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**DEPARTEMENT VAN DIE
EERSTE MINISTER**

No. R.293]

[17 Februarie 1978

**REGULASIES VIR DIE VERKIESING VAN LEDE VAN
DIE UITVOERENDE KOMITEE VAN SUIDWES-AFRIKA**

Die Staatspresident het kragtens die bevoegdheid hom verleen by artikel 5 van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet No. 39 van 1968), onderstaande regulasies uitgevaardig:

WOORDBEPALINGS

1. In hierdie regulasies beteken—

- (i) „afgehandelde stembriefie” ’n stembriefie waarop geen verdere keuse vir ’n blywende kandidaat aangeteken is nie, of waarop—
 - (a) die name van twee of meer kandidate, hetsy blywend of nie, met dieselfde syfer gemerk en eersvolgend in orde van keuse is; of
 - (b) die naam van die kandidaat, hetsy blywend of nie, wat eersvolgend in orde van keuse geplaas is, gemerk is met twee of meer syfers of met ’n syfer wat nie opeenvolgend op ’n ander syfer volg nie wat gemerk is teenoor die naam van die kandidaat ten gunste van wie die onmiddellik voorafgaande keuse aangeteken is; (vi)
- (ii) „algemene verkiesing” ’n verkiesing van al die lede van die Uitvoerende Komitee gehou as gevolg van ’n algemene verkiesing van lede van die Wetgewende Vergadering; (viii)
- (iii) „blywende kandidaat” ’n kandidaat wat nie verkies is of van die stemming uitgesluit is nie; (iv)
- (iv) „eerste keuse” ’n eerste keuse wat op ’n stembriefie vir enige kandidaat aangeteken is, deur die syfer „1” teenoor die naam van daardie kandidaat te merk in die ruimte wat op sodanige stembriefie verskaf word vir

GOVERNMENT NOTICES

**DEPARTMENT OF THE
PRIME MINISTER**

No. R.293]

[17 February 1978

REGULATIONS GOVERNING THE ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE OF SOUTH WEST AFRICA

The State President has, by virtue of the powers vested in him by section 5 of the South West Africa Constitution Act, 1968 (Act No 39 of 1968), made the following regulations:

DEFINITIONS

1. In these regulations—

- (i) “absolute majority” means more than one-half of the value, ascertained in terms of these regulations, of all the votes recorded in favour of persons who are candidates for any election of members of the Executive Committee, excluding the value of votes recorded on exhausted papers of excluded candidates; (xii)
- (ii) “by-election” means an election to fill a casual vacancy or vacancies occurring at any time other than at a general election; (x)
- (iii) “Chairman” means the Chairman of the Legislative Assembly; (xiii)
- (iv) “continuing candidate” means a candidate not elected or not excluded from the poll; (iii)
- (v) “excluded candidate” means a candidate excluded from the poll in terms of regulation 18 or 20; (xi)
- (vi) “exhausted paper” means a ballot paper on which no further preference is recorded for a continuing candidate, or on which—
 - (a) the names of two or more candidates, whether continuing or not, are marked with the same figure and are next in order of preference; or
 - (b) the name of the candidate next in order of preference, whether continuing or not, is marked by

die uitbring van 'n stem; en enige ander rangtelwoord het 'n ooreenstemmende betekenis wanneer in verband met die woord „keuse” gebruik; (vii)

- (v) „lid” 'n lid van die Wetgewende Vergadering; (ix)
- (vi) „onafgehandelde stembriefie” 'n stembriefie waarop 'n verdere keuse vir 'n blywende kandidaat aange- teken is; (xiii)
- (vii) „oorgedraagde stem” ten opsigte van enige kandidaat, 'n stem wat verkry is van stembriefies waarop 'n tweede of daaropvolgende keuse vir daardie kandidaat aangeteken is en waarvan die waarde of enige gedeel- telike waarde aan sodanige kandidaat toegeken is; (xii)
- (viii) „oorspronklike stemme” ten opsigte van enige kandi- daat, die eerste keuses vir daardie kandidaat wat op stembriefies aangeteken is; (x)
- (ix) „surplus” die getal waarmee die waarde van die stemme van enige kandidaat, of oorspronklik of oorgedra, die kwota wat ingevolge die bepalings van subregulasie (1) van regulasie 19 vasgestel is, te bowe gaan; (xi)
- (x) „tussenverkiesing” 'n verkiesing om een of meer tussentydse vakatures wat op enige tydstop behalwe tydens 'n algemene verkiesing ontstaan, te vul; (ii)
- (xi) „uitgeslote kandidaat” 'n kandidaat wat ingevolge regulasie 18 of 20 van die stemming uitgesluit is; (v)
- (xii) „volstrekke meerderheid” meer as een helfte van die waarde, ooreenkomstig hierdie regulasies vasgestel, van al die stemme wat vir persone wat kandidate vir enige verkiesing van lede van die Uitvoerende Komitee is, aangeteken is, uitgesonderd die waarde van stemme wat op afgehandelde stembriefies van uitge- slote kandidate aangeteken is; (i)
- (xiii) „Voorsitter” die Voorsitter van die Wetgewende Ver- gadering. (iii)

AANSTELLING VAN KIESBEAMPTEN EN ANDER BEAMPTES

2. (1) Die Klerk van die Wetgewende Vergadering of 'n ander persoon wat wettig in sy plek waarneem, moet as kiesbeampte by 'n verkiesing van 'n lid van die Uitvoerende Komitee optree, en moet, onderworpe aan die bepalings van hierdie regulasies, alles doen wat vir die behoorlike hou van sodanige verkiesing nodig is.

(2) Die Voorsitter kan iemand as assistent-kiesbeampte aanstel wat by enige sodanige verkiesing die pligte moet verrig wat deur die kiesbeampte aan hom opgedra word.

3. Elke kiesbeampte en assistent-kiesbeampte moet, voor- dat hy sy amp aanvaar, 'n eed of verklaring, voor die Voorsitter, Sekretaris van Suidwes-Afrika, 'n landdros, 'n addisionele landdros of 'n assistent-landdros aflê dat hy getrou en op onpartydige wyse sy pligte ooreenkomstig hier- die regulasies sal vervul en geen inligting openbaar sal maak wat hy in die vervulling van daardie pligte te wete mag kom nie, behalwe vir die doeleindes van hierdie regulasies of wanneer hy daartoe verplig is as 'n getuie in 'n geregtshof.

NOMINASIE VAN KANDIDATE

4. (1) By 'n vergadering van die Wetgewende Vergadering vir die verkiesing van 'n lid van die Uitvoerende Komitee, sit die Voorsitter voor en vra hy nominasies van kandidate, en daarop word sodanige nominasies aan die kiesbeampte oor- handig.

(2) Elke nominasie moet op 'n nominasiebrief ingedien word op vorm U.V. 1 (S.W.A.), in die Bylae hierby uiteenge- sit. Sodanige vorms moet op versoek van enige lid deur die kiesbeampte verstrek word, en moet deur 'n lid as voorsteller en deur 'n ander lid as sekondant onderteken word, asook deur die genomineerde om aan te dui dat hy die nominasie aanneem: Met dien verstande dat aanname van nominasie ook aan die kiesbeampte bekendgemaak kan word per brief of

two or more figures, or by a figure not following consecutively after the figure marked against the name of the candidate in whose favour the imme- diately preceding preference is recorded; (i)

- (vii) “first preference” means a first preference recorded on a ballot paper for any candidate by marking the figure “1” opposite the name of that candidate in the space provided on such ballot paper for the recording of a vote; and any other ordinal number has a cor- responding meaning when used in conjunction with the word “preference”; (iv)
- (viii) “general election” means an election of all the mem- bers of the Executive Committee held in consequence of a general election of members of the Legislative Assembly; (ii)
- (ix) “member” means a member of the Legislative Assembly; (v)
- (x) “original votes” in regard to any candidate, means the first preferences for that candidate recorded on ballot papers; (viii)
- (xi) “surplus” means the number by which the value of the votes of any candidate, original and transferred, exceeds the quota ascertained in terms of subregula- tion (1) of regulation 19; (ix)
- (xii) “transferred vote” in regard to any candidate, means a vote derived from ballot papers on which a second or subsequent preference for that candidate is recorded and the value or part of the value of which has been credited to such candidate; (vii)
- (xiii) “unexhausted paper” means a ballot paper on which a further preference is recorded for a continuing candi- date. (vi)

APPOINTMENT OF RETURNING OFFICER AND OTHER OFFICERS

2. (1) The Clerk of the Legislative Assembly, or another person lawfully acting for him, shall act as returning officer at any election of any member of the Executive Committee and shall, subject to these regulations, do all things necessary for the proper conduct of such election.

(2) The Chairman may appoint any person to be an assis- tant returning officer, who shall carry out such duties at any such election as may be assigned to him by the returning officer.

3. Before commencing their duties, the returning officer and assistant returning officer, shall be required to take an oath or make an affirmation before the Chairman, Secretary for South West Africa, a magistrate, an additional magistrate or an assistant magistrate that they will faithfully and impar- tially discharge the duties of their offices in terms of these regulations and that they will not disclose any facts or information coming to their knowledge in the performance of those duties, save for purposes of these regulations or when required to do so as a witness in a court of law.

NOMINATION OF CANDIDATES

4. (1) A meeting of the Legislative Assembly for the election of a member of the Executive Committee shall be presided over by the Chairman who shall call for nomina- tions of candidates and thereupon such nominations shall be delivered to the returning officer.

(2) Every nomination shall be submitted on a nomination paper in the form U.V. 1 (S.W.A.) set out in the Schedule hereto. The returning officer shall supply such forms on request to any member and the forms shall be signed by a member as proposer and by another member as seconder as well as by the person nominated to signify acceptance of the nomination: Provided that acceptance of a nomination may also be communicated to the returning officer by letter or

telegram wat hom bereik voor die verdaging van die sitting waarop die nominasie ingedien is.

- (3) (a) 'n Nominasiebrief wat die name van meer as een kandidaat bevat, of wat enige handtekening of merk bevat behalwe die handtekening van die voorsteller, die sekondant, die genomineerde persoon en dié wat kragtens subregulasie (4) vereis word, is ongeldig.
- (b) Geen lid mag, hetsy as voorsteller of as sekondant, meer as een nominasiebrief onderteken nie en enige nominasiebrief aldus onderteken, is ongeldig.
- (4) Elke persoon wat 'n nominasiebrief moet onderteken, moet dit doen in die teenwoordigheid van die kiesbeampste, 'n landdros, addisionele landdros of assistent-landdros wat ook die nominasiebrief as getuie moet onderteken en daarop sy amp en die datum waarop hy dit onderteken het, vermeld, nadat hy hom van die identiteit van elke ondertekenaar vergewis het en die aandag van die ondertekenaars op die bepalings van hierdie regulasie gevestig het.

5. (1) Sodra die Voorsitter oortuig is dat elke lid wat by die sitting vir die verkiesing van lede van die Uitvoerende Komitee aanwesig is en 'n kandidaat vir verkiesing by daardie sitting wil nomineer, dit gedoen het, moet hy die sitting verdaag.

