers vir enige kiesafdeling wysig deur—

(a) 'n fout in die besonderhede van die registrasie van enige persoon te verbeter, 'n weglating daarin reg te stel of 'n verandering daarin aan te teken;

(b) die naam van 'n persoon wat volgens 'n opgawe kragtens artikel 14 (a), (b) of (c) oorlede is of onbevoeg is om geregistreer te bly, te verwyder;

(c) die naam van 'n persoon genoem in artikel 14 (d) wat nie langer aldus onbevoeg is nie, op die register van kiesers van die betrokke kiesafdeling terug te plaas;

(d) die naam te verwyder van enige persoon ten aansien van wie 'n beswaar kragtens artikel 17 gemaak, gehandhaaf is;

(e) die naam van 'n persoon wat per abuis verwyder is, terug te plaas;

(f) die naam van 'n persoon wat beswaar gemaak of appèl aangeteken het teen die weglating van sy naam en die beswaar op appèl gehandhaaf is, by te voeg.

Hoe registers van kiesers gewysig word

16. (1) Wanneer die verkiesingsbeampte besluit het om die naam van enige persoon uit 'n register van kiesers te verwyder of om die naam van 'n persoon daarop terug te plaas of by te voeg of om 'n fout daarin te verbeter of om 'n weglating daarin reg te stel, laat hy die betrokke registrasiekaart aldus met ink verander of endosseer.

(2) Enige sodanige verandering of endossement moet geparafeer word deur die beampte wat dit aanbring wat, in die geval van 'n verwydering, terugplasing of byvoeging, die aard en die rede vir die verandering of endossement op bedoelde kaart moet vermeld.

Returns by Director of Bantu Reference Bureau, clerks and registrars of court and superintendents at mental institutions

14. Not later than the 10th day of every month there shall be furnished to the electoral officer—

(a) by the Director of the Bantu Reference Bureau, a return containing the reference book number and names of every voter whose death was registered or brought to his notice during the preceeding month;

(b) by the Registrar of Births, Marriages and Deaths for Bophuthatswana, a return containing the reference book number and names of every voter whose death was registered during the preceding month in Bophuthatswana;

(c) by the registrar or clerk of a court, a return on the prescribed form of every voter who, during the preceding month, was convicted of any of the offences or became subject to any order of court referred to in section 5A of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972); and

(d) by the superintendent of every institution, as defined in section 1 of the Mental Health Act, 1973 (Act 18 of 1973), a return on the prescribed form of every voter subject to a disqualification mentioned in section 5 A (c) of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972), who was discharged during the previous month as a patient who had recovered.

Amendment of registers of voters by electoral officer

15. The electoral officer shall at any time, except during a period of suspension of the registration of voters referred to in section 8 (2), if he is satisfied regarding the relevant facts, amend the register of voters for any electoral division by—

(a) correcting any mistake, rectifying any omission or recording any change in the particulars of the registration of any person;

(b) removing the name of any person who, according to a return under section 14 (a), (b) or (c), is dead or disqualified from continuance of registration;

(c) restoring to the appropriate register of voters of the electoral division concerned, the name of any person referred to in section 14 (d) who has ceased to be so disqualified;

(d) removing the name of any person in respect of whom an objection lodged under section 17 has been upheld;

(e) restoring the name of any voter removed by mistake;

(f) adding the name of any person who has successfully objected or appealed against the exclusion of his name.

How amendments of registers of voters are to be made

16. (1) Whenever the electoral officer has decided to remove the name of any person from, or to restore or add the name of any person to a register of voters or to correct any mistake or to rectify any omission therein, he shall cause the relative registration card to be altered or endorsed to this effect in ink.

(2) Any such alteration or endorsement shall be initialled by the officer making it, who, in the case of a removal, restoration or addition, shall clearly indicate the nature of, and state the reason for, the alteration or endorsement on the said card.

DEEL IV BESWARE EN APPELLE

Besware

17. (1) Enige persoon kan te eniger tyd beswaar maak teen die opname, behoud, byvoeging, terugplasing of verwydering van enige naam in, op of uit 'n register van kiesers, deur 'n beswaar op die voorgeskrewe vorm by die distriksbeheerbeampte van die gebied waarin sodanige persoon geregistreer is, in te dien.

(2) Wanneer 'n beswaar kragtens subartikel (1) ingedien is teen die opname, behoud, byvoeging, terugplasing of verwydering van 'n naam in, op of uit 'n register van kiesers, moet die distriksbeheerbeampte (tensy hy oortuig is dat die grond vir die beswaar nie 'n grond is waarop 'n naam uit 'n register van kiesers verwyder of uitgesluit kan word nie) onverwyld ontvangs van die beswaar op die voorgeskrewe vorm erken en die persoon teen wie se registrasie beswaar gemaak word, per geregistreerde pos, op die voorgeskrewe vorm, van die aard van die beswaar in kennis stel.

(3) Die beswaarmaker of die persoon teen wie se registrasie beswaar gemaak is, kan binne 'n tydperk van 21 dae na die datum van die kennisgewing ooreenkomstig subartikel (2) persoonlik of skriftelik vertoë met betrekking tot die beswaar tot die distriksbeheerbeampte rig.

(4) Die distriksbeheerbeampte teken enige vertoë wat persoonlik gerig word, op die voorgeskrewe vorm aan, asook sodanige ander besonderhede as wat hy nodig het, en in die geval van skriftelike vertoë kan hy om sodanige verdere besonderhede vra as wat hy nodig het.

(5) By verstryking van genoemde tydperk van 21 dae beslis die distriksbeheerbeampte die beswaar op grond van die getuienis wat deur hom afgeneem of verkry is en stel hy die beswaarmaker en die persoon teen wie se registrasie beswaar gemaak is, op die voorgeskrewe vorm in kennis van die uitslag.

(6) Indien die distriksbeheerbeampte 'n beswaar kragtens subartikel (1) ingedien, handhaaf, moet hy die verkiesingsbeampte dienooreenkomstig op die voorgeskrewe vorm daarvan in kennis stel.

Appel na distriksbeheerbeampte

18. (1) Enige persoon wat ontevrede is met die beslissing van 'n registrasiebeampte ooreenkomstig artikel 11 (2) gevel, kan binne sewe dae nadat hy van die beslissing in kennis gestel is, persoonlik by die distriksbeheerbeampte van die betrokke registrasiedistrikt teen sodanige beslissing appel aanteken en wanneer hy aldus appelleer, moet hy sy bewysboek as bewys van identiteit en ook die kennisgewing van afwysing van sy aansoek toon en sodanige besonderhede verstrek as wat die distriksbeheerbeampte vereis.

(2) Wanneer ooreenkomstig subartikel (1) by die distriksbeheerbeampte appel aangeteken is, bepaal die distriksbeheerbeampte of die aansoeker bevoeg is vir registrasie al dan nie, en—

(a) as die appellant bevoeg is om geregistreer te word, handhaaf hy die appel, vul die voorgeskrewe registrasiekaart in en bring die voorgeskrewe endossement in artikel 11 (1) (b) bedoel, in die aansoeker se bewysboek aan;

(b) as die appellant nie bevoeg is om geregistreer te word nie, verwerp hy die appel en teken die besonderhede waarop sy bevindings berus, op die voorgeskrewe vorm aan.

Appel teen beslissing van 'n distriksbeheerbeampte

19. (1) Enige persoon wat ontevrede is met die beslissing van 'n distriksbeheerbeampte ooreenkomstig artikel 17 (5) of artikel 18 (2) (b) gevel, kan binne 'n tydperk van

PART IV OBJECTIONS AND APPEALS

Objections

17. (1) The inclusion or retention of any name in, the addition or restoration of any name to, or the removal of any name from a register of voters may be objected to by any person at any time by lodging with the district control officer of the area in which such person has been registered an objection on the prescribed form.

(2) When an objection is lodged under subsection (1) against the inclusion or retention of any name in, the addition or restoration of any name to, or the removal of any name from a register of voters, the district control officer shall (unless he is satisfied that the ground of the objection is not a ground on which a name could be removed or excluded from a register of voters) forthwith acknowledge receipt of the objection on the prescribed form and notify the person whose registration has been objected to, by registered post, on the prescribed form of the nature of the objection.

(3) The objector or the person whose registration has been objected to may, within a period of 21 days of the date of the notice in terms of subsection (2), make representations personally or in writing in connection therewith, to the district control officer.

(4) The district control officer shall, on the prescribed form, record any representations made personally and such other particulars as he may require and in the case of representations made in writing may call for such further particulars as he may require.

(5) At the expiration of the said period of 21 days the district control officer shall determine the objection on such evidence as may have been taken or obtained by him and shall, on the prescribed form, notify the objector and the person whose registration has been objected to of the result.

(6) If the district control officer upholds any objection lodged under subsection (1), he shall notify the electoral officer accordingly on the prescribed form.

Appeal to district control officer

18. (1) Any person who is not satisfied with the decision of a registration officer given in terms of section 11 (2) may within seven days of being notified of the decision, personally appeal against such decision to the district control officer of the registration district concerned and shall when so appealing furnish proof of his identity by producing his reference book and also produce the form of notice that his application has been disallowed and shall furnish such particulars as may be required by the district control officer.

(2) When an appeal is lodged with the district control officer in terms of subsection (1) the district control officer shall determine whether the applicant is qualified for registration or not and shall—

(a) if the appellant is qualified to be registered, uphold the appeal, complete the prescribed registration card and make the prescribed endorsement referred to in section 11 (1) (b) in the applicant's reference book;

(b) if the appellant is not qualified to be registered, disallow the appeal and record the particulars on which his findings are based on the prescribed form.

Appeal against the decision of a district control officer

19. (1) Any person who is not satisfied with the decision of a district control officer given in terms of section 17 (5) or section 18 (2) (b) may, within a period of 14

14 dae na die datum van sodanige beslissing, op die voorgeskrewe vorm, deur bemiddeling van die betrokke distriksbeheerbeampte, by die verkiesingsbeampte teen sodanige beslissing appèl aanteken en moet die vorm waarop die beslissing van die distriksbeheerbeampte aan hom oorgedra is, aan die appèlvorm heg.

(2) Die beslissing van die verkiesingsbeampte is finaal.

Hoe appèl aan die verkiesingsbeampte gestuur moet word

20. Wanneer 'n appèl by 'n distriksbeheerbeampte ooreenkomstig artikel 19 (1) teen sy beslissing ingedien word, stuur hy genoemde appèlvorm tesame met die voorgeskrewe vorm met besonderhede deur hom ooreenkomstig artikel 17 (4) opgeteken en enige skriftelike verhoë en besonderhede deur die appellant ingelewer, sonder versuim per geregistreerde pos aan die verkiesingsbeampte.

Beslissing van verkiesingsbeampte oor appèl

21. (1) Die verkiesingsbeampte beslis die saak op grond van die getuienis waarop die distriksbeheerbeampte se beslissing berus en enige sodanige verdere getuienis as wat deur hom bekom of aan hom voorgelê is en stel die appellant en die distriksbeheerbeampte, op die voorgeskrewe vorm, van sy beslissing in kennis.

(2) Indien die verkiesingsbeampte bevind dat die appellant geregtig is om geregistreer te word, sê hy hom aan om hom by die kantoor van die betrokke distriksbeheerbeampte aan te meld vir die voorgeskrewe endossement in sy bewysboek, en genoemde distriksbeheerbeampte vul die voorgeskrewe registrasiekaart in.

DEEL V

HOU VAN VERKIESINGS

VOORAFGAANDE REËLINGS

Getal lede wat in elke kiesafdeling in Bophuthatswana verkies moet word

22. Die getal lede wat in elke kiesafdeling verkies moet word, is soos bepaal in artikel 3 van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972).

Bepaling van nominasie- en stemdatum

23. (1) Wanneer 'n verkiesing moet plaasvind, moet die Staatspresident, behoudens die bepalings van subartikel (2) by proklamasie in die Staatskoerant—

(a) 'n dag en plek bepaal waarop 'n nominasiehof in elke kiesafdeling moet sit om nominasies van kandidate vir verkiesing in elke kiesafdeling te ontvang;

(b) indien 'n stemming ingevolge die bepalings van artikel 27 (c) moet plaasvind, die tydperk waartydens die stemming sal plaasvind en die ure bepaal wanneer die stemming op elke stemburg moet begin en eindig en kan hy verskillende tydperke en ure ten opsigte van verskillende stembure's bepaal; en

(c) die getal lede wat in elke kiesafdeling verkies moet word, vermeld.

(2) Die dag kragtens subartikel (1) (a) bepaal, moet minstens 21 dae en hoogstens 28 dae wees na die datum van publikasie van die proklamasie in genoemde subartikel vermeld.

(3) Die aanvang van die tydperk by subartikel (1) (b) bepaal, moet minstens 60 dae en hoogstens 120 dae wees na die dag wat as nominasiedag bepaal is.

(4) Die plek wat vir die hou van 'n nominasiehof bepaal word, moet binne die betrokke kiesafdeling wees.

days of the date of such decision, on the prescribed form, appeal against such decision through the district control officer concerned to the electoral officer and shall attach the form conveying the decision of the district control officer to the form of appeal.

(2) The decision of the electoral officer shall be final.

How appeal is to be forwarded to the electoral officer

20. Whenever an appeal is lodged with a district control officer in terms of section 19 (1) against his decision he shall, without delay, by registered post, transmit the said form of appeal together with the prescribed form of particulars recorded by him in terms of section 17 (4) and any written representations and particulars submitted by the appellant to the electoral officer.

Decision of electoral officer on appeal

21. (1) The electoral officer shall decide the matter on the evidence on which the decision of the district control officer is based and any such further evidence as may be obtained by or submitted to him and shall notify the appellant and the district control officer of his decision on the prescribed form.

(2) If the electoral officer finds that the appellant is entitled to be registered he shall direct him to report at the office of the district control officer concerned for the prescribed endorsement in his reference book and the said district control officer shall complete the prescribed registration card.

PART V

CONDUCT OF ELECTIONS

PRELIMINARY ARRANGEMENTS

Number of members to be elected in each electoral division in Bophuthatswana

22. The number of members to be elected in each electoral division shall be as provided in section 3 of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972).

Fixing of nomination and polling date

23. (1) Whenever an election is to take place the State President shall, subject to the provisions of subsection (2), by proclamation in the Gazette—

(a) fix a day on which and a place at which a nomination court shall sit in each electoral division to receive nominations for candidates for election in each electoral division;

(b) if, in accordance with the provisions of section 27 (c), poll is to take place, fix the period during which poll shall take place and the hours at which poll shall commence and close on each polling day and may fix different periods and hours in respect of different polling stations; and

(c) state the number of members to be elected in each electoral division.

(2) The day fixed under subsection (1) (a) shall not be less than 21 days and not more than 28 days from the date of publication of the proclamation referred to in the said subsection.

(3) The commencement of the period fixed under subsection (1) (b) shall not be less than 60 days and not be more than 120 days after the day fixed as nomination day.

(4) The place fixed for holding a nomination court shall be within the electoral division concerned.

Nominasie van kandidate vir verkiesing

24. (1) Op die dag en op die plek kragtens artikel 23 (1) (a) ten opsigte van enige kiesafdeling bepaal, hou die kiesbeampte vir daardie kiesafdeling 'n openbare hofsitting, wat as 'n nominasiehof bekend staan, vir die nominasie van kandidate vir verkiesing in daardie kiesafdeling.

(2) Behoudens die bepalings van subartikel (3), kan enige persoon wat nie kragtens die bepalings van artikel 5A van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972), onbevoeg is nie, en wat 'n geregistreerde kieser is as kandidaat genomineer word.

(3) Geen persoon word as kandidaat vir verkiesing in 'n kiesafdeling genomineer nie, tensy—

(a) hy voorgestel word deur 'n persoon wat 'n kieser in daardie kiesafdeling is en wat op die voorgeskrewe vorm 'n verklaring onder eed of 'n bevestiging afgelê het;

(b) hy gesekondeer word deur 'n persoon wat 'n kieser in daardie kiesafdeling is en wat op die voorgeskrewe vorm 'n verklaring onder eed of 'n bevestiging afgelê het; en

(c) hy die nominasie aanvaar het en op die voorgeskrewe vorm 'n verklaring onder eed of 'n bevestiging afgelê het.