(2) Daarna gaan die kiesbeampste al die nominasies na wat deur hom ontvang is, en verwerp hy die nominasies wat nie aan die vereistes van hierdie regulasies voldoen nie.

6. Die kiesbeampste verstrek dan aan die Voorsitter 'n opgawe waarop die name en adresse van die kandidate wat behoorlik genomineer is, voorkom.

7. (1) Indien die getal kandidate wat kragtens hierdie regulasies behoorlik genomineer is, minder is as die getal vakatures wat gevul moet word, stel die kiesbeampste die Voorsitter daarvan in kennis.

(2) Die Voorsitter hervat die verrigtinge, verwittig die lede wat die betrokke sitting bywoon dienooreenkomstig en vra om verdere nominasies.

(3) As die getal behoorlik genomineerde kandidate, nadat daar om verdere nominasies kragtens subregulasie (2) gevra is, nog minder is as die getal vakatures wat gevul moet word, moet die kiesbeampste die aldus genomineerde kandidate behoorlik verkose verklaar. Onmiddellik daarna stel hy die Voorsitter in kennis van die name van die persone wat verkose verklaar is. By ontvangs van hierdie berig verwittig die Voorsitter die lede wat die betrokke sitting bywoon dienooreenkomstig.

8. Die oorblywende vakatures word dan as tussentydse vakatures beskou en word gevul ingevolge die bepalings van regulasie 26.

9. As die getal behoorlik genomineerde kandidate gelyk is aan die getal vakatures wat gevul moet word, moet die kiesbeampste die aldus genomineerde kandidate as behoorlik verkose verklaar en onverwyld die Voorsitter in kennis stel van die name van die persone wat behoorlik verkose verklaar is. By hervatting van die verrigtinge maak die Voorsitter die name van die verkose persone bekend aan die lede wat die betrokke sitting bywoon.

10. (1) As die getal genomineerde kandidate die getal vakatures wat gevul moet word te bowe gaan, moet die kiesbeampste 'n opgawe aan die Voorsitter verstrek waarin die name, adresse en beroepe van die behoorlik genomineerde kandidate en die name van die lede deur wie hulle genomineer is, gemeld word.

(2) Die Voorsitter moet by die hervatting van die verrigtinge die name van die genomineerde kandidate aan die lede wat die sitting bywoon, bekendmaak, en daarna word die verkiesing voortgesit op die wyse wat hieronder voorgeskryf word.

STEMBRIEFIES

11. (1) Vir doeleindes van 'n verkiesing kragtens hierdie regulasies moet die kiesbeampste stembriefies volgens die vorm U.V. 2 (S.W.A.) laat opstel of (in die geval waar die

telegram reaching him before the adjournment of the sitting at which the nomination is made.

(3) (a) A nomination paper which contains the names of more than one candidate, or which bears any signature or mark other than the signatures of the proposer, the seconder and the person nominated, together with the signature required under subregulation (4), shall be void.

(b) No member shall sign, either as a proposer or seconder, more than one nomination paper and every nomination paper so signed, shall be void.

(4) Every person required to sign a nomination paper shall do so in the presence of the returning officer, a magistrate, an additional magistrate or an assistant magistrate, who shall also sign the nomination paper as witness and state thereon his office and the date of signing after having satisfied himself as to the identity of each signatory and having drawn the attention of the signatories to the provisions of this regulation.

5. (1) When the Chairman is satisfied that every member present and desiring to nominate a candidate at the sitting for purposes of the election of members of the Executive Committee, has done so, he shall adjourn the sitting.

(2) The returning officer shall thereupon consider all nominations received by him, and shall reject any nomination which does not comply with the requirements of these regulations.

6. The returning officer shall then furnish to the Chairman a return showing the names and addresses of the candidates duly nominated.

7. (1) If fewer candidates are duly nominated in terms of these regulations than the number of vacancies to be filled, the returning officer shall notify the fact to the Chairman.

(2) The Chairman shall resume the proceedings, inform the members present at the sitting accordingly and call for further nominations.

(3) If, after further nominations have been called for as provided in subregulation (2), the number of candidates duly nominated is still smaller than the number of vacancies to be filled, the returning officer shall declare the candidates so nominated to be duly elected, and shall immediately thereafter notify the Chairman of the names of the persons declared duly elected. The Chairman, upon being so notified, shall inform the members present at the sitting accordingly.

8. The remaining vacancies shall be regarded as casual vacancies and shall be filled as provided in regulation 26.

9. If the number of candidates duly nominated is equal to the number of vacancies to be filled, the returning officer shall declare the candidates so nominated to be duly elected, and shall forthwith notify the Chairman of the names of the persons declared duly elected. The Chairman shall, upon the resumption of proceedings, inform the members present at the sitting, of the names of the persons declared so elected.

10. (1) If the number of nominated candidates exceeds the number of vacancies to be filled, the returning officer shall make a return to the Chairman showing the names, addresses, and occupations of the candidates who have been duly nominated, together with the names of the members who have nominated them.

(2) The Chairman shall, upon the resumption of proceedings, announce to the members present at the sitting the names of the candidates duly nominated, and thereupon the election shall proceed in the manner hereinafter prescribed.

BALLOT PAPERS

11. (1) The returning officer shall, for purposes of an election under these regulations, cause ballot papers to be prepared in the form U.V. 2 (S.W.A.) or (when the election is

verkiezing volgens die stelsel van proporsionele verteenwoordiging moet plaasvind), volgens die vorm U.V. 2(a) (S.W.A.), soos in die Bylae hierby uiteengesit. Elke stembriefie moet in albei amptelike tale opgestel wees, en die volle name van al die behoorlik genomineerde kandidate, in alfabetiese orde volgens hulle familienaam gerangskik, en hulle adresse en beroepe moet daarop gedruk wees.

(2) Een sodanige stembriefie, agterop gemerk met die amptelike stempel wat vir die doel verskaf word, moet deur die kiesbeamppte aan elke lid wat die betrokke sitting bywoon, gegee word.

(3) Die naam van die lid aan wie 'n stembriefie aldus uitgereik is, moet op die teenblad daarvan aangeteken word.

(4) Elke lid wat teenwoordig is, stem persoonlik en geen lid word toegelaat om by volmag te stem nie.

PROSEDURE BY STEMMING

12. (1) Sodra 'n lid sy stem uitgebring het op 'n stembriefie, wat kragtens subregulasie (2) van regulasie 11 aan hom uitgereik is, vou hy dit op so 'n wyse dat die amptelike stempel daarop duidelik sigbaar is en plaas dit in die stembus wat vir die doel verskaf word, nadat hy die amptelike stempel aan die kiesbeamppte getoon het.

(2) As 'n lid 'n stembriefie onopsetlik bederf, moet hy dit aan die kiesbeamppte teruggee, wat indien hy daarvan oortuig is dat dit onopsetlik bederf is, die stembriefie hou, dit onmiddellik kanselleer, die teenblad daarvan dienooreenkomstig endosseer en 'n nuwe stembriefie aan die betrokke lid uitreik.

13. (1) Behoudens in die omstandighede in subregulasie (2) genoem, het elke lid slegs een stem ten opsigte van elke vakature wat gevul moet word, en geen lid mag meer as een stem op enige besondere kandidaat uitbring nie.

(2) Wanneer 'n verkiezing volgens die stelsel van proporsionele verteenwoordiging moet plaasvind, het elke lid slegs een stem, maar hy kan agtereenvolgende keuses vir enige getal kandidate uitbring.

14. (1) Wanneer 'n verkiezing volgens die stelsel van proporsionele verteenwoordiging moet plaasvind, moet 'n lid stem deur die syfer „1” op die plek wat daarvoor bedoel is, te plaas teenoor die naam van die kandidaat vir wie hy wil stem; hy kan terselfdertyd agtereenvolgende keuses vir ander kandidate uitbring, en elke volgende keuse word aangedui deur die daaropvolgende syfer teenoor die naam van die betrokke kandidaat te plaas.

(2) In elke ander geval stem 'n lid vir 'n kandidaat deur 'n kruis teenoor sy naam te maak op die plek wat op die stembriefie daarvoor bedoel is.

15. 'n Stembriefie is ongeldig—

- (a) as dit nie die amptelike merk bedoel in subregulasie (2) van regulasie 11 daarop het nie;
- (b) as dit enige skrif, merk of handtekening dra waardeur 'n lid geïdentifiseer kan word;
- (c) in die geval van 'n ander verkiezing as dié volgens die stelsel van proporsionele verteenwoordiging, as kruisies teenoor die name van meer kandidate as wat daar vakatures is wat gevul moet word, gemaak is;
- (d) in die geval van 'n verkiezing volgens die stelsel van proporsionele verteenwoordiging, as die syfer „1” nie teenoor die naam van enige kandidaat geplaas is nie, of teenoor die naam van meer as een kandidaat geplaas is, of teenoor die naam van enige kandidaat tesame met enige ander syfer geplaas is;
- (e) as dit ongemerk is, of as daar twyfel is aangaande 'n lid se keuse: Met dien verstande dat 'n stembriefie nie op grond van twyfel as ongeldig beskou word nie slegs omdat dieselfde plek in orde van keuse vir meer as een kandidaat aangeteken is, indien die orde van keuse van kandidate, vir wie vroeë keuses aange-teken is, duidelik blyk.

to be held in accordance with the system of proportional representation) in the form U.V. 2(a) (S.W.A.) set out in the Schedule hereto. Such ballot papers shall be framed in both official languages, and on them shall be printed, in alphabetical order according to their surnames, the full names of all duly nominated candidates together with their addresses and occupations.

(2) The returning officer shall hand one such ballot paper, marked on the back with the official mark supplied for the purpose, to each member present at the sitting.

(3) The name of the member to whom a ballot paper is so issued, shall be recorded on the relative counterfoil.

(4) Each member present shall vote in person, and no member shall be allowed to vote by proxy.

SYSTEM OF VOTING

12. (1) When a member has recorded his vote on a ballot paper issued to him in terms of subregulation (2) of regulation 11, he shall fold the ballot paper so that the official mark thereon is clearly visible, and having shown such mark to the returning officer, shall drop the ballot paper in the ballot box provided for the purpose.

(2) If a member inadvertently spoils a ballot paper, he shall return it to the returning officer, who shall, if satisfied of such inadvertence, issue him with another ballot paper and retain the spoiled ballot paper, which shall immediately be cancelled, and the fact of such cancellation shall be noted upon the counterfoil.

13. (1) Subject to the circumstances set out in subregulation (2), every member shall have only one vote in respect of each vacancy to be filled, and no member shall vote more than once for any particular candidate.

(2) When an election is to be held in accordance with the system of proportional representation, every member shall have only one vote, provided that he may record successive preferences in favour of any number of candidates.

14. (1) When an election is to be held in accordance with the system of proportional representation, every member shall vote by placing the figure “1” in the space provided for that purpose against the name of the candidate for whom he desires to vote; he may at the same time record successive preferences in favour of other candidates; each next preference being signified by placing the following figure against the name of the candidate concerned.

(2) In every other case a member shall vote for a candidate by placing a cross against the name of such candidate in the space provided for that purpose on the ballot paper.

15. A ballot paper shall be invalid—

- (a) if it does not bear the official mark referred to in subregulation (2) of regulation 11;
- (b) if it bears any writing or mark or signature by which a member can be identified;
- (c) if, in the case of an election other than an election in accordance with the system of proportional representation, it bears crosses against the names of more candidates than the number of vacancies to be filled;
- (d) if, in the case of an election in accordance with the system of proportional representation, the figure “1” has not been placed against the name of any candidate, or has been placed against the name of more than one candidate, or has been placed against the name of any candidate together with any other figure;
- (e) if it is unmarked or if there is any doubt about a member's preference: Provided that a ballot paper shall not be deemed to be void for doubt by reason only that the same place in order of preference has been recorded in favour of more than one candidate, if the order of preference of candidates for whom prior preferences have been recorded, is clear.

16. (1) Sodra die stemming by 'n verkiesing van lede van die Uitvoerende Komitee afgehandel is, moet die kiesbeampte in teenwoordigheid van die assistent-kiesbeampte, die stembus wat die stembrieffies bevat, oopmaak en die stemme tel.

(2) Slegs iemand in subregulasie (1) genoem, mag by die verrigtinge in daardie subregulasie vermeld, aanwesig wees.

(3) By enige verkiesing kragtens hierdie regulasies wat nie 'n verkiesing is wat kragtens die stelsel van proporsionele verteenwoordiging moet plaasvind nie, moet die getal kandidate wat die hoogste getal stemme ontvang, maar hoogstens die getal wat verkies moet word, deur die kiesbeampte behoorlik verkose verklaar word.

(4) Indien twee of meer kandidate vir dieselfde vakature dieselfde getal stemme ontvang, moet 'n herverkiesing vir daardie vakature volgens die stelsel van proporsionele verteenwoordiging onverwyld plaasvind en daarna is die bepalinge van regulasies 13 tot en met 23 van toepassing.

17. Vir doeleindes van die tel van stemme in die geval van 'n herverkiesing wat kragtens subregulasie (4) van regulasie 16 gehou word—

- (a) het elke geldige stembrieffie die waarde van 100; en
- (b) word alle breuke en alle keuses wat vir kandidate aangeteken is wat reeds verkies is of van die verkiesing uitgesluit is, buite rekening gelaat.

VERKIESING VAN EEN LID

18. (1) Wanneer een lid van die Uitvoerende Komitee verkies moet word, moet die kiesbeampte vir elke kandidaat 'n aparte pakkie van al die stembrieffies waarop 'n eerste keuse ten gunste van sodanige kandidaat aangeteken is, maak.

(2) As enige kandidaat 'n volstreekte meerderheid stemme verkry, nadat die verskillende pakkies stembrieffies getel is, moet hy verkose verklaar word.

(3) As geen kandidaat 'n volstreekte meerderheid verkry nie, moet die kiesbeampte die kandidate op wie die kleinste getal eerste keuses uitgebring is van die verkiesing uitsluit en die stembrieffies in sy pakkie aan die blywende kandidate oordra volgens die volgende keuses wat ten gunste van hulle daarop aangeteken is. Die waarde van die stembrieffies aldus oorgedra, word gevoeg by dié van die stembrieffies wat reeds in die pakkie van die betrokke kandidaat is.

(4) As daar te eniger tyd twee of meer kandidate is wat die laagste in die verkiesing staan en dieselfde waarde van stemme het, word die kandidaat vir wie die kleinste getal eerste keuses aangeteken is, van die verkiesing uitgesluit, en indien die eerste keuses vir twee of meer kandidate aange-teken ook dieselfde is, moet die kiesbeampte deur lootjies te trek, bepaal watter kandidaat uitgesluit moet word.

(5) Die prosedure in subregulasie (3) uiteengesit, word ten opsigte van die blywende kandidate so dikwels herhaal as wat nodig mag wees om 'n volstreekte meerderheid vir een kandidaat te verkry; die blywende kandidaat met die laagste waarde van stemme word by elke herhaling van sodanige prosedure uitgesluit.

(6) Sodra 'n kandidaat as gevolg van enige verrigtinge kragtens hierdie regulasie 'n volstreekte meerderheid verkry, moet hy behoorlik verkose verklaar word.

VERKIESING VAN MEER AS EEN LID

19. (1) As meer as een lid vir die Uitvoerende Komitee verkies moet word, moet die kiesbeampte eers die waarde (hieronder die „kwota” genoem) van die stemme vasstel wat vir die verkiesing van 'n kandidaat nodig is; dit moet 'n getal wees wat met een die kwasiënt oorskry wat verkry is deur die waarde van al die geldige stembrieffies wat ten opsigte van die betrokke verkiesing by die kiesbeampte ingedien is, deur 'n getal te deel wat met een groter is as die getal lede van die Uitvoerende Komitee wat verkies moet word.

(2) Daarna moet die kiesbeampte al die stembrieffies ten opsigte van die betrokke verkiesing by hom ingedien, in

16. (1) As soon as the voting at an election of members of the Executive Committee has been completed, the returning officer shall open the ballot box containing the ballot papers and count the votes in the presence of the assistant returning officer.

(2) Only a person referred to in subregulation (1), shall be present at the proceedings mentioned in that subregulation.

(3) At any election in terms of these regulations other than an election in accordance with the system of proportional representation, the number of candidates, but not exceeding the number to be elected, in whose favour the highest number of votes have been recorded, shall be declared by the returning officer to be duly elected.

(4) If two or more candidates for the same vacancy receive the same number of votes, a re-election for that vacancy shall forthwith be held in accordance with the system of proportional representation and thereupon the provisions of regulations 13 to 23, inclusive, shall apply.

17. For the purpose of counting the votes in the case of a re-election held under subregulation (4) of regulation 16—

- (a) every valid ballot paper shall have a value of 100; and
- (b) all fractions and all preferences recorded in favour of candidates already elected or excluded from the poll, shall be disregarded.

ELECTION OF ONE MEMBER

18. (1) Where one member of the Executive Committee is required to be elected, the returning officer shall in respect of each candidate make a separate parcel of all the ballot papers on which a first preference is recorded in favour of that candidate.

(2) If after the counting of the various parcels of ballot papers, any candidate has an absolute majority that candidate shall be declared to be duly elected.

(3) If no candidate obtains an absolute majority, the returning officer shall exclude from the poll the candidate in whose favour the smallest number of first preferences have been recorded, and transfer the ballot papers in his parcel to the continuing candidates according to the next preferences in their favour recorded thereon; the value of the ballot papers so transferred being added to that of the ballot papers already in the parcel of the candidate concerned.

(4) If at any time two or more candidates, being the lowest on the poll, have the same value of votes, the one in whose favour the smallest number of first preferences have been recorded shall be excluded from the election, and if the first preferences recorded in favour of two or more candidates are also equal, the returning officer shall determine by lot which candidate is to be excluded.

(5) The procedure described in subregulation (3), shall be repeated in respect of the continuing candidates as often as may be necessary to obtain an absolute majority in favour of one candidate. The continuing candidate with the lowest value of votes being excluded at each repetition of such procedure.

(6) As soon as any candidate obtains an absolute majority in consequence of any steps taken in terms of this regulation, he shall be declared to be duly elected.

ELECTION OF MORE THAN ONE MEMBER

19. (1) If more than one member of the Executive Committee is to be elected, the returning officer shall first determine the value (hereinafter referred to as the “quota”) of the votes required for the election of a candidate, which shall be a number exceeding by one the quotient obtained by dividing the value of all the valid ballot papers lodged with the returning officer in connection with the election in question by a number exceeding by one the number of members of the Executive Committee required to be elected.

(2) Thereupon the returning officer shall divide into parcels all the ballot papers lodged with him in connection with the

pakkies verdeel, soos in subregulasie (1) van regulasie 18 bepaal, en die getal eerste keuses wat vir elke kandidaat aangeteken is, vasstel.

(3) Elke kandidaat wat 'n getal stemme van 'n waarde wat gelyk is aan of groter is as die kwota ontvang het, moet behoorlik verkose verklaar word, en as die waarde van die stemme deur 'n kandidaat ontvang, gelyk is aan die kwota, moet sy stembrieffies as finaal afgehandel opsygesit word.

(4) (a) As 'n kandidaat 'n getal stemme ontvang het, van 'n waarde wat groter is as die kwota moet sy surplus op die wyse wat hieronder voorgeskryf word onder die orige kandidate verdeel word.

(b) As die surplus slegs uit oorspronklike stemme ontstaan, moet die kiesbeampde die onafgehandelde stembrieffies in die betrokke kandidaat se pakkie volgens die volgende keuses wat daarop aangedui is, in kleiner pakkies verdeel, en ook 'n afsonderlike subpakkie van die afgehandelde stembrieffies van sodanige kandidaat maak.

(c) As die waarde van die onafgehandelde stembrieffies van sodanige kandidaat—

(i) gelyk aan of minder as sy surplus is, moet die kiesbeampde sodanige stembrieffies in elke subpakkie teen die waarde oordra waarteen hulle deur die kandidaat wie se surplus oorgedra word, ontvang is;

(ii) groter is as sy surplus is, moet die kiesbeampde sodanige stembrieffies teen 'n waarde oordra wat vasgestel word deur die surplus deur die totale getal onafgehandelde stembrieffies te deel.

(d) As die surplus nie slegs uit oorspronklike stemme ontstaan nie, moet die kiesbeampde die onafgehandelde stembrieffies in die laaste subpakkie wat aan die kandidaat oorgedra is, in subpakkies verdeel volgens die volgende keuses daarop aangeteken, en daarna moet hy met die subpakkies op dieselfde manier handel as in die geval van 'n surplus wat slegs uit oorspronklike stemme ontstaan.

(5) Die stembrieffies wat aan enige kandidaat oorgedra word, moet as 'n subpakkie by sy stembrieffies gevoeg word.

(6) Enige stembrieffies in 'n verkose kandidaat se pakkie of subpakkie wat nie kragtens hierdie regulasie oorgedra word nie, word beskou as finaal afgehandel en as sodanig opsygesit.

(7) (a) Slegs een surplus word op 'n keer oorgedra en as meer as een kandidaat by enige telling 'n surplus het, word die grootste van die betrokke surplusse eerste oorgedra, en indien twee of meer kandidate gelyke surplusse het, word die surplus van die kandidaat vir wie die kleinste getal oorspronklike stemme aange-teken is, eerste oorgedra.

(b) Indien twee of meer kandidate wat gelyke surplusse het ook dieselfde getal oorspronklike stemme het, word die kandidaat wie se surplus eerste oorgedra moet word, deur loting aangewys.

20. (1) (a) As daar, nadat al die surplusse volgens voorskrif van regulasie 19 oorgedra is, minder kandidate as die nodige getal verkies is, moet die kiesbeampde die kandidaat met die minste stemme van die verkiesing uitsluit en sy onafgehandelde stembrieffies volgens die volgende keuses daarop aangeteken onder die blywende kandidate verdeel. Enige afgehandelde stembrieffies van sodanige kandidaat moet opsygesit word.