(4) 'n Kandidaat kan sy toestemming tot die nominasie te eniger tyd voor die einde van die sitting van die nominasiehof skriftelik terugtrek deur 'n kennisgewing van terugtrekking in te dien by die kiesbeampte, en daarop verval die nominasie. Met dien verstande dat, na die einde van die sitting van die nominasiehof, die terugtrekking deur 'n kandidaat se kandidatuur nie oorweeg word nie, en sodanige kandidaat se naam in die lys van kandidate vir verkiesing gepubliseer word, en indien hy nie die voorgeskrewe getal stemme kry nie hy sy deposito verbeur of sy sekerheid afgedwing word.

(5) Die nominasiehof sit van 09h00 tot 12h00: Met dien verstande dat as 'n aanwesige persoon om laasgenoemde uur as kandidaat voorgestel is en sy nominasie nie voltooi is nie, die kiesbeampte die sitting moet voortsit vir sodanige tydperk, van hoogstens een uur, as wat nodig is om sodanige kandidaat in staat te stel om behoorlik genomineer te word.

Kennisgewing deur kiesbeampte oor uitslag aan die einde van 'n sitting van 'n nominasiehof

25. Aan die einde van 'n sitting van 'n nominasiehof moet die kiesbeampte onmiddellik, op die voorgeskrewe vorm, die verkiesingsbeampte in kennis stel van die besonderhede van elke genomineerde kandidaat.

Aankondiging van name en besonderhede van kandidate in Staatskoerant

26. Die verkiesingsbeampte laat die besonderhede van iedere kandidaat ten opsigte van elke kiesafdeling so gou moontlik, maar in elk geval nie later as 30 dae voor die aanvang van die stemtydperk nie, in die *Staatskoerant* publiseer.

Optrede deur verkiesingsbeampte aan die einde van 'n sitting van 'n nominasiehof

27. Indien daar aan die einde van die sitting van 'n nominasiehof—

(a) slegs soveel kandidate as wat daar lede vir daardie kiesafdeling verkies moet word, behoorlik genomineer is, verklaar die verkiesingsbeampte onverwyld dat sodanige kandidaat/kandidate onbestrede verkies is tot lede van die Wetgewende Vergadering vir daardie kiesafdeling vanaf die sluiting van die stemtydperk; of

Nomination of candidates for election

24. (1) On the day and at the place fixed in terms of section 23 (1) (a) in respect of any electoral division, the returning officer for that electoral division shall hold a public court, to be known as a nomination court, for the nomination of candidates for election in that electoral division.

(2) Subject to the provisions of subsection (3), any person who is not disqualified in terms of section 5A of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972), and who is a registered voter may be nominated as a candidate.

(3) No person shall be nominated as a candidate for election in any electoral division unless—

(a) he is proposed by a person who is a voter in that electoral division and who has made a declaration under oath or an affirmation on the prescribed form;

(b) he is seconded by a person who is a voter in that electoral division and who has made a declaration under oath or an affirmation on the prescribed form; and

(c) he has accepted nomination and has made a declaration under oath or an affirmation on the prescribed form.

(4) A candidate may withdraw his consent to nomination in writing at any time before the close of the sitting of the nomination court by lodging with the returning officer a notice of withdrawal and thereupon the nomination shall lapse: Provided that, after the close of the sitting of the nomination court, the withdrawal by a candidate of his candidature shall not be considered, and such candidate's name shall be published in the list of candidates for election, and if he does not obtain the prescribed number of votes his deposit shall be forfeited or his security enforced.

(5) The nomination court shall sit from 09h00 to 12h00: Provided that if at the latter hour any person present has been proposed as a candidate and his nomination has not been completed, the returning officer shall continue the sitting for such period not exceeding one hour, as may be necessary to enable such candidate to be duly nominated.

Notification by returning officer of result at close of a sitting of nomination court

25. At the close of a sitting of a nomination court the returning officer shall forthwith, on the prescribed form, notify the electoral officer of the particulars of every duly nominated candidate.

Publication of names and particulars of candidates in Gazette

26. The electoral officer shall cause the particulars of every candidate in respect of every electoral division to be published in the *Gazette* as soon as possible, but in any case not later than 30 days before the commencement of the polling period.

Action by electoral officer at the close of a sitting of a nomination court

27. If at the close of the sitting of a nomination court—

(a) only a number of candidates equal to the number of members to be elected for that electoral division have been duly nominated, the electoral officer shall forthwith declare that such candidate(s) have been returned unopposed as members of the Legislative Assembly for that electoral division as from the close of the polling period; or

(b) minder kandidate as die getal lede wat vir daardie kiesafdeling verkies moet word, behoorlik genomineer is, verklaar die verkiesingsbeampte onverwyld die aldus genomineerde kandidate behoorlik verkose lede van die Wetgewende Vergadering vanaf die sluiting van die stemtydperk, en dat daar 'n getal toevallige vakatures gelyk aan die verskil tussen die getal kandidate wat verkose verklaar is en die getal lede wat vir daardie kiesafdeling verkies moet word, in daardie kiesafdeling bestaan; of

(c) meer kandidate as die getal lede wat verkies moet word, behoorlik genomineer is, word 'n stemming op die wyse in hierdie Proklamasie bepaal gedurende die stemtydperk gehou.

Deposito deur of namens genomineerde kandidate

28. (1) Indien op 'n sitting van 'n nominasiehof 'n groter getal kandidate as die getal lede wat vir daardie kiesafdeling verkies moet word, behoorlik genomineer is, moet die kiesbeampte voor die einde van die sitting van die nominasiehof vereis dat daar deur of ten behoeve van iedere sodanige genomineerde kandidaat by hom die bedrag van R50 gestort word of sodanige sekerheid vir daardie bedrag gestel word as wat die kiesbeampte voldoende ag.

(2) Wanneer die kiesbeampte vereis dat sodanige deposito gestort of sodanige sekerheid gestel word deur of ten behoeve van 'n aldus genomineerde kandidaat en daar nie dadelik aan die vereiste voldoen word nie, word sodanige kandidaat, ondanks die bepalings van artikel 27, geag nie behoorlik as kandidaat genomineer te wees nie.

(3) Indien 'n stemming plaasvind en die totale getal stemme wat daarby op enige verslane kandidaat uitgebring is, minder is as een-vyfde van die getal stemme van die suksesvolle kandidaat wat die minste stemme gekry het, word die bedrag of sekerheid wat deur of ten behoeve van die verslane kandidaat gestort of gestel is, verbeur of afgedwing, na gelang van die geval, en in die Inkomstefonds van Bophuthatswana gestort.

(4) Behoudens die uitdruklike bepalings van hierdie artikel, word die gestorte bedrag aan die deponeerder terugbetaal of, as sekerheid gestel is, word dit gekanselleer.

Openbare kennisgewing deur iedere kiesbeampte

29. Wanneer 'n stemming ooreenkomstig die bepalings van artikel 27 (c) moet plaasvind, publiseer elke kiesbeampte so spoedig doenlik na nominasiedag 'n openbare kennisgewing van—

- (a) die stemtydperk;
- (b) die ure wat vir die begin en die einde van die stemming kragtens artikel 23 (1) (b) voorgeskryf is;
- (c) die volle naam en adres van elke kandidaat wat vir verkiesing in iedere kiesafdeling genomineer is;
- (d) die getal lede wat vir iedere kiesafdeling by genoemde verkiesing verkies moet word; en
- (e) waar elke stemburo binne sy regsgebied geleë is.

DEEL VI

DIVERSE BEPALINGS IN VERBAND MET DIE HOU VAN VERKIESINGS

Kandidate en agente

30. (1) Enige behoorlik genomineerde kandidaat by 'n verkiesing van lede van die Wetgewende Vergadering kan, indien hy dit verlang, op die voorgeskrewe vorm, een of meer agente ten opsigte van enige stemdistrik aanstel om hom behulpsaam te wees, en hy moet die distriksbeheerbeampte voorsien van 'n afskrif van elke sodanige aanstellingsvorm.

(2) 'n Kandidaat en slegs een agent per kandidaat word toegelaat om op enige bepaalde tyd binne enige stemburo of by enige plek waar stemme getel word, teenwoordig te wees.

(b) fewer candidates than the number of members to be elected for that division have been duly nominated, the electoral officer shall forthwith declare the candidates so nominated to be duly elected members of the Legislative Assembly as from the close of the polling period and that a number of casual vacancies, equal to the difference between the number of candidates declared elected and the number of members to be elected for that electoral division, exist in that electoral division; or

(c) more candidates than the number of members to be elected have been duly nominated, poll shall take place during the period of polling in the manner provided in this Proclamation.

Deposito by or on behalf of candidates nominated

28. (1) If at a sitting of a nomination court more candidates than the number of members to be elected for that electoral division have been duly nominated, the returning officer shall before the close of the sitting of the nomination court require that there be deposited with him, by or on behalf of each candidate so nominated, the sum of R50 or such security for that sum as the returning officer may deem sufficient.

(2) If when the returning officer requires any such deposit to be made or security to be given by or on behalf of a candidate so nominated, the requirement is not forthwith complied with, such candidate shall, notwithstanding anything contained in section 27, be deemed not to be duly nominated as a candidate.

(3) If poll takes place and the total number of votes received thereat by any unsuccessful candidate is less than one-fifth of the number of votes received by the successful candidate who received the lowest number of votes, the sum deposited or security given by or on behalf of such unsuccessful candidate shall be forfeited or enforced, as the case may be, and shall be paid into the Revenue Fund of Bophuthatswana.

(4) Save as in this section expressly provided, the sum deposited shall be returned to the depositor, or if security has been given, it shall be cancelled.

Public notice by every returning officer

29. Whenever poll shall take place in accordance with the provisions of section 27 (c) each returning officer shall, as soon as practicable after nomination day, give public notice of—

- (a) the polling period;
- (b) the hours prescribed in terms of section 23 (1) for the commencement and close of the poll;
- (c) the full name and address of each candidate nominated for election in each electoral division;
- (d) the number of members to be elected for each electoral division at the said election;
- (e) the situation of each polling station within his area of jurisdiction.

PART VI

MISCELLANEOUS PROVISIONS IN CONNECTION WITH THE CONDUCT OF ELECTIONS

Candidates and agents

30. (1) Any duly nominated candidate at an election of members of the Legislative Assembly may, if he so desires, on the prescribed form appoint one or more agents in respect of any polling district to assist him and shall furnish the district control officer with a copy of each such appointment form.

(2) A candidate and only one agent per candidate shall be allowed to be present at any particular time inside any polling station or any place where votes are counted.

(3) 'n Distriksbeheerbeampte moet iedere agent wat aangestel is, inlig omtrent die plekke waar en datums waarop stemming gaan plaasvind en die datum waarop en die plek waar die telling van stemme 'n aanvang gaan neem.

(4) 'n Persoon wat ooreenkomstig subartikel (1) as agent aangestel is, moet sy aanstellingsbrief toon aan die stemopnemer of kiesbeampte, na gelang van die geval, indien dit van hom verlang word.

Verskaffing van uitrusting

31. (1) Die verkiesingsbeampte verskaf vir alle verkiesings stembusse, stembriewe, instrumente om 'n merk op stembriewe en bewysboeke aan te bring en ander benodigdhede, en verrig sodanige ander handelinge en tref sodanige reëlins as wat nodig is vir die doeltreffende hou van die verkiesing.

(2) Die uitgawe deur die verkiesingsbeampte aan alle sodanige handelinge, aangeleenthede en benodigdhede in verband met enige verkiesing aangegaan, word uit die Inkomstefonds van Bophuthatswana bestry.

(3) Die verkiesingsbeampte kan enige distriksbeheerbeampte opdrag gee om namens hom, ten opsigte van sy regsgebied, enige van die pligte te vervul wat hierdie artikel die verkiesingsbeampte oplê in verband met die reëlins vir die hou van 'n stemming.

Stemburo's

32. Daar moet 'n stemburo wees—

- (a) by die setel van die kiesbeampte; en
- (b) op sodanige ander plek of plekke binne sy regsgebied as wat hy nodig ag.

Stemburo waarby 'n kieser moet stem

33. Enige kieser kan gedurende die stemtydperk by enige ander stemburo stem indien hy nie in staat is om by 'n stemburo binne sy kiesafdeling te stem nie.

Veilige bewaring van stembusse

34. Die stemopnemer moet by die sluiting van die stemming en in teenwoordigheid van sodanige kandidate en/of agente as wat teenwoordig is, die opening van elke stembus verseël, en die stembus in veilige bewaring hou totdat dit aan die kiesbeampte oorhandig kan word: Met dien verstande dat waar stemming plaasvind oor 'n langer tydperk as een dag, die opening van elke stembus verseël moet word by die sluiting van die stemming op elke stemdag en weer oopgemaak moet word by die aanvang van stemming die daaropvolgende dag.

Verklaring van geheimhouding

35. Iedere kiesbeampte, stemopnemer, kandidaat of sy agent, getuie of enige ander persoon of beampte (uitgesonderd 'n polisiebeampte) wat geregtig is om in 'n stemburo of by die tel van stemme teenwoordig te wees, moet voor die aanvang van die stemming, en elke telbeampte moet voor die aanvang van die tel van stemme, op die voorgeskrewe vorm 'n beëdigde verklaring van geheimhouding aflê voor 'n vrederegter of 'n kommissaris van ede of, as hy nie 'n kiesbeampte is nie, voor 'n kiesbeampte wat hierby gemagtig word om sodanige eed af te neem.

Bevoegdheid van stemopnemer by 'n stemburo

36. (1) Die stemopnemer moet orde hou by 'n stemburo, moet reël hoeveel kiesers tegelyk binnegelaat word, en alle ander persone, uitgesonderd die kiesbeampte, die kandidate of hulle agente en polisiebeamptes en ander beamptes op diens, buite hou.

(2) Behoudens die uitsonderings wat by subartikel (1) gemaak word, kan die stemopnemer enige persoon (uitgesonderd 'n persoon wat sy stem uitbring) aansê om die

(3) A district control officer shall inform any agent who has been appointed of the places where and dates on which poll is to take place and the date on which and the place where the counting of votes is to commence.

(4) Any person appointed an agent in terms of subsection (1) shall produce his letter of appointment to the polling officer or returning officer, as the case may be, if required to do so.

Provision of equipment

31. (1) For all elections the electoral officer shall provide ballot boxes, ballot papers, instruments for marking ballot papers and voters' reference books, and other requirements, and shall do such other acts and make such arrangements as may be necessary for effectually conducting the election.

(2) The expenditure incurred by the electoral officer on all such acts, matters and requirements in connection with any election shall be defrayed out of the Revenue Fund of Bophuthatswana.

(3) The electoral officer may depute any district control officer to perform on his behalf, in respect of his area of jurisdiction, any of the duties imposed upon the electoral officer by this section in regard to the arrangements for taking poll.

Polling stations

32. There shall be a polling station—

- (a) at the seat of the returning officer; and
- (b) at such other place or places within his area of jurisdiction as he may deem necessary.

Polling Station at which a voter shall vote

33. Any voter may during the polling period vote at any other polling station if he is not in a position to vote at a polling station in his electoral division.

Safe custody of ballot boxes

34. The polling officer shall at the close of poll, in the presence of such candidates and/or agents as may be present, seal the opening in each ballot box, and keep the ballot box in safe custody until it can be delivered to the returning officer: Provided that where poll is to take place over a period longer than one day the opening in each ballot box shall be sealed at the close of poll on each polling day and reopened again at the commencement of poll on the following day.

Declaration of secrecy

35. Every returning officer, polling officer, candidate or his agent, witness or any other person or official (except a policeman) entitled to be present at a polling station or at the counting of votes shall, before the opening of the poll, and every counting officer shall, before the commencement of the counting of votes, make on the prescribed form a declaration of secrecy under oath before a justice of the peace or a commissioner of oaths, or if he is not a returning officer, before a returning officer who is hereby authorised to administer such oath.

Powers of the polling officer at a polling station

36. (1) The polling officer shall keep order at a polling station, shall regulate the number of voters to be admitted at a time and shall exclude all other persons except the returning officer, the candidates or their agents, and police officers and other officials on duty.