(b) Die onafgehandelde stembrieffies waarop oorspronklike stemme vir die kandidaat aangeteken is, moet eers oorgedra word; die oordragwaarde van enige sodanige stembrieffies is 100.

(c) Die stembrieffies wat as gevolg van die uitsluiting van 'n vantevore uitgeslote kandidaat aan 'n kandidaat oorgedra is, word dan oorgedra in die orde waarin en volgens die waarde waarteen hulle vroeër oorgedra

election in question, as provided in subregulation (1) of regulation 18, and ascertain the number of first preferences recorded in favour of each candidate.

(3) Every candidate who has obtained a number of votes of a value equal to or exceeding the quota, shall be declared to be duly elected, and where the value of the votes obtained by a candidate is equal to the quota, his ballot papers shall be regarded as finally disposed of and set aside accordingly.

(4) (a) Where a candidate has obtained a number of votes of a value exceeding the quota, his surplus shall be distributed amongst the remaining candidates as hereinafter provided.

(b) If the surplus arises only from original votes, the returning officer shall divide the unexhausted papers in the parcel of the candidate in question into subparcels according to the next preferences recorded thereon, and shall make a separate subparcel of the exhausted papers of such candidate.

(c) If the value of the unexhausted papers of such candidate—

(i) is equal to or less than his surplus, the returning officer shall transfer such papers in each subparcel at the value at which they were received by the candidate whose surplus is being transferred;

(ii) is greater than his surplus, the returning officer shall transfer such papers at a value ascertained by dividing the surplus by the total number of unexhausted papers.

(d) If the surplus does not arise from original votes only, the returning officer shall divide the unexhausted papers in the last subparcel transferred to the candidate, into subparcels according to the next preferences recorded thereon and thereupon deal with such subparcels in the same manner as in the case of a surplus arising only from original votes.

(5) The ballot papers transferred to any candidate shall be added to his ballot papers in the form of a subparcel.

(6) Any ballot papers in a parcel or subparcel of an elected candidate which are not transferred under this regulation, shall be regarded as finally disposed of and set aside accordingly.

(7) (a) Only one surplus shall be transferred at a time and if at any count more than one candidate has a surplus, the largest of the respective surpluses shall be first transferred, and if two or more candidates have equal surpluses, the surplus of the candidate in whose favour the smallest number of original votes has been recorded, shall be first transferred.

(b) If two or more candidates, having equal surpluses also have equal numbers of original votes, the candidate whose surplus is to be first transferred, shall be determined by lot.

20. (1) (a) If after all surpluses have been transferred as provided in regulation 19, the required number of candidates has not been elected, the returning officer shall exclude from the poll the candidate lowest on the poll and distribute his unexhausted papers amongst the continuing candidates according to the next preferences recorded thereon; any exhausted papers of such candidate being set aside.

(b) The unexhausted papers on which original votes have been recorded in favour of the candidate shall first be transferred, the transfer value of any such ballot paper being 100.

(c) Any ballot papers transferred to the candidate in consequence of the exclusion of a previously excluded candidate shall thereupon be transferred in the order in which and at the values at which they were previously

is. Elke oordrag word as 'n afsonderlike oordrag beskou.

(2) Die metode van uitsluiting van kandidate en die oordrag van hulle stembriefies, soos in subregulasie (1) voorgeskryf, moet na elke nuwe telling wat op 'n voorafgaande uitsluiting en oordrag volg, herhaal word totdat 'n genoegsame aantal kandidate die kwota behaal het of andersins verkies is: Met dien verstande dat indien die waarde van 'n kandidaat se stemme na enige oordrag gelyk aan of groter is as die kwota, geen verdere oordrag aan hom gedoen moet word nie.

21. 'n Kandidaat wat, nadat enige oordrag ingevolge regulasie 20 voltooi is, 'n getal stemme het van 'n waarde wat gelyk aan of groter is as die kwota, moet behoorlik verkose verklaar word en sy stembriefies—

- (a) indien hulle gelyk in waarde aan die kwota is, as finaal afgehandel opgesig word; of
- (b) indien hulle die kwota oorskry, behou word sodat die surplus verdeel kan word voordat enige ander kandidaat uitgesluit word.

22. (1) Wanneer die aantal blywende kandidate verminder is, tot die getal vakatures wat nog gevul moet word, moet al daardie kandidate behoorlik verkose verklaar word.

(2) As slegs een vakature nog gevul moet word en die waarde van die stemme van enige blywende kandidaat groter is as die totale waarde van al die ander stemme wat oorgedra kan word, moet daardie kandidaat behoorlik verkose verklaar word.

(3) As slegs een vakature nog gevul moet word en daar slegs twee blywende kandidate is, en as hierdie twee kandidate elkeen dieselfde waarde van stemme het en daar geen surplus oorbly wat oorgedra kan word nie, moet die kandidaat wat die grootste getal oorspronklike stemme het behoorlik verkose verklaar word, maar indien albei van hulle dieselfde getal oorspronklike stemme het, moet die een wat behoorlik verkose verklaar moet word deur loting aangewys word.

PROSEDURE BY LOTING

23. (1) As dit nodig word om deur loting te bepaal watter van twee of meer kandidate van 'n stemming uitgesluit moet word, of watter van twee of meer surplusse eerste oorgedra moet word, of watter van twee kandidate behoorlik verkose verklaar moet word, moet die kiesbeampte die name van die betrokke kandidate van wie een van 'n stemming uitgesluit moet word, of van die kandidate wie se surplusse oorgedra moet word of van die twee kandidate van wie een behoorlik verkose verklaar moet word, na gelang van die geval, op aparte stukkie papier van eenderse grootte, en van dieselfde fatsoen en voorkoms skryf, en dit daarna op 'n wyse vou wat sal verseker dat hulle sover moontlik uiterlik identies lyk.

(2) Die kiesbeampte plaas daarna die stukkie papier in 'n stembus en nadat hy die stembus toegemaak en geskud het, maak hy dit weer oop en haal dan sonder om in die stembus te kyk, een van die stukkie papier daaruit.

(3) Die kandidaat wie se naam voorkom op die stukkie papier wat aldus uitgehaal is, is die kandidaat wat uitgesluit moet word, of wie se surplus eerste oorgedra moet word of wat behoorlik verkose verklaar moet word, na gelang van die geval.

UITSLAG VAN DIE VERKIESING

24. (1) Sodra die verkiesing afgehandel is, moet die kiesbeampte die name van die persone wat verkose verklaar is in die volgorde van hul verkiesing aan die Voorsitter verstrek, wat dan die uitslag van die verkiesing aan die Wetgewende Vergadering bekendmaak.

(2) (a) Die kiesbeampte moet ook aan die Sekretaris van Suidwes-Afrika afsonderlike verseelde pakkies wat al die nominasiebriewe, gebruikte stembriefies en teenblaie daarvan bevat, stuur.

(b) Die Sekretaris van Suidwes-Afrika moet, nadat hy sodanige pakkies ontvang het, hulle vir een jaar hou en daarna moet hulle vernietig word, en geen sodanige

transferred, each transfer being regarded as a separate transfer.

(2) The process of exclusion of candidates and the transfer of their ballot papers provided for in subregulation (1), shall be repeated after each fresh count following upon a prior exclusion and transfer until a sufficient number of candidates has obtained the quota or is otherwise elected: Provided that if after any transfer the value of the votes of a candidate is equal to or exceeds the quota, no further transfer to him shall be effected.

21. Any candidate who, after the completion of any transfer in terms of regulation 20, has a number of votes of a value equal to or greater than the quota, shall be declared to be duly elected, and his voting papers shall—

- (a) if equal in value to the quota, be set aside as finally disposed of; or
- (b) if in excess of the quota, be retained for the purpose of distribution of the surplus before any other candidate is excluded.

22. (1) Whenever the number of continuing candidates is reduced to the number of vacancies to be filled, all those candidates shall be declared to be duly elected.

(2) Where there is only one vacancy remaining to be filled, and the value of the votes of any continuing candidate exceeds the total value of all other votes capable of being transferred, that candidate shall be declared to be duly elected.

(3) If only one vacancy remains to be filled, and there are only two continuing candidates each having the same value of votes, and no surplus remains to be transferred, the candidate having the largest number of original votes shall be declared to be duly elected, but if both of them have the same number of original votes, the one to be declared to be duly elected shall be determined by lot.

PROCEDURE WHEN DETERMINING BY LOT

23. (1) Whenever it is necessary to determine by lot which of two or more candidates are to be excluded from a poll, or which of two or more surpluses is to be first transferred or which of two candidates is to be declared to be duly elected, the returning officer shall write the names of the candidates concerned of whom one shall be excluded from the poll of the candidates whose surpluses are to be transferred or of the two candidates of whom one is to be declared to be duly elected, as the case may be, on separate pieces of paper of equal size and of the same shape and appearance, which he shall thereupon fold in such a manner as to ensure that they will as far as possible be outwardly identical in appearance.

(2) The returning officer shall thereupon put the pieces of paper in a ballot box, close that ballot box and having shaken it, open it again and without looking therein draw one of the pieces of paper therefrom.

(3) The candidate whose name appears on the piece of paper so drawn out shall be the candidate who shall be excluded or whose surplus shall be first transferred or who shall be declared to be duly elected, as the case may be.

RESULT OF THE ELECTION

24. (1) As soon as the election has been completed, the returning officer shall furnish the Chairman with the names of the persons declared elected in the order of their election, and the Chairman shall announce the result of the election to the Legislative Assembly.

(2) (a) The returning officer shall also transmit to the Secretary for South West Africa separate sealed parcels containing the nomination papers, the used ballot papers, and the counterfoils thereof.

(b) Such parcels shall be retained by the Secretary for South West Africa for a period of one year after receipt thereof by him, after which they shall be

pakkie word te eniger tyd oopgemaak nie behalwe op bevel van die Hooggeregshof.

25. Die name van die persone wat behoorlik verkose verklaar is, en die datum waarop hulle verkose verklaar is, word by kennisgewing in die Offisiële Koerant van die Gebied gepubliseer.

TUSSENVERKIESING

26. Die prosedure wat by hierdie regulasies voorgeskryf is, is *mutatis mutandis* van toepassing ten opsigte van 'n verkiesing bedoel in artikel 4 (3) van die Wet op die Konstitusie van Suidwes-Afrika, 1968.

27. Die regulasies afgekondig by Goewermentskennisgewing R.724 van 15 Mei 1970, word hierby herroep.

BYLAE

U.V. 1 (S.W.A.)

NOMINASIEBRIEF VIR VERKIESING VAN LEDE VAN DIE UITVOERENDE KOMITEE VAN SUIDWES-AFRIKA

Ons, die ondergetekende lede van die Wetgewende Vergadering van die Gebied Suidwes-Afrika nomineer hierby ondergenoemde persoon as kandidaat vir verkiesing tot lid van die Uitvoerende Komitee van Suidwes-Afrika naamlik:

Naam (a)
 Adres (b)
 Beroep (c)
 Voorsteller (d)
 Deur my as getuie onderteken te
 op hede diedag van19.....
 (e)
 (f)
 Sekondant (d)
 Deur my as getuie onderteken te
 op hede diedag van19.....
 (e)
 (f)
 Hierby neem ek bostaande nominasie aan (g)
 Deur my as getuie onderteken te
 op hede diedag van19.....
 (e)
 (f)

- (a) Volle name van die genomineerde persoon. 'n Nominasiebrief mag nie die naam van meer as een kandidaat bevat nie.
 (b) Volledige adres van die genomineerde persoon.
 (c) Beroep van genomineerde persoon.
 (d) Handtekening van voorsteller en sekondant. Voorsteller en sekondant mag nie meer as een nominasiebrief, hetsy as voorsteller of as sekondant, onderteken nie.
 (e) Handtekening van kiesbeampte, landdros, ens.

AMPSHOEDANIGHEID:

- (f) „Kiesbeampte”, „Landdros”, ens., na gelang van die geval. Voordat die kiesbeampte, landdros ens. na gelang van die geval, hierdie nominasiebrief as getuie van 'n handtekening, teken, moet hy die aandag van die ondertekenaar op voetnotas (a) en (d) of (g), na gelang van die geval, vestig.
 (g) Handtekening van die genomineerde persoon; hy mag hierdie nominasiebrief nie andersins onderteken nie.

destroyed and no such parcel shall at any time be opened except upon an order of the Supreme Court.

25. The names of the persons declared duly elected and the date on which they were declared duly elected shall be published in the Official Gazette of the Territory.

BY-ELECTION

26. The procedure prescribed by these regulations shall *mutatis mutandis* apply in respect of an election referred to in section 4 (3) of the South West Africa Constitution Act, 1968.

27. The regulations published under Government Notice R.724 of 15 May 1970, are hereby repealed.

SCHEDULE

U.V. 1 (S.W.A.)

NOMINATION PAPER FOR ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE

We, the undersigned members of the Legislative Assembly of the Territory of South West Africa hereby nominate the under-mentioned person as a candidate for election as a member of the Executive Committee of South West Africa.

Name (a)
 Address (b)
 Occupation (c)
 Proposer (d)
 Witnessed by me at
 on theday of19.....
 (e)
 (f)
 Seconder (d)
 Witnessed by me at
 on theday of19.....
 (e)
 (f)
 I hereby accept the above nomination (g)
 Witnessed by me at
 on theday of19.....
 (e)
 (f)

- (a) Insert full name of person nominated. A nomination paper must not include the name of more than one candidate.
 (b) Insert full address of person nominated.
 (c) Insert occupation of person nominated.
 (d) To be signed by proposer and seconder, who may not sign more than one nomination paper, either as proposer or seconder.
 (e) Signature of returning officer, magistrate, etc.

OFFICIAL CAPACITY:

- (f) Insert "returning officer", "magistrate", etc., as the case may be. Before witnessing any signature on this nomination paper, the returning officer, magistrate, etc., as the case may be, shall draw the attention of the signatory to footnotes (a) and (d) or (g), as the case may be.
 (g) To be signed by person nominated, who may not otherwise sign this nomination paper.

U.V. 2 (S.W.A.)

(Vorm van voorkant van stembriefje)
 (Form of front of ballot paper)

Teenblad Counterfoil	Stembriefje Ballot Paper
No.	
VERKIESING VAN LEDE VAN DIE UITVOERENDE KOMITEE	
ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE	
VAN SUIDWES-AFRIKA	
FOR SOUTH WEST AFRICA	
Datum van verkiesing	
Date of Election	
Naam van Lid	
Name of Member	
	(Kyk agterop vir instruksies aan Lede.) (See back hereof for instructions to Members.) <i>Let wel.</i> —Die Teenblad moet 'n nommer hê wat ooreenstem met <i>Note.</i> —The counterfoil shall have a number corresponding die een op die agterkant van die stembriefje. to that on the back of the Ballot Paper.

U.V. 2 (S.W.A.)

(Vorm van agterkant van stembriefie)
(Form of back of ballot paper)

No.

Amptelike stempel
Official MarkUITVOERENDE KOMITEE-VERKIESING VIR SUIDWES-AFRIKA
EXECUTIVE COMMITTEE-ELECTION FOR SOUTH WEST AFRICADatum
Date

INSTRUKSIES AAN LEDE

- A. Elke lid het 'n stem of 'n aantal stemme, na gelang van die geval, gelykstaande aan die getal vakatures wat gevul moet word, en nie meer nie.
- B. 'n Lid bring sy stem uit deur 'n kruis te maak op die stembriefie in die vierkant teenoor die naam van elke kandidaat vir wie hy begerig is om te stem, maar in geen geval moet 'n stembriefie met meer kruisies as die getal vakatures wat by die verkiesing gevul moet word, gemerk word nie.
- C. 'n Stembriefie is ongeldig—
- as 'n lid sy naam daarop teken of enige woord skryf of teken maak waaraan dit herken kan word; of
 - as dit nie die amptelike stempel dra nie; of
 - as daar meer kruisies op is as die getal vakatures wat aangevul moet word; of
 - as dit ongemerk is of as daar twyfel is aangaande 'n lid se keuse.

INSTRUCTIONS TO MEMBERS

- A. Each member has a vote or a number of votes, as the case may be, equal to the number of vacancies to be filled, and no more.
- B. The member votes by placing a cross on the ballot paper in the square opposite the name of each candidate for whom he wishes to vote, but in no case must a ballot paper be marked with more crosses than the number of vacancies to be filled at the election proceeding.
- C. A ballot paper will be invalid—
- upon which a member signs his name or writes any word, or makes any mark by which it becomes recognizable; or
 - which does not bear the official mark; or
 - which bears more crosses than the number of vacancies to be filled; or
 - which is unmarked or if there is any doubt about a member's preference.

U.V. 2(a) (S.W.A.)

(Vorm van voorkant van stembriefie)
(Form of front of ballot paper)

Teenblad Counterfoil	Orde van keuse Order of preference	Name van kandidaat Names of Candidates
No.		
VERKIESING VAN LEDE VAN DIE UITVOERENDE KOMITEE		
ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE		
VIR SUIDWES-AFRIKA		
FOR SOUTH WEST AFRICA		
Datum van verkiesing		
Date of Election		
Naam van Lid		
Name of Member		
	(Kyk agterop vir instruksies aan Lede.) (See back hereof for instructions to Members.) <i>Let wel.</i> —Die teenblad moet 'n nommer hê wat ooreenstem met <i>Note.</i> —The counterfoil shall have a number corresponding to that on the back of the Ballot Paper.	

(Vorm van agterkant van stembriefie)
(Form of back of ballot paper)

No. _____

Amptelike Stempel
Official Mark

UITVOERENDE KOMITEE-VERKIESING VIR SUIDWES-AFRIKA
EXECUTIVE COMMITTEE ELECTION FOR SOUTH WEST AFRICA

Datum _____
Date _____

INSTRUKSIES AAN LEDE

- A. Elke lid het slegs een stem.
- B. Die lid stem—
- (a) deur die syfer 1 teenoor die naam van die kandidaat vir wie hy begerig is om te stem, te plaas.
- Hy word ook gevra om—
- (b) die syfer 2 teenoor die naam van sy tweede keuse te plaas;
- (c) die syfer 3 teenoor die naam van sy derde keuse te plaas, ensovoort, totdat hy die gewenste getal in die orde van sy keuse genommer het. Die getal keuses word nie noodwendig tot die getal vaktures beperk nie.
- C. 'n Stembriefie is ongeldig as—
- (a) 'n Lid sy naam daarop teken of enige ander woord daarop skrywe of merk daarop maak as 'n syfer of syfers wat hy daarop moet maak as hy sy stem uitbring en sy volgende keuses aandui; of
- (b) dit nie die amptelike stempel dra nie; of
- (c) die syfer 1 nie daarop gemerk is nie; of
- (d) die syfer 1 teenoor die naam van meer as een kandidaat gemerk is; of
- (e) die syfer 1 en 'n ander syfer teenoor die naam van dieselfde kandidaat gemerk is; of
- (f) dit ongemerk is of as daar twyfel is aangaande 'n lid se keuse.

INSTRUCTIONS TO MEMBERS

- A. Each member has one vote only.
- B. The member votes—
- (a) by placing the figure 1 opposite the name of the candidate for whom he wishes to vote.
- He is also invited to place—
- (b) the figure 2 opposite the name of his second choice;
- (c) the figure 3 opposite the name of his third choice, and so on, numbering as many candidates as he pleases in the order of his preference. The number of preferences is not necessarily restricted to the number of vacancies.
- C. A ballot paper will be invalid—
- (a) upon which a member signs his name or writes any word or makes any mark other than the figure or figures required to be made by a member in recording his vote or signifying his preferences; or
- (b) which does not bear the official mark; or
- (c) on which the figure 1 is not marked; or
- (d) on which the figure 1 is marked opposite the name of more than one candidate; or
- (e) on which the figure 1 and some other figure is marked opposite the name of the same candidate; or
- (f) which is unmarked or if there is any doubt about a member's preference.

No. R.294]

[17 Februarie 1978

REGULASIES VIR DIE VERKIESING VAN VOORSIT-
TER VAN DIE UITVOERENDE KOMITEE VAN
SUIDWES-AFRIKA

Die Staatspresident het kragtens die bevoegdheid hom verleen by artikel 5 van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet no. 39 van 1968), onderstaande regulasies uitgevaardig:

WOORDBEPALINGS

1. In hierdie regulasies beteken—
- (i) „afgehandelde stembriefie” ’n stembriefie waarop geen verdere keuse vir ’n blywende kandidaat aange-teken is nie, of waarop—
- (a) die name van twee of meer kandidate, hetsy blywend of nie, met dieselfde syfer gemerk en eersvolgend in orde van keuse is; of

No. R.294]

[17 February 1978

REGULATIONS GOVERNING THE ELECTION OF
CHAIRMAN OF THE EXECUTIVE COMMITTEE OF
SOUTH WEST AFRICA

The State President has, by virtue of the powers vested in him by section 5 of the South West Africa Constitution Act, 1968 (Act No. 39 of 1968), made the following regulations:

DEFINITIONS

1. In these regulations—
- (i) “absolute majority” means more than one-half of the value, ascertained in terms of these regulations, of all the votes recorded in favour of persons who are candidates for any election of Chairman of the Executive Committee, excluding the value of votes recorded on exhausted papers of excluded candidates; (ix)
- (ii) “by-election” means an election to fill a casual vacancy occurring at any time other than at a general election; (vii)