(2) Save as is excepted in subsection (1), the polling officer may require any person (other than a person recording his vote) to leave the polling station and any

stemburo te verlaat en enige persoon wat versuim om die stemburo te verlaat wanneer van hom vereis word om dit te doen, kan op bevel van die stemopnemer sonder lasbrief in hegtenis geneem word, en begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens R20 of, by wanbetaling, met tronkstraf vir 'n tydperk van hoogstens sewe dae.

(3) Die bevoegdheid by hierdie artikel verleen, word nie so uitgeoefen dat dit 'n kieser wat andersins geregtig is om te stem, verhinder om sy stem by die stemburo uit te bring nie.

Stembriewe

37. Iedere stembrief wat gebruik moet word deur kiesers wat wil stem, moet in die voorgeskrewe vorm wees: Met dien verstande dat 'n stemopnemer, wanneer nodig, gebruik kan maak van blanko stembriewe waarop die nodige besonderhede deur hom aangebring is.

Wyse waarop gestem word

38. By alle verkiesings van lede van die Wetgewende Vergadering word die stemme by stemburo's per stembrief uitgebring en wel in hoofsaak en sowel doenlik op die volgende wyse:

(1) Die persoon wat wil stem, moet sy bewysboek toon en die stemopnemer moet homself, deur te verwys na die afdeling gemerk E of D, na gelang van die geval, tevrede stel dat sodanige persoon 'n geregistreerde kieser van Bophuthatswana is.

(2) Nadat die stemopnemer vasgestel het dat geen stembrief reeds aan sodanige kieser by daardie verkiesing uitgereik is nie, moet hy die geheime merk wat by daardie verkiesing gebruik word in die afdeling gemerk E of D, na gelang van die geval, van die kieser se bewysboek aanbring en die datum oor die geheime merk in die bewysboek endosseer, die geheime merk agterop 'n stembrief aanbring ten opsigte van die bepaalde kiesafdeling wat in die kieser se bewysboek verskyn en die stembrief aan die kieser oorhandig.

(3) Wanneer 'n persoon wat wil stem 'n stembrief ontvang het, dui hy, sonder versuim, die kandidaat (kandidate) vir wie hy wil stem aan deur in die geheim 'n kruis in die ruimte teenoor die naam (name) van sodanige kandidaat (kandidate) vir wie hy wil stem te maak, vou die stembrief dan sodat die geheime merk sigbaar is en die name van die kandidate nie sigbaar is nie en, nadat hy die stembrief so opgehou het dat die beampte in beheer van die stembus die geheime merk kan herken, plaas hy die stembrief in die stembus wat voor sodanige beampte staan.

(4) Die kieser moet sonder onnodige versuim sy stem uitbring en die stemburo verlaat sodra hy sy stembrief in die stembus geplaas het.

(5) Iedere kieser moet 'n getal stemme uitbring wat gelyk is aan die getal lede wat by die verkiesing verkies moet word vir die kiesafdeling waarin hy geregtig is om te stem.

Kiesers wat nie in staat is om op die voorgeskrewe wyse te stem nie

39. (1) Enige kieser wat nie in staat is om sy stem op die voorgeskrewe wyse uit te bring nie, kan die stemopnemer versoek om sy stembrief namens hom in te vul.

(2) Sodanige stemopnemer moet daarna, met behoorlike inagneming van die handhawing van geheimhouding en in teenwoordigheid van twee getuies, aan sodanige kieser die name van die kandidate vir die bepaalde kiesafdeling voorlees en 'n kruis in die ruimte op die stembrief aanbring teenoor die naam (name) van die kandidaat (kandidate) wat mondeling deur sodanige kieser gekies is, en vou daarna die stembrief en plaas dit in die stembus.

person who fails to leave the polling station when so required may be arrested without a warrant on the order of the polling officer and shall be guilty of an offence and liable on conviction to a fine not exceeding R20 or in default of payment, imprisonment for a period not exceeding seven days.

(3) The powers conferred by this section shall not be exercised so as to prevent any voter who is otherwise entitled to vote from having an opportunity of voting at the polling station.

Ballot papers

37. Every ballot paper to be used for voters who wish to vote shall be in the prescribed form: Provided that a polling officer may, when necessary, make use of blank ballot papers in which the necessary particulars have been inserted by him.

Manner of voting

38. Voting at a polling station at any election of members of the Legislative Assembly shall be by ballot and shall be conducted in substance and as nearly as possible in the following manner:

(1) The person claiming to vote, shall produce his reference book and the polling officer shall satisfy himself, by reference to the section marked E or D, as the case may be, that such person is a registered voter of Bophuthatswana.

(2) The polling officer shall, after determining that no ballot paper has already been issued to such voter at that election, stamp the secret mark used at that election in the section marked E or D, as the case may be, in the voter's reference book and endorse the date across the secret mark in the book, stamp the secret mark on the back of a ballot paper in respect of the particular electoral division appearing in the voter's reference book and hand the ballot paper to the voter.

(3) When a person claiming to vote has received a ballot paper he shall without delay signify the candidate(s) for whom he desires to vote by secretly affixing his cross in the space provided opposite the name(s) of the candidate(s) for whom he wishes to vote and then fold the ballot paper so that the secret mark is visible, and the names of the candidates are not visible and, having held up the ballot paper so that the officer in charge of the Ballot box can recognise the secret mark, he shall drop the ballot paper into the ballot box placed in front of such officer.

(4) The voter shall vote without undue delay and shall leave the polling station as soon as he has put his ballot paper into the ballot box.

(5) Every voter shall exercise a number of votes equal to the number of members to be elected at the election for the electoral division in which he is entitled to vote.

Voters who are unable to vote in the manner prescribed

39. (1) Any voter who is unable to vote in the prescribed manner may request the polling officer to complete his ballot paper on his behalf.

(2) Such polling officer shall thereupon, with due regard to the maintenance of secrecy and in the presence of two witnesses, read to such voter the names of the candidates in respect of the particular electoral division and affix a cross in the space provided on the ballot paper opposite the name(s) of the candidate(s) selected by word of mouth by such voter and shall thereafter fold the ballot paper and put it into the ballot box.

(3) By die verrigtinge van sy werksaamhede ingevolge hierdie artikel, moet sodanige stemopnemer enige dokument of ding verontagsaam wat deur die kieser vertoon of getoon word of in sy besit is en wat die naam van enige kandidaat vir wie sodanige kieser moet stem of nie moet stem nie aandui of suggereer of veronderstel is om dit aan te dui of te suggereer.

Bedorwe stembrieffies

40. Indien 'n kieser onopsetlik 'n stembrief bederf, kan hy dit aan die stemopnemer teruggee, en as laasgenoemde daarvan oortuig is dat dit onopsetlik gebeur het, gee hy hom 'n ander stembrief en behou hy die bedorwe stembrief en daarna word die bedorwe stembrief onmiddellik gekanselleer.

DEEL VII

BESKIKKING OOR VERKIESINGSTUKKE, TEL VAN STEMME EN BEPALING VAN DIE UITSLAG VAN VERKIESING

Verseëling van stembusse, ens.

41. (1) Iedere stemopnemer maak onmiddellik na die sluiting van die stemming, in teenwoordigheid van sodanige kandidaat of hulle agente (as daar is) as wat aanwesig is, afsonderlike pakkette, verseël met sy eie seël en met die seëls van die kandidaat of hulle agente (as daar is) wat hulle seëls ook daarop wil afdruk, van—

- (a) elke stembus wat aan hom toevertrou is, onoopgemaak;
- (b) die ongebruikte en bedorwe stembriewe; en
- (c) die verklarings van geheimhouding;

en lewer die pakkette onverwyld aan die kiesbeampte af of laat hulle aan hom aflewer.

(2) Die pakkette gaan vergesel van 'n opgawe, op die voorgeskrewe vorm, deur die stemopnemer verstrekk, waarin hy die getal stembriewe aan hom toevertrou, noem en waarin hy van hulle rekenskap gee onder die hoofde "Stembriewe in die stembus", "Ongebruikte stembriewe" en "Bedorwe stembriewe".

(3) Elkeen van die pakkette in subartikel (1) genoem en die opgawe in subartikel (2) genoem, word voorsien van 'n etiket in die voorgeskrewe vorm.

Optrede deur kiesbeampte by ontvangs van stembriewe

42. Iedere kiesbeampte moet by ontvangs van kiesers se stembriewe sodanige stembriewe onoopgemaak in veilige bewaring hou totdat die stemme getel word en dan moet daarmee gehandel word soos in artikels 43 tot en met 47 voorgeskryf.

Verifiëring van stembriefopgawe

43. (1) By ontvangs deur die kiesbeampte van al die pakkette en stembusse van iedere stemopnemer in sy stemdistrik, en nie eerder nie, ondersoek hy of die seëls in orde is en gee hy sodanige kandidaat of hulle agente as wat aanwesig is 'n geleentheid om dieselfde te doen, en daarna maak hy in teenwoordigheid van sodanige kandidaat of hulle agente die verseëelde pakkette oop wat die ongebruikte en bedorwe stembriewe bevat asook die pakket wat die opgawe van stembriewe bevat, en maak hy elke stembus oop en verifieer hy die opgawe van stembriewe wat deur elke stemopnemer ingelewer is deur dit met die getal stembriewe in elke sodanige stembus en die getal ongebruikte en bedorwe stembriewe in sy besit te vergelyk.

(2) Wanneer die kiesbeampte die verifiëring van die opgawe van stembriewe van elke stemburo in sy kiesafdeling voltooi het, maak hy, afgesien daarvan of sodanige opgawes juis bevind is al dan nie, in teenwoordigheid van sodanige kandidaat of hulle agente as wat

(3) In the performance of his functions under this section, such polling officer shall disregard any document or thing exhibited or produced by or in the possession of the voter which indicates or suggests or purports to indicate or suggest the name of any candidate for whom such voter is or is not to vote.

Spoiled ballot papers

40. If a voter inadvertently spoils a ballot paper he may return it to the polling officer who shall, if satisfied of the inadvertence, give him another ballot paper and retain the spoiled ballot paper, whereupon the spoiled ballot paper shall immediately be cancelled.

PART VII

DISPOSAL OF ELECTORAL MATTER, COUNTING OF VOTES AND DETERMINATION OF RESULT OF ELECTION

Sealing of ballot boxes, etc.

41. (1) Every polling officer shall immediately after the close of the poll, in the presence of such candidates or their agents (if any) as may be present, make up into separate packets, sealed with his own seal and with the seals of those candidates or agents (if any) who desire to affix their seals—

- (a) each ballot box entrusted to him, unopened;
- (b) the unused and spoiled ballot papers; and
- (c) the declarations of secrecy;

and shall forthwith deliver or cause to be delivered the packets to the returning officer.

(2) The packets shall be accompanied by a return made by the polling officer on the prescribed form showing the number of ballot papers entrusted to him and accounting for them under the heads of "Ballot papers in the ballot box", "Unused ballot papers" and "Spoiled ballot papers".

(3) A label in the prescribed form shall be affixed to each of the packets mentioned in subsection (1) and to the return mentioned in subsection (2).

Action to be taken by a returning officer upon receipt of ballot papers

42. Every returning officer shall upon receipt of voters' ballot papers, retain such ballot papers unopened in safe custody until the counting of votes when they shall be dealt with as provided in sections 43 to 47 inclusive.

Verification of ballot paper return

43. (1) The returning officer shall, upon receipt of all the packets and ballot boxes from every polling officer in his polling district and not before, examine whether the seals are in order and afford such candidates or their agents as may be present an opportunity to do the same and after that, in the presence of such candidates or their agents, open the sealed packets containing the unused and spoiled ballot papers and the packet containing the ballot paper return and shall open each ballot box and verify the ballot paper return given by each polling officer, by comparing it with the number of ballot papers in each such ballot box and the number of unused and spoiled ballot papers in his possession.

(2) When the returning officer has completed the verification of a ballot paper return for each polling station in his electoral division, and whether or not such returns are found to be correct, he shall in the presence of such candidates or their agents as may be present mix

aanwesig is, die stembriewe uit al die stembusse op so 'n wyse deurmekaar dat dit onmoontlik is om te bepaal uit watter stembus 'n bepaalde stembrief geneem is.

(3) Onder die toesig van die kiesbeamppte word die geheime merk op die stembriewe nagegaan en word oorgegaan tot die tel van die stemme en terwyl die stemme getel word, moet die stembriewe met hulle voorkant na bo gehou word.

Hoe stemme getel moet word

44. (1) In die geval van 'n algemene verkiesing of 'n verkiesing om meer as een toevallige vakature in die verteenwoordiging van 'n kiesafdeling in die Wetgewende Vergadering aan te vul, moet die stembriewe vir die doel van die tel daarvan, vasgebund word in pakkette van 50 (aan elkeen waarvan 'n onderskeidende nommer toegeken moet word) en moet die getal stemme vir elke kandidaat aangeteken word.

(2) In die geval van 'n verkiesing om slegs een toevallige vakature in die verteenwoordiging van 'n kiesafdeling in die Wetgewende Vergadering aan te vul, moet die stembriewe ten gunste van elke kandidaat vasgebund word in pakkette van 50.

Watter stembriewe verwerp word

45. (1) Die kiesbeamppte verwerp en tel nie 'n stembrief nie—

- (a) wat nie die geheime merk daarop het nie;
- (b) waarop stemme op minder of meer kandidate uitgebring is as die getal lede wat by genoemde verkiesing vir daardie kiesafdeling verkies moet word;
- (c) wat ongemerk of weens onsekerheid ongeldig is;
- (d) wat enige skrif of merk daarop het waardeur 'n kieser op 'n ander wyse as dié in hierdie Proklamasie voorgeskryf, geïdentifiseer kan word.

(2) Die kiesbeamppte endosseer die woord "verwerp" op 'n stembrief wat hy as ongeldig verwerp.

Uitslag van telling aan verkiesingsbeamppte

46. Nadat die tel van stemme voltooi is ten opsigte van 'n stembedstrik moet die kiesbeamppte, in teenwoordigheid van sodanige kandidate of hulle agente as wat teenwoordig is, die voorgeskrewe vorm invul deur daarin die uitslag van die telling aan te teken, en moet hy dit in 'n koevert geadresseer aan die verkiesingsbeamppte plaas, dit verseël en onverwyl per geregistreerde pos aan die geadresseerde stuur.

Beskikking oor verkiesingstukke deur kiesbeamppte na afloop van tel van stemme

47. (1) Na afloop van die tel van die stemme ten aansien van sy stembedstrik maak die kiesbeamppte die volgende in afsonderlike pakkette op:

- (a) Alle ongebruikte en bedorwe stembriewe wat by elke stemburo gebruik is;
- (b) alle getelde stembriewe;
- (c) alle verworpe stembriewe; en
- (d) alle stembriefopgawes behoorlik geëndosseer met sy bevindings betreffende die verifiëring van sodanige opgawes.

(2) Die kiesbeamppte—

- (a) voorsien elke pakket genoem in subartikel (1) van 'n etiket in die voorgeskrewe vorm;
- (b) verseël elke sodanige pakket met die amptelike seël en met die seëls van sodanige kandidate en agente (as daar is) as wat hulle seëls daarop wil afdruk; en
- (c) bewaar sodanige pakkette vir 'n tydperk van ses maande en vernietig hulle daarna: Met dien verstande dat enige ongebruikte blanko stembriewe nie vernietig mag word nie, maar per geregistreerde pos aan die verkiesingsbeamppte gestuur moet word.

together the ballot papers contained in all the ballot boxes so that it is impossible to determine from which ballot box any particular ballot paper was taken.

(3) Under the supervision of the returning officer the secret mark on the ballot papers shall be scrutinised, whereupon the votes shall be counted and while the votes are being counted the ballot papers shall be kept with their faces upwards.

How votes are to be counted

44. (1) In the case of a general election or an election to fill more than one casual vacancy in the representation of an electoral division in the Legislative Assembly, the ballot papers shall, for the purposes of counting, be fastened together in packets of 50 (to each of which a distinctive number shall be assigned) and thereafter the number of votes for each candidate shall be recorded.

(2) In the case of an election to fill only one casual vacancy in the representation of an electoral division in the Legislative Assembly, the ballot papers in favour of each candidate shall be fastened together in packets of 50.