- (b) die naam van die kandidaat, hetsy blywend of nie, wat eersvolgend in orde van keuse geplaas is, gemerk is met twee of meer syfers of met 'n syfer wat nie opeenvolgend op 'n ander syfer volg nie wat gemerk is teenoor die naam van die kandidaat ten gunste van wie die onmiddellik voorafgaande keuse aangeteken is; (vi)
- (ii) „algemene verkiesing” ’n verkiesing van ’n Voorsitter van die Uitvoerende Komitee gehou as gevolg van ’n algemene verkiesing van lede van die Wetgewende Vergadering; (viii)
- (iii) „blywende kandidaat” ’n kandidaat wat nie verkies is of van die stemming uitgesluit is nie; (iv)
- (iv) „eerste keuse” ’n eerste keuse wat op ’n stembriefie vir enige kandidaat aangeteken is, deur die syfer „1” teenoor die naam van daardie kandidaat te merk in die ruimte wat op sodanige stembriefie verskaf word vir die uitbring van ’n stem; en enige ander rangtelwoord het ’n ooreenstemmende betekenis wanneer in verband met die woord „keuse” gebruik; (vii)
- (v) „lid” ’n lid van die Wetgewende Vergadering; (ix)
- (vi) „oorgedraagde stem” ten opsigte van enige kandidaat, ’n stem wat verkry is van stembriefies waarop ’n tweede of daaropvolgende keuse vir daardie kandidaat aangeteken is en waarvan die waarde aan sodanige kandidaat toegeken is; (x)
- (vii) „tussenverkiesing” ’n verkiesing om ’n toevallige vakature wat op enige tydstip behalwe tydens ’n algemene verkiesing ontstaan, te vul; (ii)
- (viii) „uitgeslote kandidaat” ’n kandidaat wat ingevolge regulasie 16 van die stemming uitgesluit is; (v)
- (ix) „volstreckte meerderheid” meer as een helfte van die waarde, ooreenkomstig hierdie regulasies vasgestel, van al die stemme wat vir persone wat kandidate vir enige verkiesing van Voorsitter van die Uitvoerende Komitee is, aangeteken is, uitgesonderd die waarde van stemme wat op afgehandelde stembriefies van uitgeslote kandidate aangeteken is; (i)
- (x) „Voorsitter” die Voorsitter van die Wetgewende Vergadering. (iii)

AANSTELLING VAN KIESBEAMPTTE EN ANDER BEAMPTES

2. (1) Die Klerk van die Wetgewende Vergadering of ’n ander persoon wat wettig in sy plek waarneem moet as kiesbeampte by ’n verkiesing van ’n Voorsitter van die Uitvoerende Komitee optree, en moet, onderworpe aan die bepalings van hierdie regulasies, alles doen wat vir die behoorlike hou van sodanige verkiesing nodig is.

(2) Die Voorsitter kan iemand as assistent-kiesbeampte aanstel wat by enige sodanige verkiesing die pligte moet verrig wat deur die kiesbeampte aan hom opgedra word.

3. Elke kiesbeampte en assistent-kiesbeampte moet voordat hy sy amp aanvaar, ’n eed of verklaring, voor die Voorsitter, Sekretaris van Suidwes-Afrika, ’n landdros, ’n addisionele landdros of ’n assistent-landdros aflê dat hy getrou en op onpartydige wyse sy pligte ooreenkomstig hierdie regulasies sal vervul en geen inligting openbaar sal maak wat hy in die vervulling van daardie pligte te wete mag kom nie, behalwe vir die doeleindes van hierdie regulasies of wanneer hy daartoe verplig is as ’n getuie in ’n geregtshof.

NOMINASIE VAN KANDIDATE

4. (1) By ’n vergadering van die Wetgewende Vergadering vir die verkiesing van ’n Voorsitter van die Uitvoerende Komitee, sit die Voorsitter voor, en vra hy nominasies van kandidate en daarop word sodanige nominasies aan die kiesbeampte oorhandig.

(2) Elke nominasie moet op ’n nominasiebrief ingedien word op vorm U.V.V. 1 (S.W.A.), in die Bylae hierby

- (iii) “Chairman” means the Chairman of the Legislative Assembly; (x)
- (iv) “Continuing candidate” means a candidate not elected or not excluded from the poll; (iii)
- (v) “excluded candidate” means a candidate excluded from the poll in terms of regulation 16; (viii)
- (vi) “exhausted paper” means a ballot paper on which no further preference is recorded for a continuing candidate, or on which—
 - (a) the names of two or more candidates, whether continuing or not, are marked with the same figure and are next in order of preference; or
 - (b) the name of the candidate next in order of preference, whether continuing or not, is marked by two or more figures, or by a figure not following consecutively after the figure marked against the name of the candidate in whose favour the immediately preceding preference is recorded; (i)
- (vii) “first preference” means a first preference recorded on a ballot paper for any candidate by marking the figure “1” opposite the name of that candidate in the space provided on such ballot paper for the recording of a vote; and any other ordinal number has a corresponding meaning when used in conjunction with the word “preference”; (iv)
- (viii) “general election” means an election of a Chairman of the Executive Committee held in consequence of a general election of members of the Legislative Assembly; (ii)
- (ix) “member” means a member of the Legislative Assembly; (v)
- (x) “transferred vote” in regard to any candidate, means a vote derived from ballot papers on which a second or subsequent preference for that candidate is recorded and the value of which has been credited to such candidate. (vi)

APPOINTMENT OF RETURNING OFFICER, AND OTHER OFFICERS

2. (1) The Clerk of the Legislative Assembly, or any other person lawfully acting for him, shall act as returning officer at any election of a Chairman of the Executive Committee and shall, subject to these regulations, do all things necessary for the proper conduct of such election.

(2) The Chairman may appoint any person to be an assistant returning officer, who shall carry out such duties at any such election as may be assigned to him by the returning officer.

3. Before commencing their duties, the returning officer and the assistant returning officer shall be required to take an oath or make an affirmation before the Chairman, Secretary for South West Africa, a magistrate, an additional magistrate or an assistant magistrate that they will faithfully and impartially discharge the duties of their offices in terms of these regulations and that they will not disclose any facts or information coming to their knowledge in the performance of those duties, save for purposes of these regulations or when required to do so as a witness in a court of law.

NOMINATION OF CANDIDATES

4. (1) A meeting of the Legislative Assembly for the election of a Chairman of the Executive Committee shall be presided over by the Chairman who shall call for nominations of candidates and thereupon such nominations shall be delivered to the returning officer.

(2) Every nomination shall be submitted on a nomination paper in the form U.V.V. 1 (S.W.A.) set out in the Schedule

uiteengesit. Sodanige vorms moet op versoek van enige lid deur die kiesbeampde verstrek word, en moet deur 'n lid as voorsteller en deur 'n ander lid as sekondant onderteken word, asook deur die genomineerde om aan te dui dat hy die nominasie aanneem: Met dien verstande dat aanname van nominasie ook aan die kiesbeampde bekendgemaak kan word per brief of telegram wat hom bereik voor die verdaging van die sitting waarop die nominasie ingedien is.

(3) (a) 'n Nominasiebrief wat die name van meer as een kandidaat bevat, of wat enige handtekening of merk bevat behalwe die handtekeninge van die voorsteller, die sekondant, die genomineerde persoon en dié wat kragtens subregulasie (4) vereis word, is ongeldig.

(b) Geen lid mag, hetsy as voorsteller of as sekondant, meer as een nominasiebrief onderteken nie en enige nominasiebrief aldus onderteken, is ongeldig.

(4) Elke persoon wat 'n nominasiebrief moet onderteken, moet dit doen in die teenwoordigheid van die kiesbeampde, 'n landdros, addisionele landdros of assistent-landdros wat ook die nominasiebrief as getuie moet onderteken en daarop sy amp en die datum waarop hy dit onderteken het, vermeld, nadat hy hom van die identiteit van elke ondertekenaar vergewis het en die aandag van die ondertekenaars op die bepalings van hierdie regulasie gevestig het.

5. (1) Sodra die Voorsitter oortuig is dat elke lid wat by die sitting vir die verkiesing van 'n Voorsitter van die Uitvoerende Komitee aanwesig is en 'n kandidaat vir verkiesing by daardie sitting wil nomineer, dit gedoen het, moet hy die sitting verdaag.

(2) Daarna gaan die kiesbeampde al die nominasies na wat deur hom ontvang is, en verwerp hy die nominasies wat nie aan die vereistes van hierdie regulasies voldoen nie.

6. (1) Indien geen kandidaat behoorlik genomineer is nie, stel die kiesbeampde die Voorsitter daarvan in kennis.

(2) Die Voorsitter hervat die verrigtinge, verwittig die lede wat die betrokke sitting bywoon dienooreenkomstig en vra om verdere nominasies.

(3) As daar, nadat om verdere nominasies kragtens subartikel (2) gevra is, nog geen kandidaat behoorlik genomineer is nie, verwittig die Voorsitter die lede wat die betrokke sitting bywoon dienooreenkomstig en word die vakature as tussen-tydse vakature beskou en word dit gevul ingevolge die bepalings van regulasie 20.

7. As slegs een kandidaat behoorlik genomineer word vir die vakature wat gevul moet word, moet die kiesbeampde die aldus genomineerde kandidaat as behoorlik verkose verklaar en onverwyld die Voorsitter in kennis stel van die naam van die persoon wat behoorlik verkose verklaar is. By hervatting van die verrigtinge maak die Voorsitter die naam van die verkose persoon bekend aan die lede wat die betrokke sitting bywoon.

8. (1) As meer as een kandidaat behoorlik genomineer is, moet die kiesbeampde 'n opgawe aan die Voorsitter verstrek waarin die name, adresse en beroepe van die behoorlik genomineerde kandidate en die name van die lede deur wie hulle genomineer is, gemeld word.

(2) Die Voorsitter moet by die hervatting van die verrigtinge die name van die genomineerde kandidate aan die lede wat die sitting bywoon, bekendmaak, en daarna word die verkiesing voortgesit op die wyse wat hieronder voorgeskryf word.

STEMBRIEFIES

9. (1) Vir doeleindes van 'n verkiesing kragtens hierdie regulasies moet die kiesbeampde stembriefies volgens die vorm U.V.V. 2 (S.W.A.) laat opstel of (in die geval waar die verkiesing volgens die stelsel van proporsionele verteenwoordiging moet plaasvind), volgens die vorm U.V.V. 2 (a) (S.W.A.), soos in die Bylae hierby uiteengesit. Elke stembriefie moet in alby amptelike tale opgestel wees, en die volle name van al die behoorlik genomineerde kandidate, in alfabetiese orde volgens hulle familienaam gerangskik, en hulle adresse en beroepe moet daarop gedruk wees.

hereto. The returning officer shall supply such forms on request to any member and the forms shall be signed by a member as proposer and by another member as seconder as well as by the person nominated to signify acceptance of the nomination: Provided that acceptance of a nomination may also be communicated to the returning officer by letter or telegram reaching him before the adjournment of the sitting at which the nomination is made.

(3) (a) A nomination paper which contains the names of more than one candidate, or which bears any signature or mark other than the signatures of the proposer, the seconder and the person nominated, together with the signature required under subregulation (4), shall be void.

(b) No member shall sign, either as a proposer or seconder, more than one nomination paper and every nomination paper so signed, shall be void.

(4) Every person required to sign a nomination paper shall do so in the presence of the returning officer, a magistrate, an additional magistrate or an assistant magistrate, who shall also sign the nomination paper as witness and state thereon his office and the date of signing, after having satisfied himself as to the identity of each signatory and having drawn the attention of the signatories to the provisions of this regulation.