Which ballot papers shall be rejected

45. (1) The returning officer shall reject and not count any ballot paper—

- (a) which does not bear the secret mark;
- (b) on which votes are cast for fewer or more candidates than the number of members to be elected for that electoral division at the said election;
- (c) which is unmarked or invalid owing to uncertainty;
- (d) which bears any writing or mark by which a voter can be identified otherwise than in this Proclamation prescribed.

(2) The returning officer shall endorse the word "rejected" on a ballot paper which he may reject as invalid.

Result of count to electoral officer

46. After the counting of votes has been completed in respect of a polling district, the returning officer shall, in the presence of such candidates or their agents as may be present, complete the prescribed form by entering therein the result of such count and shall place it in an envelope addressed to the electoral officer, seal it and forward it forthwith by registered post to the addressee.

Disposal of electoral matter by returning officer after the counting of votes has been completed

47. (1) The returning officer shall after the completion of the counting of votes in respect of his polling district, make up into separate packets the following:

- (a) All unused and spoiled ballot papers used at each polling station;
- (b) all counted ballot papers;
- (c) all rejected ballot papers; and
- (d) all ballot paper returns duly endorsed with his findings on the verification of such returns.

(2) The returning officer shall—

- (a) affix a label in the prescribed form to each of the packets mentioned in subsection (1);
- (b) seal each such packet with the official seal and with the seals of such candidates and agents (if any) as may desire to affix their seals; and
- (c) retain such packets for a period of six months and thereafter destroy them: Provided that any unused blank ballot papers shall not be destroyed but shall be forwarded by registered post to the electoral officer.

Beskikking oor seël en merkinstrumente

48. Die seël en instrumente vir die geheime merk moet per geregistreerde pos aan die verkiesingsbeampte teruggestuur word.

Bepaling van uitslag van verkiesing deur die verkiesingsbeampte

49. (1) By ontvangs van die uitslae vanaf alle kiesbeamptes moet die verkiesingsbeampte in teenwoordigheid van twee getuies, wat deur die Minister aangestel is, daartoe oorgaan om die verseëde koeverte in artikel 46 bedoel, oop te maak en die uitslag van die verkiesing bepaal, en die verkiesingsbeampte en sodanige getuies moet skriftelik sertifiseer dat die uitslag aldus bepaal, korrek is.

(2) Die verkiesingsbeampte moet so gou moontlik daarna die getal kandidate, gelykstaande met die getal lede wat ten opsigte van iedere kiesafdeling verkies moet word, wat by die verkiesing die meeste stemme gekry het, behoorlik verkose lede van die Wetgewende Vergadering verklaar.

(3) As die volle getal kandidate wat aldus verkose verklaar moet word weens 'n staking van stemme nie bepaal kan word nie verklaar die verkiesingsbeampte die getal kandidate wat wel bepaal kan word onverwyld behoorlik verkose en gaan hy in teenwoordigheid van die getuies genoem in subartikel (1) daartoe oor om deur loting, op die wyse deur hom bepaal, uit die geledere van die kandidate wat ewe veel stemme gekry het, die kandidaat of kandidate aan te wys wat behoorlik verkose verklaar moet word.

Bekendmaking van name van verkose lede

50. (1) Sodra die name en adresse van die persone wat behoorlik verkies is, bekend is, moet die verkiesingsbeampte by kennisgewing in die *Staatskoerant* die volle naam en adres van iedere sodanige verkose lid, tesame met die datum waarop hy behoorlik verkies is, die naam van die kiesafdeling wat sodanige lid verteenwoordig en die totale getal stemme wat ten gunste van sodanige lid uitbrenging is, laat publiseer.

(2) 'n Kennisgewing ingevolge subartikel (1) gepubliseer, dui ook die name van die onsuksesvolle kandidate ten opsigte van elke kiesafdeling en die totale getal stemme aan wat ten opsigte van elke sodanige kandidaat uitbrenging is, asook die getal bedorwe stembriewe ten opsigte van elke kiesafdeling.

(3) Die verkiesingsbeampte moet die inligting in subartikel (1) gemeld aan die Sekretaris van die Wetgewende Vergadering oordra.

DEEL VIII

ALGEMEEN EN AANVULLEND

Onbelangrike foute raak nie geldigheid van verkiesing nie

51. Geen verkiesing is weens 'n fout of nie-nakoming van die bepalings van hierdie Proklamasie ongeldig nie, indien die verkiesing gehou is ooreenkomstig die beginsels hierin voorgeskryf en sodanige fout of nie-nakoming nie die uitslag geraak het nie.

Bewys dat verkiesing gehou is

52. By 'n aanklag van 'n korrupte of onwettige bedrywigheid of van 'n ander misdryf ingevolge hierdie Proklamasie, wat volgens bewering by of in verband met 'n verkiesing begaan is, is die sertifikaat van die kiesbeampte dat die verkiesing daarin gemeld aan die gang was of gehou is, voldoende bewys van die feit dat sodanige verkiesing aan die gang was of gehou is.

Disposal of seal and marking instruments

48. The seal and instruments for the secret mark shall be returned by registered post to the electoral officer.

Determination of result of election by electoral officer

49. (1) Upon receipt of the results from all returning officers the electoral officer shall in the presence of two witnesses appointed by the Minister, proceed to open the sealed envelopes referred to in section 46 and determine the result of the election and the electoral officer and such witnesses shall in writing certify that the result so determined is correct.

(2) The electoral officer shall as soon as possible thereafter declare the number of candidates, equal to the number of members to be elected in respect of each electoral division, who at the election have received the greater number of votes, to be duly elected members of the Legislative Assembly.

(3) If the full number of candidates so to be declared elected cannot be determined by reason of an equality of votes, the electoral officer shall forthwith declare such number of candidates as can be determined to be duly elected and the electoral officer shall, in the presence of the witnesses referred to in subsection (1), proceed to designate by lot in the manner determined by him the candidate(s), from among those candidates who obtained an equality of votes, who shall be declared to be duly elected.

Publication of names of elected members

50. (1) As soon as the names and addresses of the persons duly elected are known the electoral officer shall cause to be published by notice in the *Gazette* the full name and address of every member so returned, together with the date on which he was duly elected, the name of the electoral division which such member represents and the total number of votes cast in favour of such member.

(2) A notice published in terms of subsection (1) shall also reflect the names of the unsuccessful candidates in respect of each electoral division and the total number of votes cast in favour of each such candidate, as well as the number of rejected ballot papers in respect of each electoral division.

(3) The electoral officer shall convey the particulars mentioned in subsection (1) to the Secretary of the Legislative Assembly.

PART VIII

GENERAL AND SUPPLEMENTARY

Immaterial mistakes not to affect validity of election

51. No election shall be invalid by reason of any mistake or non-compliance with the provisions of this Proclamation if the election was conducted in accordance with the principles laid down herein and such mistake or non-compliance did not affect the result.

Evidence of election being held

52. Upon any charge of a corrupt or illegal practice or any other offence under this Proclamation, alleged to have been committed at or in connection with an election, the certificate of the returning officer that the election mentioned therein was being or had been held shall be sufficient evidence of the fact that such election was being or had been held.

Ontruiming van setels deur afsterwe

53. Wanneer 'n distriksregistrator van geboortes en sterfgevalle die afsterwe van 'n lid van die Wetgewende Vergadering registreer, moet hy onmiddellik 'n sertifikaat van sodanige registrasie aan die Voorsitter van die Wetgewende Vergadering oordra.

Ontruiming van setels deur ander oorsake

54. Indien 'n lid van die Wetgewende Vergadering onbevoeg raak as gevolg van die diskwalifikasies genoem in artikel 6 van die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972), moet die verkiesingsbeampte die Voorsitter van die Wetgewende Vergadering onmiddellik van sodanige onbevoegdheid in kennis stel.

Kennisgewing van vakature aan Wetgewende Vergadering

55. Wanneer die Voorsitter van die Wetgewende Vergadering hom van die ontstaan van 'n vakature vergewis het, maak hy dit aan die Wetgewende Vergadering bekend as dit dan in sitting is en, as die Wetgewende Vergadering nie in sitting is nie, binne sewe dae na die aanvang van die eersvolgende sitting, en indien sodanige vakature intussen aangevul is, stel hy die Wetgewende Vergadering dienoreenkomstig in kennis.

Publikasie en betekening van kennisgewings

56. Uitgesonderd waar publikasie in die *Staatskoerant* of op 'n ander bepaalde wyse uitdruklik voorgeskryf is, is dit voldoende as 'n openbare kennisgewing wat ooreenkomstig hierdie Proklamasie gepubliseer moet word, gepubliseer word in 'n nuusblad wat in die kiesafdeling waarop dit die voorneme is dat die kennisgewing betrekking moet hê, sirkuleer of as dit aangeplak word langs die hoofbuitendeur van die kantoor van iedere distriks-beheerbeampte of op enige ander plek wat die verkiesings-beampte voorskryf.

Sondae en openbare feesdae

57. Wanneer enigiets op 'n bepaalde datum ingevolge hierdie Proklamasie begin, voltooi of gedoen moet word, en daardie datum op 'n Sondag val of op 'n dag wat by of kragtens 'n wet tot 'n openbare feesdag verklaar is, moet dit begin, voltooi of gedoen word op die eersvolgende datum na sodanige Sondag of openbare feesdag of, as laasgenoemde datum ook op 'n Sondag of openbare feesdag val, dan op die eersvolgende datum na sodanige Sondag of openbare feesdag.

Vrystelling van seëlreg

58. Ondanks andersluidende bepalings in enige wet betreffende seëlreg, is daar op 'n verklaring wat afgelê word of 'n magtiging wat uitgereik word in verband met verkiesings in Bophuthatswana geen seëlreg verskuldig nie.

Gebruik van rubberstempels

59. 'n Rubberstempel of ander afdruk mag nie gebruik word by die ondertekening van 'n sertifikaat wanneer sodanige sertifikaat ooreenkomstig hierdie Proklamasie deur enige beampte uitgereik moet word nie.

Voorgeskrewe vorms

60. Die vorms vir gebruik in verband met die hou van verkiesings in Bophuthatswana moet wees soos in die Aanhangsel van hierdie Proklamasie voorgeskryf.

DEEL IX

OORTREDINGS EN BOETES

Onderbreking of steuring van verrigtings by verkiesings

61. 'n Persoon wat opsetlik verrigtings in verband met die hou van verkiesings ooreenkomstig die bepalings van hierdie Proklamasie, onderbreek, belemmer of versteur, of

Vacation of seats through death

53. Whenever a district registrar of births and deaths registers the death of a member of the Legislative Assembly, he shall forthwith transmit a certificate of such registration to the Chairman of the Legislative Assembly.

Vacation of seats through other causes

54. If a member of the Legislative Assembly becomes disqualified by reason of any of the disqualifications mentioned in section 6 of the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972), the electoral officer shall forthwith notify the Chairman of the Legislative Assembly of such disqualification.

Notification of vacancy to the Legislative Assembly

55. The Chairman of the Legislative Assembly shall, whenever he is satisfied that a vacancy has occurred, announce the fact to the Legislative Assembly if it is then in session and if the Legislative Assembly is not in session, within seven days of the commencement of the next ensuing session, and should such vacancy have in the interim been filled, advise the Legislative Assembly accordingly.

Publication and service of notices

56. A public notice required to be given in terms of this Proclamation shall, except where it is expressly directed to be published in the *Gazette* or in any other particular manner, be sufficiently given if it is published in a newspaper circulating in the electoral division intended to be affected by the notice or if it is posted next to the main outer door of the office of every district control officer or at any other place which the electoral officer may prescribe.

Sundays and public holidays

57. Whenever under this Proclamation anything is required to be commenced, concluded or done on a particular date, and that date happens to fall on a Sunday or a day declared by or under a law to be a public holiday, such thing shall be commenced, concluded or done on the date next succeeding such Sunday or public holiday or if the last-mentioned date is also a Sunday or public holiday, then on the date next succeeding such Sunday or public holiday.

Exemption from stamp duty

58. Notwithstanding anything to the contrary in any law relating to stamp duty, no stamp duty shall be charged on any declaration made or any authorisation issued in connection with elections in Bophuthatswana.

Use of rubber stamps

59. Whenever in terms of this Proclamation, a certificate is required to be given by any officer, a rubber stamp or other impression shall not be used in signing such certificate.

Forms prescribed

60. The forms to be used in connection with the conduct of elections in Bophuthatswana shall be those prescribed in the Annexure to this Proclamation.

PART IX

OFFENCES AND PENALTIES

Interrupting or disturbing proceedings at elections

61. Any person who wilfully interrupts, obstructs or disturbs any proceedings in connection with the conduct of elections in terms of the provisions of this Proclamation,

op stemdag enige vorm van luidspreker gebruik of enige optog van, of betoging deur, persone vorm of reël, uitgesonderd vir amptelike doeleindes, of 'n werwingsveldtog hou binne 500 meter van 'n stemburo, begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens R100 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande.

Bedrog met stembriewe, ens.

62. (1) 'n Persoon wat—

(a) 'n stembrief of die geheime merk op 'n stembrief vervals, namaak of met opset om te bedrieg, vernietig;

(b) sonder behoorlike magtiging 'n ander persoon van 'n stembrief voorsien;

(c) met opset om te bedrieg, enige ander stuk papier in 'n stembus plaas as die stembrief wat hy regtens daarin mag plaas;

(d) met opset om te bedrieg, 'n stembrief uit die stemburo wegneem; of

(e) sonder behoorlike magtiging 'n stembus of pakket stembriewe wat dan vir die doel van die verkiesing in gebruik is, vernietig, neem, oopmaak of hom op 'n ander wyse daarmee bemoei;

begaan 'n misdryf en is by skuldigbevinding strafbaar, as hy 'n kiesbeampste of 'n beampste aanwesig in 'n stemburo is, met gevangenisstraf vir 'n tydperk van hoogstens twee jaar, en as hy 'n ander persoon is, met gevangenisstraf vir 'n tydperk van hoogstens nege maande.

(2) In 'n akte van beskuldiging, dagvaarding of aanklag weens 'n misdryf met betrekking tot stembusse, stembriewe en amptelike merkinstrumente by 'n verkiesing kan verklaar word dat die eiendomsreg op die busse, stembriewe of instrumente, asook op die teenblaai, by die kiesbeampste by sodanige verkiesing berus.

(3) Word die kiesbeampste aldus beskuldig of aangekla, kan verklaar word dat die eiendomsreg by die Minister berus.

(4) Bewys dat 'n groter getal stembriewe in 'n stembus gevind is, of volgens opgawe by 'n stemburo ontvang is, as die getal kiesers wat by daardie stemburo gestem het, is prima facie bewys dat die stemopnemer van sodanige stemburo skuldig was aan die pleeg of aan die verlening van hulp en bystand by die pleeg van 'n misdryf ingevolge hierdie artikel.

Skending van geheimhouding

63. (1) Iedere beampste, kandidaat of sy agent wat by 'n stemburo of by die tel van stemme aanwesig is, moet die geheimhouding van die stemming in daardie buro handhaaf en help om dit te handhaaf, en mag aan geen persoon, uitgesonderd vir die een of ander regtens geoordloofde doel, enige inligting meedeel wat waarskynlik die geheimhouding van die stemming sal verydel nie.

(2) Behoudens die bepalings van hierdie Proklamasie, mag geen persoon hom met 'n kieser bemoei of probeer om hom met 'n kieser te bemoei wanneer sodanige kieser sy stembrief merk nie, of andersins by 'n stemming kragtens hierdie Proklamasie probeer om te wete te kom vir watter kandidaat 'n kieser op die punt staan om te stem of gestem het nie of te eniger tyd aan enige persoon meedeel vir watter kandidaat, volgens inligting wat verkry is, 'n kieser op die punt staan om te stem of gestem het nie.

(3) Geen persoon mag direk of indirek enige kieser beweeg om sy stembrief, nadat hy dit gemerk het, op so 'n wyse te vertoon dat enige persoon die naam van die kandidaat vir wie hy sy stembrief aldus gemerk het, te wete kom nie.

(4) Geen persoon mag op 'n stembrief enige merk of skrif aanbring waardeur 'n persoon wat met daardie stembrief stem, geïdentifiseer kan word nie.

or who on polling day uses any form of loudspeaker or forms or organises any procession of or demonstration by persons other than for official purposes or conducts any canvassing campaign within 500 metres from any polling station shall be guilty of an offence and liable upon conviction to a fine not exceeding R100 or to imprisonment for a period not exceeding three months.

Fraudulent ballot papers, etc.

62. (1) Any person who—

(a) forges or counterfeits or fraudulently destroys any ballot paper or the secret mark on any ballot paper;

(b) without due authority supplies a ballot paper to any person;

(c) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in;

(d) fraudulently takes out of the polling station any ballot paper; or

(e) without due authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purpose of the election;

shall be guilty of an offence and upon conviction liable if he is a returning officer or an officer present at a polling station, to imprisonment for a period not exceeding two years, and if he is any other person, to imprisonment for a period not exceeding nine months.

(2) In any indictment, summons or charge for an offence in relation to ballot boxes, ballot papers and official marking instruments at an election, the property in such boxes, papers and instruments, as well as the property in the counterfoils, may be stated to be in the returning officer at such election.

(3) If the returning officer is so indicted or charged, such property may be stated to be in the Minister.

(4) Proof that a greater number of ballot papers is found in a ballot box or is returned as having been received at a polling station than the number of voters who voted at that polling station shall be prima facie evidence that the polling officer of such polling station was guilty of the commission or aiding and abetting the commission of an offence under this section.

Infringement of secrecy

63. (1) Every officer, candidate or his agent present at a polling station or at the counting of votes shall maintain, and aid in maintaining, the secrecy of the voting in that station and shall not communicate, except for some purpose authorised by law, to any person any information likely to defeat the secrecy of the voting.

(2) No person, except as in this Proclamation provided, shall interfere with or attempt to interfere with a voter when such voter is marking his ballot paper, or otherwise attempt to obtain information as to the candidate for whom any voter is about to vote or has voted, or communicate at any time to any person any information obtained as to the candidate for whom any voter is about to vote or has voted at a taking of poll under this Proclamation.

(3) No person shall directly or indirectly induce any voter to display his ballot paper, after he has marked the same, in such a manner as to make known to any person the name of the candidate for whom the voter has so marked his ballot paper.

(4) No person shall place upon any ballot paper any mark or writing whereby a person who casts his vote(s) on that ballot paper may be identified.

(5) Iedere persoon wat by die tel van die stemme aanwesig is, moet die geheimhouding van die stemming handhaaf en help om dit te handhaaf, en mag nie probeer vasstel of aan 'n ander persoon meedeel vir watter kandidaat, volgens inligting wat by sodanige telling verkry is, op 'n bepaalde stembrief 'n stem uitgebring is nie.

(6) 'n Persoon wat by die vervulling van sy pligte kragtens hierdie Proklamasie te wete gekom het op watter kandidaat enige ander persoon sy stem uitgebring het, mag sodanige kennis nie bekendmaak nie, uitgesonderd in antwoord op 'n vraag wat wettiglik aan hom gestel is in die loop van verrigtings in 'n bevoegde hof.

(7) 'n Persoon wat enige van die bepalings van hierdie artikel oortree of versuim om daaraan te voldoen, begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens R200 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande.

Pligsversuim deur kiesbeampte of ander beampte

64. 'n Kiesbeampte of ander beampte of persoon wat opsetlik versuim om enige van die pligte te vervul wat kragtens die bepalings van hierdie Proklamasie hom opgelê is, begaan 'n misdryf en is by skuldigbevinding strafbaar, in die geval van 'n kiesbeampte, met 'n boete van hoogstens R400 en, in die geval van enige ander beampte of persoon, met 'n boete van hoogstens R200.

DEEL X

KORRUPTIE EN ONWETTIGE BEDRYWIGHED EN ANDER MISDRYWE IN VERBAND MET VERKIESINGS

Omskrywing van korrupte bedrywigheid

65. "Korrupte bedrywigheid" beteken enige van die misdrywe van trakteerdery, onbehoorlike beïnvloeding, omkoperij en uitgee vir 'n ander.

Trakteerdery

66. 'n Persoon wat korruptelik, hetsy voor, gedurende of na 'n verkiesing, self of deur 'n ander persoon direk of indirek aan of vir enige persoon voedsel, drank, vermaak, inwoning of lewensmiddele gee of verskaf of die koste om dit te gee of te verskaf, of 'n deel daarvan, betaal, met die doel om daardie persoon of 'n ander persoon korruptelik te beïnvloed om sy stem by die verkiesing uit te bring of nie uit te bring nie, of omdat daardie persoon of 'n ander persoon sy stem by die verkiesing uitgebring het of gaan uitbring of dit nie gedoen het of gaan doen nie, begaan die misdryf van trakteerdery.

Onbehoorlike beïnvloeding

67. (1) 'n Persoon wat, self of deur 'n ander persoon, direk of indirek, teen enige persoon geweld of dwang gebruik of dreig om te gebruik, of aan enige persoon enige wêreldlike of geestelike leed, skade, kwaad of verlies berokken of dreig om dit te berokken of iets ten nadele van enige persoon doen of dreig om dit te doen, ten einde daardie persoon te beweeg of te dwing om sy stem by 'n verkiesing uit te bring of nie uit te bring nie, of omdat hy sy stem by 'n verkiesing uitgebring het of nie uitgebring het nie, begaan die misdryf van onbehoorlike beïnvloeding.

(2) 'n Persoon wat deur ontvoering, dwang of enige bedrieglike middel die vrye uitoefening van die stemreg deur 'n kieser belemmer of belet of 'n kieser daardeur dwing, beweeg of oorhaal om sy stem by 'n verkiesing uit te bring of nie uit te bring nie, begaan die misdryf van onbehoorlike beïnvloeding.

(5) Every person present at the counting of votes shall maintain, and aid in maintaining, the secrecy of the voting, and shall not attempt to ascertain or communicate any information obtained at such counting as to the candidate for whom any vote is cast in any particular ballot paper.

(6) A person who has, in carrying out his duties under this Proclamation, obtained knowledge as to the candidate for whom any other person has voted shall not, except in answer to a question lawfully put to him in the course of proceedings in a competent court, disclose such knowledge.

(7) Any person who contravenes or fails to comply with any provision of this section shall be guilty of an offence and liable on conviction to a fine not exceeding R200 or to imprisonment for a period not exceeding 12 months.

Neglect by returning officer or other officer to perform his duties

64. Any returning officer or any other officer or person who wilfully fails to perform any of the duties which under the provisions of this Proclamation he is required to perform, shall be guilty of an offence and, in the case of a returning officer, be liable on conviction to a fine not exceeding R400 and in the case of any other officer or person, to a fine not exceeding R200.

PART X

CORRUPT AND ILLEGAL PRACTICES AND OTHER OFFENCES RELATING TO ELECTIONS

Definition of corrupt practice

65. "Corrupt practice" means any of the offences of treating undue influence, bribery and personation.

Treating

66. Any person who corruptly by himself or by any other person, either before, during or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing, any food, drink, entertainment, lodging or provisions to or for any person for the purpose of corruptly influencing that person or any other person to cast or refrain from casting his vote at an election, or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting at such election, shall be guilty of the offence of treating.

Undue influence

67. (1) Any person who directly or indirectly, by himself or by any other person, makes use or threatens to make use of any force, violence or restraint or inflicts or threatens to inflict any temporal or spiritual injury, damage, harm or loss upon or against, or does or threatens to do anything to the disadvantage of, any person in order to induce or compel that person to vote or refrain from voting, or on account of that person having voted or refrained from voting at any election, shall be guilty of the offence of undue influence.

(2) Any person who, by abduction, duress or fraudulent device or contrivance, impedes or prevents the free exercise of the franchise by any voter, or thereby compels, induces or prevails upon any voter either to cast or to refrain from casting his vote at any election, shall be guilty of the offence of undue influence.

Omkopery

68. (1) 'n Persoon begaan die misdryf van omkopery indien hy, self of deur 'n ander, direk of indirek—

(a) aan of vir 'n kieser, of aan of vir 'n persoon ten behoeve van 'n kieser, of aan of vir enige ander persoon, enige geld of enigiets anders, gee, leen of verkry of ooreenkom om dit te gee, te leen of te verkry of dit aanbied, belof of belof om dit te verkry of om te probeer om dit te verkry, ten einde 'n kieser te beweeg om sy stem by 'n verkiesing uit te bring of nie uit te bring nie, of korruptelik een van voormelde handelinge verrig omdat die kieser sy stem by 'n verkiesing uitbring het of nie uitbring het nie; of

(b) aan of vir 'n kieser, of aan of vir 'n persoon ten behoeve van 'n kieser, of aan of vir enige persoon, enige geld of enigiets anders gee of leen of ooreenkom om dit te gee of te leen, of dit aanbied, of belof om dit te verkry of om te probeer om dit te verkry, vir optrede in of deelname aan enige optog of betoging voor, gedurende of na 'n verkiesing; of

(c) aan of vir 'n persoon sodanige skenking, lening, aanbod, belofte, verkryging of ooreenkoms gee, verstrekk, doen of aangaan, ten einde sodanige persoon te beweeg om die verkiesing van 'n kandidaat by 'n verkiesing of die stem van 'n kieser by 'n verkiesing te verkry of om te probeer om dit te verkry; of

(d) teen of ten gevolge van sodanige skenking, lening, aanbod, belofte, verkryging of ooreenkoms, die verkiesing van 'n kandidaat by 'n verkiesing of die stem van 'n kieser by 'n verkiesing verkry, of onderneem, belof of probeer om dit te verkry; of

(e) aan of vir die gebruik van 'n ander persoon enige geld voorskiet of betaal of laat voorskiet of betaal met die bedoeling dat daardie geld of enige deel daarvan by 'n verkiesing aan omkopery bestee moet word, of willens en wetens aan 'n persoon enige geld betaal of laat betaal ter vereffening of terugbetaling van geld wat geheel of ten dele by 'n verkiesing aan omkopery bestee is; of

(f) voor of gedurende enige verkiesing, vir homself of 'n ander persoon, enige geld of lening ontvang of beding, omdat hy by 'n verkiesing gestem het of ooreengekom het om te stem, of omdat hy hom by 'n verkiesing van stemming onthou het of ooreengekom het om hom van stemming te onthou; of

(g) na 'n verkiesing geld ontvang omdat 'n persoon sy stem uitbring het of nie uitbring het nie of 'n ander persoon beweeg het om sy stem by enige verkiesing uit te bring of nie uit te bring nie; of

(h) eiendom oordra of transporteer of betrokke is by die oordrag of transport van eiendom, of enige geld betaal, of betrokke is by die betaal van enige geld, aan 'n persoon ten einde hom in staat te stel om te stem en daardeur sy stem by 'n toekomstige verkiesing te beïnvloed, of enige geld betaal of betrokke is by die betaling van enige geld ten behoeve van 'n kieser ten einde hom te beweeg om sy stem uit te bring of nie uit te bring nie.

(2) Geen bepaling van hierdie artikel mag uitgelê word nie as sou dit van toepassing wees op geld wat vir of weens bona fide en wettig aangevane verkiesingskoste betaal is of volgens ooreenkoms betaal moet word.

Uitgee vir 'n ander

69. 'n Persoon wat—

(a) by enige verkiesing in die naam van 'n ander persoon, hetsy lewend of afgestorwe, of van 'n denkbeeldige persoon, om 'n stembrief aansoek doen; of

(b) nadat hy een maal by 'n verkiesing gestem het, weer by 'n stemburo by dieselfde verkiesing om 'n stembrief aansoek doen;

begaan die misdryf van hom vir 'n ander uit te gee.

Bribery

68. (1) Any person shall be guilty of the offence of bribery if he, directly or indirectly, by himself or by any other person—

(a) gives, lends or procures, or agrees to give, lend or procure, or offers, promises, or promises to procure or to endeavour to procure any money or any other thing to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at any election; or

(b) gives, lends or agrees to give or lend, or offers, or promises to procure or to endeavour to procure any money or any other thing to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, for acting or joining in any procession or demonstration before, during or after any election; or

(c) makes any such gift, loan, offer, promise, procurement or agreement to or for any person in order to induce such person to procure or endeavour to procure, the return of any candidate at any election or the vote of any voter at any election; or

(d) upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures, or engages, promises or endeavours to procure, the return of any candidate at any election or the vote of any voter at any election; or

(e) advances or pays, or causes to be advanced or paid, any money to, or for the use of, any other person with the intent that such money, or any part thereof, shall be expended in bribery at any election, or knowingly pays, or causes to be paid, any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election; or

(f) before or during any election, receives, or contracts for any money or loan, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting, at any election; or

(g) after any election receives any money on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting at any election; or

(h) conveys or transfers or is concerned with the conveyance or transfer of any property, or pays or is concerned with the payment of any money, to any person for the purpose of enabling him to vote, thereby to influence his vote at any future election, or pays or is concerned with the payment of any money on behalf of any voter for the purpose of inducing him to vote or refrain from voting.

(2) Nothing in this section contained shall be construed as applying to any money paid or agreed to be paid for or on account of any electoral expenditure bona fide and lawfully incurred.

Personation

69. Any person who—

(a) at any election applies for a ballot paper in the name of some other person, whether living, dead or fictitious; or

(b) having voted once at any election, applies again at any polling station at the same election for a ballot paper;

shall be guilty of the offence of personation.

Strawwe vir korrupte bedrywighede en gevolge van skuldigbevinding

70. (1) 'n Persoon wat die misdryf begaan van hom vir 'n ander uit te gee, is by skuldigbevinding strafbaar met gevangenisstraf vir 'n tydperk van hoogstens twee jaar.

(2) 'n Persoon wat aan 'n ander korrupte bedrywigheid as dié van hom vir 'n ander uit te gee, skuldig bevind word, is by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met beide sodanige boete en sodanige gevangenisstraf.

(3) 'n Persoon wat aan 'n korrupte bedrywigheid skuldig bevind word, kan, benewens die straf hierin bepaal, deur die hof verklaar word onbevoeg te wees gedurende 'n tydperk van hoogstens vyf jaar vanaf die datum van skuldigbevinding—

(a) om by 'n verkiesing 'n stem uit te bring; of

(b) om 'n openbare of regterlike amp te beklee, en as hy enige sodanige amp beklee, kan die hof verklaar dat hy met ingang van genoemde datum die amp moet neerlê.

DEEL XI

ONWETTIGE BEDRYWIGHED

Korrupte verkryging van kandidatuur of terugtrekking daarvan

71. Geen persoon mag—

(a) 'n ander persoon korruptelik beweeg of oorhaal om, as teenprestasie vir 'n betaling of belofte van watter aard ook al, 'n kandidaat by enige verkiesing te word of as sodanig terug te trek nie; of

(b) as gevolg daarvan dat hy aldus beweeg of oorgehaal is, 'n kandidaat by enige verkiesing word of as sodanig terugtrek nie; of

(c) voor of gedurende 'n verkiesing, met die doel om die verkiesing van 'n ander kandidaat te bevorder of te bewerkstellig, 'n valse verklaring dat 'n kandidaat by 'n verkiesing teruggetrek het, publiseer nie, wetende dat die verklaring vals is.

Biljette, plakkate, ens., moet naam van uitgewer dra

72. (1) Alle biljette, plakkate, aanplakbiljette, pamflette, omsendbriewe of ander drukwerk wat op 'n verkiesing betrekking het, moet die naam en adres van die drukker of uitgewer daarvan duidelik dra.

(2) Geen persoon mag sodanige drukwerk wat nie die naam en adres van die drukker en uitgewer duidelik dra nie, druk, uitgee of aanplak of laat druk, uitgee of aanplak nie.

(3) Die eienaar en uitgewer van iedere nuusblad moet die woord "advertensie" as 'n opskrif laat druk by elke artikel of paragraaf in sy nuusblad wat verkiesingstof bevat, vir die opneming waarvan betaal is of gaan word of waarvoor 'n beloning of vergoeding of 'n belofte van beloning of vergoeding gegee is of gaan word.

(4) Die woord "verkiesingstof" in subartikel (3) gebesig, omvat alles wat, na die skyn geoordeel, bedoel of daarop bereken is om die uitslag van 'n verkiesing te beïnvloed, asook enige verslag van 'n toespraak van 'n kandidaat, indien vir die opneming van die verslag betaal word of gaan word.