5. (1) When the Chairman is satisfied that every member present and desiring to nominate a candidate at the sitting for purposes of the election of Chairman of the Executive Committee, has done so, he shall adjourn the sitting.

(2) The returning officer shall thereupon consider all nominations received by him, and shall reject any nomination which does not comply with the requirements of these regulations.

6. (1) If no candidate has been duly nominated, the returning officer shall notify the fact to the Chairman.

(2) The Chairman shall resume the proceedings, inform the members present at the sitting accordingly and call for further nominations.

(3) If, after further nominations have been called for as provided in subregulation (2), still no candidate has been duly nominated the Chairman shall inform the members present at the sitting accordingly and the vacancy shall be regarded as a casual vacancy and shall be filled as provided in regulation 20.

7. If only one candidate is duly nominated for the vacancy to be filled, the returning officer shall declare the candidate so nominated to be duly elected, and shall immediately thereafter notify the Chairman of the name of the person declared duly elected. The Chairman shall, upon the resumption of proceedings, inform the members present at the sitting of the name of the person declared duly elected.

8. (1) If more than one candidate is duly nominated the returning officer shall make a return to the Chairman showing the names, addresses, and occupations of the candidates who have been duly nominated, together with the names of the members who have nominated them.

(2) The Chairman shall, upon the resumption of proceedings, announce to the members present at the sitting the names of the candidates duly nominated, and thereupon the election shall proceed in the manner hereinafter prescribed.

BALLOT PAPERS

9. (1) The returning officer shall, for purposes of an election under these regulations, cause ballot papers to be prepared in the form U.V.V. 2 (S.W.A.) or (when the election is to be held in accordance with the system of proportional representation) in the form U.V.V. 2 (a) (S.W.A.) set out in the Schedule hereto. Such ballot papers shall be framed in both official languages, and on them shall be printed, in alphabetical order according to their surnames, the full names of all duly nominated candidates together with their addresses and occupations.

(2) Een sodanige stembriefie, agterop gemerk met die amptelike stempel wat vir die doel verskaf word, moet deur die kiesbeampde aan elke lid wat die betrokke sitting bywoon, gegee word.

(3) Die naam van die lid aan wie 'n stembriefie aldus uitgereik is, moet op die teenblad daarvan aangeteken word.

(4) Elke lid wat teenwoordig is, stem persoonlik en geen lid word toegelaat om by volmag te stem nie.

PROSEDURE BY STEMMING

10. (1) Sodra 'n lid sy stem uitgebring het op 'n stembriefie, wat kragtens subregulasie (2) van regulasie 9 aan hom uitgereik is, vou hy dit op so 'n wyse dat die amptelike stempel daarop duidelik sigbaar is en plaas dit in die stembus wat vir die doel verskaf word nadat hy die amptelike stempel aan die kiesbeampde getoon het.

(2) As 'n lid 'n stembriefie onopsetlik bederf, moet hy dit aan die kiesbeampde teruggee, wat indien hy daarvan oortuig is dat dit onopsetlik bederf is, die stembriefie hou, dit onmiddellik kanselleer, die teenblad daarvan dienoreenkomstig endosseer en 'n nuwe stembriefie aan die betrokke lid uitreik.

11. (1) Behoudens in die omstandighede in subregulasie (2) genoem, het elke lid slegs een stem ten opsigte van die vakature wat gevul moet word, en geen lid mag meer as een stem op enige besondere kandidaat uitbring nie.

(2) Wanneer 'n verkiesing volgens die stelsel van proporsionele verteenwoordiging moet plaasvind, het elke lid slegs een stem, maar hy kan agtereenvolgende keuses vir enige getal kandidate uitbring.

12. (1) Wanneer 'n verkiesing volgens die stelsel van proporsionele verteenwoordiging moet plaasvind, moet 'n lid stem deur die syfer „2” op die plek wat daarvoor bedoel is, te plaas teenoor die naam van die kandidaat vir wie hy wil stem; hy kan terselfdertyd agtereenvolgende keuses vir ander kandidate uitbring, en elke volgende keuse word aangedui deur die daaropvolgende syfer teenoor die naam van die betrokke kandidaat te plaas.

(2) In elke ander geval stem 'n lid vir 'n kandidaat deur 'n kruis teenoor sy naam te maak op die plek wat op die stembriefie daarvoor bedoel is.

13. 'n Stembriefie is ongeldig—

- (a) as dit nie die amptelike merk bedoel in subregulasie (2) van regulasie 9 daarop het nie;
- (b) as dit enige skrif, merk of handtekening dra waardeur 'n lid geïdentifiseer kan word;
- (c) in die geval van 'n ander verkiesing as dié volgens die stelsel van proporsionele verteenwoordiging, as kruisies teenoor die name van meer as een kandidaat gemaak is;
- (d) in die geval van 'n verkiesing volgens die stelsel van proporsionele verteenwoordiging, as die syfer „2” nie teenoor die naam van enige kandidaat geplaas is nie, of teenoor die naam van meer as een kandidaat geplaas is, of teenoor die naam van enige kandidaat tesame met enige ander syfer geplaas is;
- (e) as dit ongemerk is of as daar twyfel is aangaande 'n lid se keuse: Met dien verstande dat 'n stembriefie nie op grond van twyfel as ongeldig beskou word nie slegs omdat dieselfde plek in orde van keuse vir meer as een kandidaat aangeteken is, indien die orde van keuse van kandidate, vir wie vroeër keuses aange-teken is, duidelik bly.

14. (1) Sodra die stemming by 'n verkiesing van Voorsitter van die Uitvoerende Komitee afgehandel is, moet die kiesbeampde in teenwoordigheid van die assistent-kiesbeampde, die stembus wat die stembriefies bevat, oopmaak en die stemme tel.

(2) Slegs iemand in subregulasie (1) genoem, mag by die verrigtinge in daardie subregulasie vermeld, aanwesig wees.

(3) By enige verkiesing kragtens hierdie regulasies wat nie 'n verkiesing is wat kragtens die stelsel van proporsionele

(2) The returning officer shall hand one such ballot paper, marked on the back with the official mark supplied for the purpose, to each member present at the sitting.

(3) The name of the member to whom a ballot paper is so issued, shall be recorded on the relative counterfoil.

(4) Each member present shall vote in person, and no member shall be allowed to vote by proxy.

SYSTEM OF VOTING

10. (1) When a member has recorded his vote on a ballot paper issued to him in terms of subregulation (2) of regulation 9, he shall fold the ballot paper so that the official mark thereon is clearly visible, and having shown such mark to the returning officer, shall drop the ballot paper in the ballot box provided for the purpose.

(2) If a member inadvertently spoils a ballot paper, he shall return it to the returning officer, who shall, if satisfied of such inadvertence, issue him with another ballot paper and retain the spoiled ballot paper, which shall immediately be cancelled, and the fact of such cancellation shall be noted upon the counterfoil.

11. (1) Subject to the circumstances set out in subregulation (2), every member shall have only one vote in respect of the vacancy to be filled, and no member shall vote more than once for any particular candidate.

(2) When an election is to be held in accordance with the system of proportional representation, every member shall have only one vote, provided that he may record successive preferences in favour of any number of candidates.

12. (1) When an election is to be held in accordance with the system of proportional representation, every member shall vote by placing the figure “1” in the space provided for that purpose against the name of the candidate for whom he desires to vote; he may at the same time record successive preferences in favour of other candidates; each next preference being signified by placing the following figure against the name of the candidate concerned.

(2) In every other case a member shall vote for a candidate by placing a cross against the name of such candidate in the space provided for that purpose on the ballot paper.

13. A ballot paper shall be invalid—

- (a) if it does not bear the official mark referred to in subregulation (2) of regulation 9;
- (b) if it bears any writing or mark or signature by which a member can be identified;
- (c) if, in the case of an election other than an election in accordance with the system of proportional representation, it bears crosses against the names of more than one candidate;
- (d) if, in the case of an election in accordance with the system of proportional representation, the figure “1” has not been placed against the name of any candidate, or has been placed against the name of more than one candidate, or has been placed against the name of any candidate together with any other figure;
- (e) if it is unmarked or if there is any doubt about a member's preference: Provided that a ballot paper shall not be deemed to be void for doubt by reason only that the same place in order of preference has been recorded in favour of more than one candidate, if the order of preference of candidates for whom prior preferences have been recorded, is clear.

14. (1) As soon as the voting at an election of Chairman of the Executive Committee has been completed, the returning officer shall open the ballot box containing the ballot papers and count the votes in the presence of the assistant returning officer.

(2) Only a person referred to in subregulation (1), shall be present at the proceedings mentioned in that subregulation.

(3) At any election in terms of these regulations other than an election in accordance with the system of proportional

verteenwoordiging moet plaasvind nie, moet die kandidaat wat die hoogste getal stemme ontvang, deur die kiesbeampte behoorlik verkose verklaar word.

(4) Indien twee of meer kandidate vir die vakature dieselfde getal stemme ontvang, moet 'n herverkiesing vir daardie vakature volgens die stelsel van proporsionele verteenwoordiging onverwyld plaasvind en daarna is die bepalings van regulasies 11 tot en met 17 van toepassing.

15. Vir doeleindes van die tel van stemme in die geval van 'n herverkiesing wat kragtens subregulasie (4) van regulasie 14 gehou word—

- (a) het elke geldige stembriefie die waarde van 100; en
- (b) word alle keuses wat vir kandidate aangeteken is wat van die verkiesing uitgesluit is, buite rekening gelaat.

16. (1) Die kiesbeampte moet vir elke kandidaat 'n aparte pakkie van al die stembriefies waarop 'n eerste keuse ten gunste van sodanige kandidaat aangeteken is, maak.

(2) As enige kandidaat 'n volstreekte meerderheid stemme verkry, nadat die verskillende pakkies stembriefies getel is, moet hy verkose verklaar word.

(3) As geen kandidaat 'n volstreekte meerderheid verkry nie, moet die kiesbeampte die kandidaat op wie die kleinste getal eerste keuses uitgebring is van die verkiesing uitsluit en die stembriefies in sy pakkie aan die blywende kandidate oordra volgens die volgende keuses wat ten gunste van hulle daarop aangeteken is. Die waarde van die stembriefies aldus oorgedra, word gevoeg by dié van die stembriefies wat reeds in die pakkie van die betrokke kandidaat is.

(4) As daar te eniger tyd twee of meer kandidate is wat die laagste in die verkiesing staan en dieselfde waarde van stemme het, word die kandidaat vir wie die kleinste getal eerste keuses aangeteken is, van die verkiesing uitgesluit, en indien die eerste keuses vir twee of meer kandidate aange-teken dieselfde is, moet die kiesbeampte deur lootjies te trek, bepaal watter kandidaat uitgesluit moet word.

(5) Die prosedure in subregulasie (3) uiteengesit, word ten opsigte van die blywende kandidate so dikwels herhaal as wat nodig mag wees om 'n volstreekte meerderheid vir een kandidaat te verkry; die blywende kandidaat met die laagste waarde van stemme word by elke herhaling van sodanige prosedure uitgesluit.

(6) Sodra 'n kandidaat as gevolg van enige verrigtings kragtens hierdie regulasie 'n volstreekte meerderheid verkry, moet hy behoorlik verkose verklaar word.