(5) Alle verslae, briewe, artikels, biljette, plakkate, aanplakbiljette, pamflette, omsendbriewe, spotprente of ander drukwerk (hierna in hierdie subartikel nuusbladartikels genoem) wat, na die skyn geoordeel, bedoel of daarop bereken is om die uitslag van 'n verkiesing te beïnvloed, en in 'n nuusblad opgeneem of op 'n ander wyse geproduseer word en op of na die datum van die begin van die

Penalties for corrupt practices and consequences of conviction

70. (1) Any person guilty of the offence of personation shall be liable on conviction to imprisonment for a period not exceeding two years.

(2) Any person guilty of any corrupt practice (other than personation) shall be liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

(3) Any person convicted of any corrupt practice may, in addition to any punishment herein provided, be declared by the court incapable during a period not exceeding five years from the date of his conviction—

(a) of voting at any election; or

(b) of holding any public office or judicial office, and if he holds any such office, the court may declare that the office shall be vacated by him as from the said date.

PART XI

ILLEGAL PRACTICES

Corrupt procurement of candidature or withdrawal thereof

71. No person shall—

(a) corruptly induce or procure any other person to become a candidate or to withdraw as a candidate at any election, in consideration of any payment or promise of any nature; or

(b) become a candidate or withdraw as a candidate at any election in pursuance of such inducement or procurement; or

(c) before or during any election publish a false statement of the withdrawal of a candidate at an election for the purpose of promoting or procuring the election of any other candidate, knowing that statement to be false.

Bills, placards, etc., to bear publisher's name

72. (1) Every bill, placard, poster, pamphlet, circular or other printed matter having reference to an election shall clearly bear the name and address of the printer and publisher thereof.

(2) No person shall print, publish or post up or cause to be printed, published or posted up, any such printed matter which fails to bear clearly the name and address of the printer and publisher.

(3) The proprietor and publisher of every newspaper shall cause the word "advertisement" to be printed as a headline to each article or paragraph in his newspaper containing electoral matter, the insertion of which is or is to be paid for or for which any reward or compensation or promise of reward or compensation is or is to be made.

(4) The words "electoral matter" used in subsection (3) shall include all matters which on the face of it are intended or calculated to affect the result of an election, and any report of the speech of a candidate if the insertion of the report is or is to be paid for.

(5) Every report, letter, article, bill, placard, poster, pamphlet, circular, cartoon or other printed matter (hereinafter in this subsection called a newspaper article), which on the face of it is intended or calculated to affect the result of an election, and is inserted in any newspaper or otherwise produced and is published in Bophuthatswana or the Republic of South Africa on or after the date of

verkiesing van lede van die Wetgewende Vergadering in Bophuthatswana of die Republiek van Suid-Afrika gepubliseer word, moet onderaan die volle naam en adres dra van die persoon deur wie die nuusbladartikel geskryf of geproduseer is: Met dien verstande dat—

(a) enige sodanige nuusbladartikel wat soos voormeld in 'n nuusblad opgeneem word en wat wesenlik deur die redakteur van die nuusblad verander is, ook deur sodanige redakteur onderteken kan word;

(b) in die geval van 'n verslag van 'n openbare vergadering wat deur twee of meer persone gesamentlik geskryf is, dit vir doeleindes van hierdie subartikel voldoende is as die verslag in sy geheel op die voorkant daarvan die volle name en adresse dra van die persone deur wie dit geskryf is; en

(c) in die geval van opskrifte by 'n nuusbladartikel wat soos voormeld in enige nuusblad opgeneem is, en van biljette, plakate of aanplakbiljette wat daarop betrekking het en wat volgens die gewone gebruik van 'n nuusblad uitgegee word, dit vir doeleindes van hierdie subartikel voldoende is as die volle name en adresse van die persone deur wie sodanige opskrifte, biljette, plakate of aanplakbiljette geskryf is, met 'n verklaring dat sodanige opskrifte, biljette, plakate of aanplakbiljette deur daardie persone geskryf is, gepubliseer word in die uitgawe van die nuusblad waarin sodanige nuusbladartikel opgeneem word.

(6) Behoudens die bepalings van paragraaf (c) van die voorbehoudsbepaling by subartikel (5), mag geen persoon enige nuusblad of ander drukwerk waarin enige sodanige nuusbladartikel opgeneem of geproduseer is, wat nie op die voorkant daarvan die volle name en adres dra van die persoon deur wie dit geskryf of geproduseer is nie, druk of publiseer nie.

(7) Vir doeleindes van hierdie artikel word 'n verkiesing geag te begin op die datum van publikasie van die kennisgewing genoem in artikel 23.

Vergaderings op persele waar gewoonlik drank verkoop word

73. (1) Geen persoon mag—

(a) 'n perseel waarop die verkoop van bedwelmende drank, by wyse van groothandel of kleinhandel, deur 'n lisensie gemagtig is (ongegag of dit 'n lisensie is vir verbruik van drank op die perseel of daarbuite); of

(b) 'n perseel waar bedwelmende drank verkoop of verskaf word aan lede van 'n klub, genootskap of vereniging;

of 'n gedeelte van enige sodanige perseel, as 'n komiteekamer of vir 'n vergadering van kiesers ter bevordering of bewerkstelling van die verkiesing van 'n kandidaat by 'n verkiesing of in verband met reëlins wat deur 'n persoon of party met betrekking tot 'n verkiesing getref is, huur of gebruik nie.

(2) Geen persoon mag sodanige perseel of 'n gedeelte daarvan verhuur nie, wetende dat dit die bedoeling is om dit aldus te gebruik.

(3) Enige ooreenkoms wat strydig met subartikel (1) of (2) gesluit is, is van nul en gener waarde.

Strawwe vir onwettige bedrywighede

74. 'n Persoon wat aan 'n onwettige bedrywigheid skuldig is, is by skuldigbevinding strafbaar—

(a) in die geval van 'n onwettige bedrywigheid ingevolge artikel 72 (3), met 'n boete van hoogstens R100;

(b) in die geval van enige ander onwettige bedrywigheid, met 'n boete van hoogstens R200 en kan, waar geen onbevoegdheid spesiaal vir 'n bepaalde kategorie persone kragtens hierdie Proklamasie voorgeskryf word nie, ook deur die hof verklaar word, gedurende 'n tyd-

commencement of such election of members of the Legislative Assembly, shall bear at the foot thereof the full name and address of the person by whom such newspaper article was written or produced: Provided that—

(a) any such newspaper article which is inserted in any newspaper as aforesaid and which has been altered materially by the editor of such newspaper, may also be signed by such editor;

(b) in the case of a report of a public meeting which is written jointly by two or more persons, it shall be sufficient for the purposes of this subsection if the report as a whole bears upon the face of it the full names and addresses of the persons by whom it was written; and

(c) in the case of headlines to any newspaper article which is inserted in any newspaper as aforesaid, and bills, placards or posters having reference thereto, which are issued in the ordinary practice of a newspaper, it shall be sufficient for the purposes of this subsection if the full names and addresses of the persons by whom such headlines, bills, placards or posters were written, and a statement that such headlines, bills, placards or posters were written by such persons, are published in the issue of the newspaper in which such newspaper article is inserted.

(6) Subject to the provisions of paragraph (c) of the proviso to subsection (5) no person shall print or publish any newspaper or other printed matter in which is inserted or produced any such article, which fails to bear upon the face thereof the full name and address of the person by whom it was written or produced.

(7) For the purposes of this section an election shall be deemed to commence on the date of publishing of the notice referred to in section 23.

Meetings on premises where sale of liquor usually takes place

73. (1) No person shall hire or use—

(a) any premises on which the sale, by wholesale or retail, of any intoxicating liquor is authorised by licence (whether the licence be for consumption of liquor on or off the premises); or

(b) any premises where any intoxicating liquor is sold or is supplied to members of a club, society or association;

or any part of any such premises, as a committee room or for any meeting of voters for the purpose of promoting or procuring the election of a candidate at an election or in connection with arrangements made by any person or party in reference to an election.

(2) No person shall let any such premises or part thereof, knowing that it is intended to be so used.

(3) Any agreement entered into in contravention of subsection (1) or (2) shall be null and void.

Penalties for illegal practices

74. Any person guilty of an illegal practice shall be liable on conviction—

(a) in a case of an illegal practice under section 72 (3) to a fine not exceeding R100;

(b) in the case of any other illegal practice to a fine not exceeding R200 and may, where no incapacity is specially provided for any particular class of person under this Proclamation, further be declared by the court incapable during a period not exceeding two years

perk van hoogstens twee jaar vanaf die datum van die skuldigbevinding, onbevoeg te wees om 'n openbare of regterlike amp te beklee, en indien hy dan 'n openbare of regterlike amp beklee, kan die hof verklaar dat hy met ingang van genoemde datum die amp moet neerlê. Met dien verstande dat geen persoon aan 'n onwettige bedrywigheid ingevolge artikel 72 (2) skuldig bevind word nie as hy bewys dat hy onkundig omtrent die wetsvoorskrifte gehandel het.

Gevolge vir kandidaat

75. (1) (a) As by 'n verhoor bewys word dat 'n korrupte bedrywigheid of 'n onwettige bedrywigheid in verband met die verkiesing van 'n lid van die Wetgewende Vergadering deur of met die kennis en instemming of goedkeuring van enige kandidaat by daardie verkiesing begaan is, is die verkiesing van daardie kandidaat nietig en bestaan daar 'n toevallige vakature.

(b) 'n Persoon wat skuldig bevind word aan 'n korrupte of onwettige bedrywigheid in verband met 'n verkiesing kan, benewens enige straf wat hom opgelê word, deur die hof verklaar word, gedurende 'n tydperk van hoogstens vyf jaar na die datum van die bevinding, onbevoeg te wees om tot lid van die Wetgewende Vergadering verkies te word of daarin sitting te neem, of om in 'n openbare of regterlike amp aangestel of daartoe verkies te word, en indien hy dan 'n openbare of regterlike amp beklee, kan die hof verklaar dat hy met ingang van genoemde datum die amp moet neerlê.

(2) Behoudens die uitsonderings wat kragtens hierdie Proklamasie toegelaat word, is enige persoon wat enige van die bepalings van artikels 71 tot en met 74 oortree of versuim om daaraan te voldoen, aan 'n onwettige bedrywigheid skuldig.

Strawwe waar uitdruklike voorsiening ontbreek

76. Waar daar nie uitdruklike voorsiening gemaak word vir strawwe weens 'n misdryf ingevolge hierdie Proklamasie of weens 'n oortreding van enige bepaling daarvan of versuim om daaraan te voldoen nie, is die oortreder by skuldigbevinding strafbaar met 'n boete van hoogstens R100.

Gevalle waarvoor nie voorsiening gemaak is nie

77. In iedere geval waarvoor nie in hierdie Proklamasie of die Bophuthatswana-grondwetproklamasie, 1972 (Proklamasie R. 131 van 1972), voorsiening gemaak is nie, moet die bepalings van die toepaslike wette en regulasies en die gebruike met betrekking tot die hou van verkiesings van lede van die Parlement van die Republiek van Suid-Afrika gevolg word vir sover dit toegepas kan word op of aangepas kan word by die hou van verkiesings van lede van die Wetgewende Vergadering: Met dien verstande dat, ondanks andersluidende bepalings in hierdie Proklamasie of enige ander wet, by die verhoor van 'n verkiesingspetisie waarin die beswaar gemaak word dat 'n lid of lede vir enige kiesafdeling in Bophuthatswana onbehoorlik verkies of onbehoorlik verkies verklaar is, op grond van gebrek aan bevoegdheid, onbevoegdheid, korrupte of onwettige bedrywigheid, onreëlmatigheid of op welke ander grond ook al, en wat ingevolge Hoofstuk VI van die Wet tot Konsolidasie van die Kieswette, 1946 (Wet 46 van 1946), voorgelê is, die onus by die petisionarisse berus om tot bevrediging van die hof sodanige gebrek aan bevoegdheid, onbevoegdheid, korrupte of onwettige bedrywigheid, te bewys, en indien aldus bewys, om met 'n oorwig van waarskynlikheid te toon dat sodanige gebrek aan bevoegdheid, onbevoegdheid, korrupte of onwettige bedrywigheid, onreëlmatigheid of ander rede wat in sodanige petisie aangevoer word, die uitslag van die verkiesing in die bepaalde kiesafdeling kon beïnvloed het.

from the date of the conviction of filling a public office or judicial office and if he then holds a public office or judicial office, the court may declare that the office shall be vacated by him as from the said date: Provided that no person shall be convicted of an illegal practice under section 72 (2), if he proves that he acted in ignorance of the requirements of the law.

Consequences to the candidate

75. (1) (a) If upon trial it is proved that any corrupt practice or illegal practice has been committed in reference to the election of a member of the Legislative Assembly by or with the knowledge and consent or approval of any candidate at that election, the election of that candidate shall be void and a casual vacancy shall exist.

(b) Any person found guilty of a corrupt or illegal practice in connection with an election may in addition to any penalty imposed be declared by the court incapable for a period not exceeding five years next after the date of the finding of being elected a member of or of sitting in the Legislative Assembly or of being appointed or elected to any public office or judicial office and if he then holds a public or judicial office the court may declare that the office shall be vacated by him from the said date.

(2) Subject to such exceptions as may be allowed under this Proclamation any person who contravenes or fails to comply with any of the provisions of sections 71 to 74 inclusive shall be guilty of an illegal practice.

Penalties where not expressly provided

76. Where no penalties are expressly provided for an offence against this Proclamation or for the contravention of any provision thereof or failure to comply therewith, the offender shall be liable on conviction to a fine not exceeding R100.

Cases for which no provision is made

77. In every case not provided for in this Proclamation or in the Bophuthatswana Constitution Proclamation, 1972 (Proclamation R. 131 of 1972), resort shall be had to the applicable laws, regulations and practices which have reference to the conduct of elections of members of the Parliament of the Republic of South Africa which shall be followed in so far as they can be applied or adapted to the conduct of elections of members of the Legislative Assembly: Provided that notwithstanding anything to the contrary in this Proclamation or any other law contained, at the trial of an election petition complaining of an undue return or an undue election of a member or members for any electoral division in Bophuthatswana by reason of want of qualification, disqualification, corrupt or illegal practice, irregularity, or by reason of any other cause whatever, and presented in terms of Chapter VI of the Electoral Consolidation Act, 1946 (Act 46 of 1946), the onus shall be on the petitioners to prove to the satisfaction of the court such want of qualification, disqualification, corrupt or illegal practice, irregularity or other reason advanced in such petition, and if so proven, to show, on a preponderance of probability, that such want of qualification, disqualification, corrupt or illegal practice, irregularity or other reason advanced in such petition, could have affected the result of the election in the particular electoral division.

AANHANGSEL
LYS VAN VOORGESKREWE VORMS
REGISTRASIE VAN KIESERS

<i>Nommer van vorm</i>	<i>Beskrywing van vorm</i>	<i>Artikel</i>
BI (E) 1....	Registrasiekaart (mans).....	11 (1)
BI (E) 1 (a)	Registrasiekaart (vrouens).....	11 (1)
BI (E) 2....	Weiering van registrasie.....	11 (2)
BI (E) 3....	Opgawe van griffiers en klerke van die hof..	14 (c)
BI (E) 4....	Opgawe van persone wat uit inrigtings vir siel siektes ontslaan is	14 (d)
BI (E) 5....	Kennisgewing van beswaar.....	17 (1)
BI (E) 6....	Kennisgewing van beswaar/erkenning van ontvangs van beswaar	17 (2)
BI (E) 7....	Besonderhede aangeteken met betrekking tot 'n beswaar	17 (4)
BI (E) 8....	Kennisgewing van uitslag van beswaar aan beswaarmaker/persoon teen wie beswaar gemaak is/verkiegingsbeampte	17 (5) en (6)
BI (E) 9....	Besonderhede aangeteken as gevolg van 'n appél teen die beslissing van 'n registrasie-beampte	18 (1)
BI (E) 10...	Kennisgewing van appél teen die beslissing van 'n distriksbeheerbeampte	19 (1)
BI (E) 11...	Uitslag van appél na die verkiegingsbeampte	21 (1)
HOU VAN VERKIESINGS		
BI (E) 12...	Verklaring deur voorsteller van kandidaat..	24 (3) (a)
BI (E) 13...	Verklaring deur sekondant.....	24 (3) (b)
BI (E) 14...	Verklaring deur kandidaat.....	24 (3) (c)
BI (E) 15...	Kennisgewing deur kiesbeampte van uitslag van nominasiehof	25
BI (E) 16...	Aanstelling van agent.....	30
BI (E) 17...	Verklaring van geheimhouding.....	35
BI (E) 18...	Stembrief.....	37
BI (E) 19...	Stembriefopgawe.....	41 (2)
BI (E) 20...	Etiket vir verkiegingstukke.....	41 (3) en 47 (2) (a)
BI (E) 21...	Opgawe van getal stemme uitgebring.....	46

BI (E) 1 (Mans)

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA

Kiesafdeling..... Bewysboekno.....
 Name voluit.....
 Van.....
 Ek verklaar hierby dat bogemelde persoon vandag wettiglik as kieser in bogemelde kiesafdeling geregistreer is.
 Registrasiedistrik.....
 Plek.....

Handtekening van registrasiebeampte

Datum.....

BI (E) 1 (a) (Vrouens)

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA

Kiesafdeling..... Bewysboekno.....
 Name voluit.....
 Van.....
 Ek verklaar hierby dat bogemelde persoon vandag wettiglik as kieser in bogemelde kiesafdeling geregistreer is.
 Registrasiedistrik.....
 Plek.....

Handtekening van registrasiebeampte

Datum.....

BI (E) 2

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA
WEIERING VAN REGISTRASIE

Aan..... Bewysboekno.....

Ek moet u meedeel dat u aansoek om geregistreer te word as kieser in die kiesafdeling geweier is om die volgende rede(s).....

U kan binne 7 dae na die datum van hierdie kennisgewing persoonlik appél by die distriksbeheerbeampte aanteken teen hierdie weiering en u moet hierdie kennisgewing toon wanneer u aldus appelleer.
 Plek.....

Handtekening van die registrasiebeampte

Datum.....

Aan bogemelde appellant,

Geliewe kennis te neem dat u appél verwerp is om die volgende rede(s).....

ANNEXURE
LIST OF PRESCRIBED FORMS
REGISTRATION OF VOTERS

<i>Number of form</i>	<i>Description of form</i>	<i>Section</i>
BI (E) 1....	Registration card (men).....	11 (1)
BI (E) 1 (a).	Registration card (women).....	11 (1)
BI (E) 2....	Refusal of registration.....	11 (2)
BI (E) 3....	Return by registrars and clerks of court....	14 (c)
BI (E) 4....	Return of persons discharged from mental institutions	14 (d)
BI (E) 5....	Notice of objection.....	17 (1)
BI (E) 6....	Notice of objection/acknowledgement of receipt of objection	17 (2)
BI (E) 7....	Particulars recorded in connection with objection	17 (4)
BI (E) 8....	Notice of result of objection to objector/ person objected to/electoral officer	17 (5) and (6)
BI (E) 9....	Particulars recorded as a result of an appeal against the decision of a registration officer	18 (1)
BI (E) 10...	Notice of appeal against the decision of a district control officer	19 (1)
BI (E) 11...	Result of appeal to electoral officer.....	21 (1)

CONDUCT OF ELECTIONS

BI (E) 12...	Declaration by proposer of candidate.....	24 (3) (a)
BI (E) 13...	Declaration by seconder.....	24 (3) (b)
BI (E) 14...	Declaration by candidate.....	24 (3) (c)
BI (E) 15...	Notification by returning officer of result of nomination court	25
BI (E) 16...	Appointment of agent.....	30
BI (E) 17...	Declaration of secrecy.....	35
BI (E) 18...	Ballot paper.....	37
BI (E) 19...	Ballot paper return.....	41 (2)
BI (E) 20...	Label for electoral matter.....	41 (3) and 47 (2) (a)
BI (E) 21...	Statement of number of votes polled.....	46

BI (E) 1 (Men)

REGISTRATION OF VOTERS: BOPHUTHATSWANA

Electoral Division..... Reference Book No.....
 Names in full.....
 Surname.....

I hereby declare that the above-named person has today been lawfully registered as a voter in the above-named electoral division.
 Registration district.....
 Place.....

Signature of registration officer

Date.....

BI (E) 1 (a) (Women)

REGISTRATION OF VOTERS: BOPHUTHATSWANA

Electoral Division..... Reference Book No.....
 Names in full.....
 Surname.....

I hereby declare that the above-named person has today been lawfully registered as a voter in the above-named electoral division.
 Registration District.....
 Place.....

Signature of registration officer

Date.....

BI (E) 2

REGISTRATION OF VOTERS: BOPHUTHATSWANA
REFUSAL OF REGISTRATION

To..... Reference Book No.....

I have to advise you that your application to be registered as a voter in the electoral division of..... has been refused for the following reason(s).....

You may within seven days of the date of this notice personally appeal to the district control officer against this refusal and must produce this notice when so appealing.

Place.....

Signature of registration officer

Date.....

To the above-named appellant,

I have to advise you that your appeal has been disallowed for the following reason(s).....

Plek.....

Handtekening van distriksbeheerbeampte

Datum.....

BI (E) 3

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA

OPGAWE VAN VEROORDEELDE EN GEESTELIK
GEKRENKTE PERSONE

Datumstempel

Die Verkiesingsbeampte.

Onderstaande is 'n opgawe van geregistreerde Bophuthatswana-kiesers wat (1) deur die hof te.....

gedurende die maand 19 skuldig bevind is aan 'n korrupte of onwettige bedrywigheid met betrekking tot 'n verkiesing of aan hoogverraad of moord; of (2) kranksinnig of geestelik gekrenk of gebrekkig verklaar is of kragtens die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973) as geestelik gekrenk of gebrekkig aangehou word.

Griffier/Klerk van die hof

[illegible]

BI (E) 4

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA

OPGAWE VAN PERSONE WAT UIT 'N INRIGTING VIR SIELSIEKES ONTSLAAN IS

Datumstempel

Die Verkiesingsbeampte,

Onderstaande is 'n opgawe van geregistreerde Bophuthatswana-kiesers wat ingevolge 'n hofbevel geestelik gekrenk of gebrekkig verklaar is en wat gedurende die maand.....19..... as 'n herstelde pasiënt uit hierdie inrigting ontslaan is.

Inrigting.

Geneesheer/Superintendent

Datum.....

Bewysboek No.	Name	Van	Kiesafdeling	Datum van ontslag

If you are not satisfied with this decision you may within 14 days of the date of this notice appeal through me to the electoral officer, on the prescribed form BI (E) 10, and you must attach this notice to the said form when so appealing.

Place.....

Signature of district control officer

Date.....

BI (E) 3

REGISTRATION OF VOTERS: BOPHUTHATSWANA

RETURN OF CONVICTED AND MENTALLY DISORDERED PERSONS

Date stamp

The Electoral Officer,

The following is a return of registered Bophuthatswana voters who have been (1) convicted by the court at.....

during the month of.....19.....
of any corrupt or illegal practice in connection with an election or
of treason or murder; or (2) declared of unsound mind or mentally
disordered or defective or detained as mentally disordered or defective
under the Mental Health Act, 1973 (Act 18 of 1973).

Registrar/Clerk of the Court

[illegible]

BI (E) 4

REGISTRATION OF VOTERS: BOPHUTHATSWANA

RETURN OF PERSONS DISCHARGED FROM A MENTAL INSTITUTION

Date stamp

The Electoral Officer.

The following is a return of registered Bophuthatswana voters who are subject to Orders of Court declaring them to be mentally disordered or defective and who during the month of..... 19..... were discharged from this institution as recovered.

Institution

Date.....

Physician/Superintendent

[illegible]

BI (E) 5

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA

KENNISGEWING VAN BESWAAR

Die Distriksbeheerbeampte,

Met betrekking tot die registrasie van (volle name).....

..... van (adres).....

(Bewysboek No.....)

as kieser in die kiesafdeling.....

geliewe kennis te neem dat ek hierby beswaar maak teen—

- *(a) die opname of behoud van die naam van genoemde persoon in die register van kiesers;
- *(b) die byvoeging of terugplasing van die naam van genoemde persoon op die register van kiesers;
- *(c) die verwydering van die naam van genoemde persoon uit die register van kiesers.

Die redes vir die beswaar is.....

en ek versoek dat u die saak in heroorweging neem en my van u besluit verwittig.

Handtekening van beswaarmaker

Naam en adres van beswaarmaker (blokletters):

* Skrap paragrawe wat nie van toepassing is nie.

BI (E) 6

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA

*KENNISGEWING VAN BESWAAR/ERKENNING VAN ONTVANGS VAN BESWAAR

Aan.....

'n Beswaar is aangeteken teen *die opname of behoud in/die byvoeging of terugplasing op/die verwydering uit die register van kiesers vir die kiesafdeling.....

van die naam van.....

Bewysboek No.....

deur (naam).....

van (adres).....

om die volgende rede(s).....

*Ontvangs van bogenoemde beswaar word hierby erken.

*Geliewe kennis te neem dat bogenoemde beswaar teen u ingedien is.

U kan, indien u dit verlang, binne 21 dae na die datum van hierdie kennisgewing, persoonlik of skriftelik verhoë in dié verband rig.

U sal verwittig word van die uitslag van sodanige verhoë.

Plek.....

Distriksbeheerbeampte

Datum.....

* Skrap paragraaf of woorde wat nie van toepassing is nie.

BI (E) 5

REGISTRATION OF VOTERS: BOPHUTHATSWANA

NOTICE OF OBJECTION

The District Control Officer,

In regard to the registration of (names in full).....

..... of (address).....

(Reference Book No.....)

as a voter in the electoral division of.....

please take notice that I hereby object to—

- *(a) the inclusion or retention of the name of the said person in the register of voters;
- *(b) the addition or restoration of the name of the said person to the register of voters;
- *(c) the removal of the name of the said person from the register of voters.

The grounds of the objection is.....

and I request that you review the matter and inform me of your decision.

Signature of objector

Name and address of objector (block letters):

* Delete paragraphs not applicable.

BI (E) 6

REGISTRATION OF VOTERS: BOPHUTHATSWANA

*NOTICE OF OBJECTION/ACKNOWLEDGEMENT OF RECEIPT OF OBJECTION

To.....

An objection has been lodged against *the inclusion or retention in/the addition or restoration to/the removal from the register of voters for the electoral division of.....

of the name of.....

Reference Book No.....

by (name).....

of (address).....

for the reason(s) that.....

*Receipt of the above objection is hereby acknowledged.

*Please take notice that the above-mentioned objection has been lodged against you.

You may, if you so desire, within 21 days of the date of this notice, personally or in writing, furnish any representations you wish to make in this regard.

You will be advised of the result of such representations.

Place.....

District control officer

Date.....

* Delete paragraphs or words not applicable.

BI (E) 7

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA
BESONDERHEDE AANGETEKEN MET BETREKKING TOT 'N BESWAAR

Naam van persoon wat beswaar maak Naam van persoon teen wie beswaar gemaak is

.....

.....

.....

Adres..... Bewysboek No.....

..... Adres.....

Redes vir beswaar en besonderhede deur beswaarmaker verstrek: Besonderhede verstrek deur persoon teen wie beswaar gemaak is:

.....

.....

.....

.....

.....

.....

Ek is oortuig dat die persoon teen wie beswaar gemaak is, *bevoeg is/nie bevoeg is nie om as kieser geregistreer te word en die beswaar word derhalwe *verwerp/gehandhaaf.

Plek.....

Datum..... Distriksbeheerbeampte

* Skrap woorde wat nie van toepassing is nie.

Let wel.—Enige skriftelike vertoë wat gerig word, moet aan hierdie vorm geheg word.

BI (E) 8

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA
KENNISGEWING AAN *BESWAARMAKER/PERSOON TEEN WIE BESWAAR GEMAAK IS, DAT BESWAAR *GEHAND-HAAF/VERWERP IS

Aan.....

Registrasie van..... (Bewysboek No.....)

as kieser in die kiesafdeling.....

Met betrekking tot die beswaar ten opsigte van die registrasie van bogemelde persoon ingedien deur..... moet ek u meedeel dat aangesien ek die gronde waarop beswaar gemaak is, naamlik.....

na behoorlike ondersoek as *voldoende/onvoldoende beskou om die *opname of behoud in/die byvoeging of terugplasing op/die verwydering uit die register van kiesers vir genoemde kiesafdeling van die naam van bogemelde kieser te regverdig, die beswaar *gehandhaaf/verwerp is.

Die naam van genoemde persoon is gevolglik *opgeneem/behou in/bygevoeg by/teruggeplaas op/verwyder uit die register van kiesers vir genoemde kiesafdeling.

Plek.....

Datum..... Distriksbeheerbeampte

* Skrap woorde wat nie van toepassing is nie.

Let wel.—Indien dit as gevolg van bogenoemde beslissing nodig is om 'n verandering in 'n register van kiesers aan te bring, moet die distriksbeheerbeampte 'n afskrif van hierdie vorm aan die verkiesings-beampte stuur.

BI (E) 7

REGISTRATION OF VOTERS: BOPHUTHATSWANA
PARTICULARS RECORDED IN CONNECTION WITH AN OBJECTION

Name of objector Name of person objected to

.....

.....

.....

Address..... Reference Book No.....

..... Address.....

.....

Grounds of objection and particulars furnished by objector: Particulars furnished by person objected to:

.....

.....

.....

.....

.....

.....

I am satisfied that the person objected to is *qualified/not qualified to be registered as a voter and the objection is therefore *disallowed/upheld.

Place.....

Date..... District control officer

Date.....

* Delete words not applicable.

Note.—Any written representations submitted must be attached to this form.

BI (E) 8

REGISTRATION OF VOTERS: BOPHUTHATSWANA
NOTICE TO *OBJECTOR/PERSON OBJECTED TO THAT OBJECTION HAS BEEN *UPHELD/DISALLOWED

To.....

Registration of..... (Reference Book No.....) as a voter in the electoral division of.....

In regard to the objection relating to the registration of the above-named person, lodged by....., I have to inform you that, since the grounds of objection, namely.....

are regarded by me, after due enquiry, as *sufficient/insufficient to warrant the *inclusion or retention in/the addition or restoration to/the removal from the register of voters for the said division of the name of the said voter, the objection has been *upheld/disallowed.

The name of the said person has accordingly been *included in/retained in/added to/restored to/removed from the register of voters for the said electoral division.

Place.....

Date..... District control officer

Date.....

* Delete the words not applicable.

Note.—If as a result of the above decision it is necessary to make an amendment to a register of voters, the district control officer shall forward a copy of this form to the electoral officer.

BI (E) 9

BI (E) 9

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA

REGISTRATION OF VOTERS: BOPHUTHATSWANA

BESONDERHEDE AANGETEKEN AS GEVOLG VAN 'N
APPEL TEEN DIE BESLISSING VAN 'N REGISTRASIE-
BEAMPTTE

PARTICULARS RECORDED AS A RESULT OF AN APPEAL
AGAINST THE DECISION OF A REGISTRATION OFFICER
(To be completed if the decision of the registration officer is upheld)

(Moet ingevul word indien beslissing van registrasiebeampte gehand-
haaf word)

Name en van van appellant (voluit).....

Bewysboek No.....

Adres.....

Registrasiedistrik.....

Kiesafdeling.....

Besonderhede verstrek ter staving van eis om registrasie.....

Bogenoemde appellant is onbevoeg vir registrasie as kieser om die
volgende rede(s).....

en die appel is dus verwerp.

Plek.....

Datum.....

Distriksbeheerbeampte

Let wel.—Indien die appellant verlang om na die verkiesings-
beampte teen bogenoemde beslissing te appelleer, moet hierdie vorm
aan die kennisgewing van appel BI (E) 10 geheg word.

BI (E) 10

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA

REGISTRATION OF VOTERS: BOPHUTHATSWANA

KENNISGEWING VAN APPEL TEEN DIE BESLISSING VAN
'N DISTRIKSBEHEERBEAMPTTE

NOTICE OF APPEAL AGAINST THE DECISION OF A
DISTRICT CONTROL OFFICER

Die Distriksbeheerbeampte,

The District Control Officer,

Ek is nie tevrede nie met u beslissing soos uiteengesit in die aan-
gehegte kennisgewing *BI (E) 2/BI (E) 8 om die volgende redes.....

I am not satisfied with your decision as set out in the attached
notice *BI (E) 2/BI (E) 8 for the following reasons.....

Ek versoek hierby dat die saak na die verkiesingsbeampte verwys
word vir herooring en sy beslissing.

I hereby request that the matter be submitted to the electoral officer
for review and his decision.

Appellant

Adres.....

Datum.....

Die Verkiesingsbeampte,

Bogenoemde appel tesame met die besonderhede deur my aan-
geteken op vorm *BI (E) 7/BI (E) 9 word hierby aangestuur vir u
beslissing.

Plek.....

Datum.....

Distriksbeheerbeampte

* Skrap nommer wat nie van toepassing is nie.

BI (E) 11

REGISTRASIE VAN KIESERS: BOPHUTHATSWANA

REGISTRATION OF VOTERS: BOPHUTHATSWANA

UITSLAG VAN APPEL NA DIE VERKIESINGSBEAMPTTE

RESULT OF APPEAL TO ELECTORAL OFFICER

Aan.....

To.....

Geliewe kennis te neem dat u appel teen die *insluiting of behoud
in/byvoeging by/terugplasing op/verwydering uit die register van
kiesers vir die kiesafdeling.....

I have to advise you that your appeal against the *inclusion or
retention in/the addition or restoration to/removal from the register
of voters for the electoral division of.....

van die naam van.....

of the name of.....

(Bewysboek No.....) behoorlik oorweeg is en dat
die beslissing van die distriksbeheerbeampte te.....

(Reference Book No.....) has been duly considered and
the decision of the district control officer at.....

*verwerp/bekragtig is.

has been *overruled/upheld.

Die naam van voormelde persoon moet derhalwe *opgeneem word/
behou word in/bygevoeg word by/teruggeplaas word op/verwyder
word uit genoemde register van kiesers.

The name of the said person is therefore to be *included in/retained
in/added to/restored to/removed from the said register of voters.

*Geliewe u derhalwe by die kantoor van genoemde distriksbeheer-
beampte aan te meld met die doel om geregistreer te word en om hierdie
kennisgewing aan hom te toon.

*You are therefore requested to report at the office of the said
district control officer for the purpose of registration and to produce
this notification to him.

Plek.....

Place.....

Datum.....

Date.....

Verkiesingsbeampte

* Skrap woorde of paragraaf wat nie van toepassing is nie.

* Delete words or paragraphs not applicable.

Die Distriksbeheerbeampte,

The District Control Officer,

Aangestuur vir u inligting en die nodige stappe, asseblief.

Forwarded for your information and the necessary action please.

Verkiesingsbeampte

Electoral officer

BI (E) 12

VERKIESINGS: BOPHUTHATSWANA
VERKLARING DEUR VOORSTELLER VAN KANDIDAAT

Ek.....
(Bewysboek No.....) (Beroep.....)
van (adres).....

nomineer hierby.....
(Bewysboek No.....) (Beroep.....)
van (adres).....

as kandidaat vir verkiesing in die kiesafdeling.....
en verklaar *plegtig/onder eed dat ek
geregistreer is as kieser in genoemde kiesafdeling.

Voorsteller

Die verklaarder het erken dat *hy/sy vertrou is met die inhoud
van hierdie *beëdigde verklaring/verklaring en dit begryp.

Geteken en *beëdig/bevestig voor my te.....
op hede die.....dag van.....19.....

Kommissaris van Ede

Gebied.....

Hoedanigheid.....

*Skrap wat nie van toepassing is nie.

BI (E) 13

VERKIESING: BOPHUTHATSWANA
VERKLARING DEUR SEKONDANT

Ek.....
(Bewysboek No.....) (Beroep.....)
van (adres).....

sekondeer hierby die nominasie van.....
(Bewysboek No.....) (Beroep.....)
van (adres).....

as kandidaat vir verkiesing in die kiesafdeling.....
en verklaar *plegtig/onder eed dat ek geregi-
streer is as kieser in genoemde kiesafdeling.

Sekondant

Die verklaarder het erken dat *hy/sy vertrou is met die inhoud
van hierdie *beëdigde verklaring/verklaring en dit begryp.

Geteken en *beëdig/bevestig voor my te.....
op hede die.....dag van.....19.....

Kommissaris van Ede

Gebied.....

Hoedanigheid.....

*Skrap wat nie van toepassing is nie.

BI (E) 14

VERKIESINGS: BOPHUTHATSWANA
VERKLARING DEUR KANDIDAAT

Ek.....
(Bewysboek No.....) (Beroep.....)
van (adres).....

stem hierby toe en aanvaar die nominasie as kandidaat vir die ver-
kiesing in die kiesafdeling.....
en verklaar *plegtig/onder eed dat ek nie onderhewig is nie aan enige
van die diskwalifikasies genoem in artikel 6 van die Bophuthatswana-
grondwetproklamasie, 1972 (Proklamasie R.131 van 1972).

Kandidaat

Die verklaarder het erken dat *hy/sy vertrou is met die inhoud
van hierdie *beëdigde verklaring/verklaring en dit begryp.

Geteken en *beëdig/bevestig voor my te.....
op hede die.....dag van.....19.....

Kommissaris van Ede

Gebied.....

Hoedanigheid.....

*Skrap wat nie van toepassing is nie.

BI (E) 12

ELECTIONS: BOPHUTHATSWANA
DECLARATION BY PROPOSER OF CANDIDATE

I.....
(Reference Book No.....) of (address).....

do hereby nominate.....
(Reference Book No.....)
(Occupation.....)
of (address).....

as a candidate for election in the electoral division of.....
and I hereby *solemnly declare/declare under oath that I am registered
as a voter in the said electoral division.

Proposer

The deponent has acknowledged that *he/she knows and under-
stands the contents of this *affidavit/declaration.

Signed and *sworn to/affirmed before me at.....
this.....day of....., 19.....

Commissioner of Oaths

Area.....

Capacity.....

* Delete whichever is not applicable.

BI (E) 13

ELECTIONS: BOPHUTHATSWANA
DECLARATION BY SECONDER

I.....
(Reference Book No.....) of (address).....

do hereby second the nomination of.....
(Reference Book No.....)
(Occupation.....)
of (address).....

as a candidate for election in the electoral division of.....
and I hereby *solemnly declare/declare
under oath that I am registered as a voter in the said electoral division.

Secunder

The deponent has acknowledged that *he/she knows and under-
stands the contents of this *affidavit/declaration.

Signed and *sworn to/affirmed before me at.....
this.....day of....., 19.....

Commissioner of Oaths

Area.....

Capacity.....

* Delete whichever is not applicable.

BI (E) 14

ELECTIONS: BOPHUTHATSWANA
DECLARATION BY CANDIDATE

I.....
(Reference Book No.....) (Occupation.....)
of (address).....

do hereby consent to and accept the nomination as a candidate for
election in the electoral division of.....
and I hereby *solemnly declare/declare under oath that I am not
subject to any of the disqualifications mentioned in section 6 of the
Bophuthatswana Constitution Proclamation, 1972 (Proclamation
R. 131 of 1972).

Candidate

The deponent has acknowledged that *he/she knows and under-
stands the contents of this *affidavit/declaration.

Signed and *sworn to/affirmed before me at.....
this.....day of....., 19.....

Commissioner of Oaths

Area.....

Capacity.....

* Delete whichever is not applicable.

BI (E) 15

VERKIESINGS: BOPHUTHATSWANA

KENNISGEWING DEUR KIESBEAMPTTE VAN UITSLAG VAN NOMINASIEHOF

Die Verkiegingsbeampte,

Ek wens te berig dat by die afsluiting van die nominasiehof deur my gehou te....., op hede die..... dag van..... 19..... die *kandidaat/kandidate hieronder genoem behoorlik genomineer is vir verkiesing tot *lid/lede van die Wetgewende Vergadering vir die kiesafdeling.....

KANDIDATE GENOMINEER

Van	Name voluit	Bewys- Boek No.	Adres	Beroep

Plek.....

Kiesbeampte

Datum.....

*Skrap wat nie van toepassing is nie.

BI (E) 16

VERKIESINGS: BOPHUTHATSWANA

AANSTELLING VAN AGENT

Hierby word gesertifiseer dat ek.....
(Bewysboek No.....)
van (adres).....
aangestel het as my agent in die stembestrik.....
Datum.....

Handtekening van kandidaat

Volle name van kandidaat.....
Adres van kandidaat.....
Bewysboek No. van kandidaat.....
Kiesafdeling.....
Die Distriksbeheerbeampte,
Afskrif vir u rekords.

Handtekening van kandidaat

Let wel.—

- 'n Kandidaat kan een of meer agente aanstel, maar slegs een agent per kandidaat mag namens hom binnekant die stemburo of op die plek waar stemme getel word, teenwoordig wees.
- Enige agent wat binnekant 'n stemburo of op die plek waar stemme getel word, teenwoordig is, moet die welik voorgeskrewe verklaring van geheimhouding op die voorgeskrewe vorm BI (E) 17 voor die aanvang van die stemming aflê.
- Hierdie vorm moet in duplo ingevul word en 'n afskrif moet aan die betrokke distriksbeheerbeampte gestuur word.

BI (E) 17

VERKIESINGS: BOPHUTHATSWANA

VERKLARING VAN GEHEIMHOUDING

Ek.....
beloof hierby plegtig en verklaar dat ek by hierdie verkiesing van 'n *lid/lede van die Bophuthatswana- Wetgewende Vergadering niks sal doen nie wat verbode is by artikel 63 van Proklamasie R. 150 van 1972, wat ek gelees het en volkome begryp.
Bewysboek No.....

*Kiesbeampte/Stemopnemer/Telbeampte
Kandidaat/Agent/Getuie

Adres.....

Datum.....

Bostaande verklaring is voor my afgelê en onderteken op hede die..... dag van..... 19.....

Plek.....

Datum.....

*Kiesbeampte/Vrederegter/Kommissaris
van Ede

* Skrap wat nie van toepassing is nie.

BI (E) 15

ELECTIONS: BOPHUTHATSWANA

NOTIFICATION BY RETURNING OFFICER OF RESULT OF NOMINATION COURT

The Electoral Officer,

I have to report that at the conclusion of the nomination court held by me at....., this..... day of....., 19..... the *candidate(s) mentioned below *was/were duly nominated for election as a *member/members of the Legislative Assembly for the electoral division of.....

CANDIDATES NOMINATED

Surname	Names in full	Ref. Book No.	Address	Occupation

Place.....

Returning Officer

Date.....

* Delete whichever is not applicable.

BI (E) 16

ELECTIONS: BOPHUTHATSWANA

APPOINTMENT OF AGENT

This is to certify that I have appointed.....
(Reference Book No.....)
of (address).....

to be my agent in the.....
polling district.
Date.....

Signature of candidate

Candidate's full names.....
Candidate's address.....
Candidate's Reference Book No.....
Electoral division.....
The District Control Officer,
Copy for your records.

Signature of candidate

Note.—

- A candidate may appoint one or more agents but only one agent per candidate may be present on his behalf inside a polling station or at a place where the counting of votes takes place.
- Any agent present inside a polling station or at a place where the counting of votes takes place must make the prescribed statutory declaration of secrecy on the prescribed form BI (E) 7 before the opening of the poll.
- This form must be completed in duplicate and a copy forwarded to the district control officer concerned.

BI (E) 17

ELECTIONS: BOPHUTHATSWANA

DECLARATION OF SECRECY

I.....
do hereby solemnly promise and declare that I will not at this election of a *member/members of the Bophuthatswana Legislative Assembly do anything forbidden by section 63 of Proclamation R.150 of 1972, which I have read and which I fully understand.
Reference Book No.....

*Returning Officer/Polling Officer
Counting Officer/Candidate/Agent
Witness

Address.....

Date.....

The above declaration was made and subscribed before me this..... day of....., 19.....

Place.....

*Returning Officer/Justice of the Peace
Commissioner of Oaths

Date.....

* Delete whichever is not applicable.

BI (E) 18

VERKIESINGS: BOPHUTHATSWANA
STEMBRIEF

VORM VAN VOORKANT VAN STEMBRIEF

Teenblad No.....	Volle naam, adres en beroep van kandidaat
Verkiezing van lid(lede) van Bophuthatswana- Wetge- wende Vergadering	
Kiesafdeling.....	
Datum.....	
Bewysboek No. van kieser	
Stem vir slegs..... kandidaat/kandidate	

Let wel: Stem vir
slegs.....
kandidaat/kandidate

VORM VAN AGTERKANT VAN STEMBRIEF

No.....

Geheimemerk

Verkiezing van.....
lid/lede van die Bophuthatswana-
Wetgewende Vergadering vir die
kiesafdeling

BI (E) 19

VERKIESINGS: BOPHUTHATSWANA
STEMBRIEFOPGAWE

Verkiezing van 'n *lid/lede van die Wetgewende Vergadering vir
die kiesafdeling.....gehou *op/gedurende die
tydperk.....
Stemdistrik.....

Stembriewe ontvang	Getal	Verantwoorde stem- briewe	Getal
Stembriewe:		Stembriewe in stem- bus.....	
Nos.....tot		Ongebruikte stem- briewe:	
en met.....		Nos.....tot en met.....	
		Bedorwe stembriewe	
Totale getal ontvang...		Totale getal verant- woord.....	

Ek verklaar hierby dat bostaande 'n juiste opgawe is van alle stem-
briewe aan my verskaf.

Gedateer op hede die.....dag van.....19.....
Plek.....

Stemopnemer

Volle name van stemopnemer.....

* Skrap wat nie van toepassing is nie.

BI (E) 20

VERKIESINGS: BOPHUTHATSWANA

ETIKET

Die *Kiesbeampte/Verkiesingsbeampte,

Inhoud.....

*Datum/Tydperk van stemming.....

Datum van versending.....

*Stemopnemer/Kiesbeampte

* Skrap wat nie van toepassing is nie.

BI (E) 18

ELECTIONS: BOPHUTHATSWANA
BALLOT PAPER

FORM OF FRONT OF BALLOT PAPER

Counterfoil No.....	Full name, address and occupation of candidate
Election of member(s) of Bophuthatswana Legisla- tive Assembly	
Electoral Division of.....	
Date.....	
Reference Book No. of voter	
Vote for..... candidate(s) only	

Note: Vote for.....
candidate(s) only

FORM OF BACK OF BALLOT PAPER

No.....

Secret mark

Election of.....
member(s) of the Bophuthatswana
Legislative Assembly for the elec-
toral division of

BI (E) 19

ELECTIONS: BOPHUTHATSWANA
BALLOT PAPER RETURN

Election of a *member/members of the Legislative Assembly for the
electoral division of.....*held on/during the
period.....
Polling district.....

Ballot Papers received	Number	Ballot Papers account- ed for	Number
Ballot papers:		Ballot papers in ballot box.....	
Nos.....		Unused ballot papers:	
to.....		Nos.....	
inclusive.....		to.....	
		inclusive.....	
		Spoiled ballot papers	
Total number received		Total number account- ed for.....	

I hereby certify that the above is a correct return of all the ballot
papers supplied to me.

Dated this.....day of....., 19.....
Place.....

Polling Officer

Full names of polling officer.....

* Delete whichever is not applicable.

BI (E) 20

ELECTIONS: BOPHUTHATSWANA

LABEL

The *Returning/Electoral Officer,

Contents.....

*Date/Period of poll.....

Date of dispatch.....

*Polling Officer/Returning Officer

* Delete whichever is not applicable.

BI (E) 21

Kiesafdeling.

Ek verklaar hierby dat by die hou van die verkiesing *op/gedurende die tydperk.....vir die verkiesing van 'n *lid/lede van die Wetgewende Vergadering vir bovermelde kiesafdeling die volgende *kandidaat/kandidate die getalle stemme teenoor *sy/hulle name genoeg, in my stembestreek gekry het.

Datum.....

Kiesbeampte

Stemdistrik

* Skrap wat nie van toepassing is nie.

Lêer No. R 204/7/3

BI (E) 21

Electoral Division.

I hereby certify that at the election *held on/during the period _____ for the election of a *member/members of the Legislative Assembly for the above-mentioned electoral division, in my polling district the following candidates polled the number of votes stated opposite *his/their *name(s):

Date.....

.....
Returning Officer

Polling district.

* Delete whichever is not applicable.

File No. R204/7/3

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INHOUD

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