PROSEDURE BY LOTING

17. (1) As dit nodig word om deur loting te bepaal watter van twee of meer kandidate van 'n stemming uitgesluit moet word, of watter van twee of meer surplusse eerste oorgedra moet word, of watter van twee kandidate behoorlik verkose verklaar moet word, moet die kiesbeampte die name van die betrokke kandidate van wie een van 'n stemming uitgesluit moet word, of van die kandidate wie se surplusse oorgedra moet word of van die twee kandidate van wie een behoorlik verkose verklaar moet word, na gelang van die geval, op aparte stukkies papier van eenderse grootte, en van dieselfde fatsoen en voorkoms skryf, en dit daarna op 'n wyse vou wat sal verseker dat hulle sover moontlik uiterlik identies lyk.

(2) Die kiesbeampte plaas daarna die stukkies papier in 'n stembus en nadat hy die stembus toegemaak en geskud het, maak hy dit weer oop en haal dan sonder om in die stembus te kyk, een van die stukkies papier daaruit.

(3) Die kandidaat wie se naam voorkom op die stukkies papier wat aldus uitgehaal is, is die kandidaat wat uitgesluit moet word, of wie se surplus eerste oorgedra moet word of wat behoorlik verkose verklaar moet word, na gelang van die geval.

UITSLAG VAN DIE VERKIESING

18. (1) Sodra die verkiesing afgehandel is, moet die kiesbeampte die naam van die persoon wat verkose verklaar is

representation, the candidate in whose favour the highest number of votes have been recorded shall be declared by the returning officer to be duly elected.

(4) If two or more candidates for the vacancy receive the same number of votes, a re-election for that vacancy shall forthwith be held in accordance with the system of proportional representation and thereupon the provisions or regulations 11 to 17, inclusive, shall apply.

15. For the purpose of counting the votes in the case of a re-election held under subregulation (4) of regulation 14—

- (a) every valid ballot paper shall have a value of 100; and
- (b) all preferences recorded in favour of candidates excluded from the poll, shall be disregarded.

16. (1) The returning officer shall in respect of each candidate make a separate parcel of all the ballot papers on which a first preference is recorded in favour of that candidate.

(2) If after the counting of the various parcels of ballot papers, any candidate has an absolute majority that candidate shall be declared to be duly elected.

(3) If no candidate obtains an absolute majority, the returning officer shall exclude from the poll the candidate in whose favour the smallest number of first preferences have been recorded, and transfer the ballot papers in his parcel to the continuing candidates according to the next preferences in their favour recorded thereon, the value of the ballot papers so transferred being added to that of the ballot papers already in the parcel of the candidate concerned.

(4) If at any time two or more candidates, being the lowest on the poll, have the same value of votes, the one in whose favour the smallest number of first preferences have been recorded shall be excluded from the election, and if the first preferences recorded in favour of two or more candidates are equal, the returning officer shall determine by lot which candidate is to be excluded.

(5) The procedure described in subregulation (3), shall be repeated in respect of the continuing candidates as often as may be necessary to obtain an absolute majority in favour of one candidate. The continuing candidate with the lowest value of votes being excluded at each repetition of such procedure.

(6) As soon as any candidate obtains an absolute majority in consequence of any steps taken in terms of this regulation, he shall be declared to be duly elected.

PROCEDURE WHEN DETERMINING BY LOT

17. (1) Whenever it is necessary to determine by lot which of two or more candidates are to be excluded from a poll, or which of two or more surpluses is to be first transferred or which of two candidates is to be declared to be duly elected, the returning officer shall write the names of the candidates concerned of whom one shall be excluded from the poll of the candidates whose surpluses are to be transferred or of the two candidates of whom one is to be declared to be duly elected, as the case may be, on separate pieces of paper of equal size and of the same shape and appearance, which he shall thereupon fold in such a manner as to ensure that they will as far as possible be outwardly identical in appearance.

(2) The returning officer shall thereupon put the pieces of paper in a ballot box, close that ballot box and having shaken it, open it again and without looking therein draw out one of the pieces of paper therefrom.

(3) The candidate whose name appears on the piece of paper so drawn out shall be the candidate who shall be excluded or whose surplus shall be first transferred or who shall be declared to be duly elected, as the case may be.

RESULT OF THE ELECTION

18. (1) As soon as the election has been completed, the returning officer shall furnish the Chairman with the name of

aan die Voorsitter verstrek wat dan die uitslag van die verkiesing aan die Wetgewende Vergadering bekendmaak.

(2) (a) Die kiesbeampte moet ook aan die Sekretaris van Suidwes-Afrika afsonderlike verseëelde pakkies wat al die nominasiebriewe, gebruikte stembrieffies en teenblaaië daarvan bevat, stuur.

(b) Die Sekretaris van Suidwes-Afrika moet, nadat hy sodanige pakkies ontvang het, hulle vir een jaar hou en daarna moet hulle vernietig word, en geen sodanige pakkie word te eniger tyd oopgemaak nie behalwe op bevel van die Hooggeregshof.

19. Die naam van die persoon wat behoorlik verkose verklaar is, en die datum waarop hy verkose verklaar is, word by kennisgewing in die Offisiële Koerant van die Gebied gepubliseer.

TUSSENVERKIESING

20. Die prosedure wat by hierdie regulasies voorgeskryf is, is *mutatis mutandis* van toepassing ten opsigte van 'n verkiesing bedoel in artikel 4 (3) van die Wet op die Konstitusie van Suidwes-Afrika, 1968.

BYLAE

U.V.V. 1 (S.W.A.)

NOMINASIEBRIEF VIR VERKIESING VAN VOORSITTER VAN DIE UITVOERENDE KOMITEE VAN SUIDWES-AFRIKA

Ons, die ondergetekende lede van die Wetgewende Vergadering van die Gebied Suidwes-Afrika nomineer hierby ondergenoemde persoon as kandidaat vir verkiesing tot Voorsitter van die Uitvoerende Komitee van Suidwes-Afrika nl.—

Naam (a)
 Adres (b)
 Beroep (c)
 Voorsteller (d)
 Deur my as getuie onderteken te
 op hede die dag van 19.....
 (e)
 (f)
 Sekondant (d)
 Deur my as getuie onderteken te
 op hede die dag van 19.....
 (e)
 (f)
 Hierby neem ek bostaande nominasie aan (g)
 Deur my as getuie onderteken te
 op hede die dag van 19.....
 (e)
 (f)

- (a) Volle name van die genomineerde persoon. 'n Nominasiebrief mag nie die naam van meer as een kandidaat bevat nie.
 (b) Volledige adres van die genomineerde persoon.
 (c) Beroep van genomineerde persoon.
 (d) Handtekening van voorsteller en sekondant. Voorsteller en sekondant mag nie meer as een nominasiebrief, hetsy as voorsteller of as sekondant, onderteken nie.
 (e) Handtekening van kiesbeampte, landdros, ens.

AMPSHOEDANIGHEID

- (f) „Kiesbeampte”, „Landdros”, ens. na gelang van die geval. Voordat die kiesbeampte, landdros, ens. na gelang van die geval, hierdie nominasiebrief as getuie van 'n handtekening, teken, moet hy die aandag van die ondertekenaar op voetnotas (a) en (d) of (g) na gelang van die geval, vestig.
 (g) Handtekening van die genomineerde persoon; hy mag hierdie nominasiebrief nie andersins onderteken nie.

the person declared elected, and the Chairman shall announce the result of the election to the Legislative Assembly.

(2) (a) The returning officer shall also transmit to the Secretary for South West Africa separate sealed parcels containing the nomination papers, the used ballot papers, and the counterfoils thereof.

(b) Such parcels shall be retained by the Secretary for South West Africa for a period of one year after receipt thereof by him, after which they shall be destroyed and no such parcel shall at any time be opened except upon an order of the Supreme Court.

19. The name of the person declared duly elected and the date on which he was declared duly elected shall be published in the Official Gazette of the Territory.

BY-ELECTION

20. The procedure prescribed by these regulations shall *mutatis mutandis* apply in respect of an election referred to in section 4 (3) of the South West Africa Constitution Act, 1968.

SCHEDULE

U.V.V. 1 (S.W.A.)

NOMINATION PAPER FOR ELECTION OF CHAIRMAN OF THE EXECUTIVE COMMITTEE.

We, the undersigned members of the Legislative Assembly of the Territory of South West Africa hereby nominate the under-mentioned person as a candidate for election as Chairman of the Executive Committee of South West Africa.

Name (a)
 Address (b)
 Occupation (c)
 Proposer (d)
 Witnessed by me at
 on the day of 19.....
 (e)
 (f)
 Seconder (d)
 Witnessed by me at
 on the day of 19.....
 (e)
 (f)
 I hereby accept the above nomination (g)
 Witnessed by me at
 on the day of 19.....
 (e)
 (f)

- (a) Insert full name of person nominated. A nomination paper must not include the name of more than one candidate.
 (b) Insert full address of person nominated.
 (c) Insert occupation of person nominated.
 (d) To be signed by proposer and seconder, who may not sign more than one nomination paper, either as proposer or seconder.
 (e) Signature of returning officer, magistrate, etc.

OFFICIAL CAPACITY

- (f) Insert "returning officer", "magistrate", etc., as the case may be. Before witnessing any signature on this nomination paper, the returning officer, magistrate, etc., as the case may be, shall draw the attention of the signatory to footnotes (a) and (d) or (g), as the case may be.
 (g) To be signed by person nominated, who may not otherwise sign this nomination paper.

(Vorm van voorkant van stembriefie)
(Form of front of ballot paper)

Teenblad Counterfoil	Stembriefie Ballot Paper
No.	
VERKIESING VAN VOORSITTER VAN DIE UITVOERENDE ELECTION OF CHAIRMAN OF THE EXECUTIVE KOMITEE VAN SUIDWES-AFRIKA COMMITTEE FOR SOUTH WEST AFRICA	
Datum van verkiesing Date of Election	
Naam van Lid Name of Member	
	(Kyk agterop vir instruksies aan Lede.) (See back hereof for instructions to Members.) <i>Let wel.</i> —Die Teenblad moet 'n nommer hê wat ooreenstem met <i>Note.</i> —The counterfoil shall have a number corresponding die een op die agterkant van die stembriefie. to that on the back of the Ballot Paper.

U.V.V. 2 (S.W.A.)

(Vorm van agterkant van stembriefie)
(Form of back of ballot paper)

Amptelike stempel
Official Mark

VOORSITTER VAN UITVOERENDE KOMITEE-VERKIESING VIR SUIDWES-AFRIKA
CHAIRMAN OF EXECUTIVE COMMITTEE-ELECTION FOR SOUTH WEST AFRICA

Datum

Date

INSTRUKSIES AAN LEDE

- A. Elke lid het slegs een stem.
- B. 'n Lid bring sy stem uit deur 'n kruis te maak op die stembriefie in die vierkant teenoor die naam van die kandidaat vir wie hy begerig is om te stem, en in geen geval moet 'n stembriefie met meer as een kruisie gemerk word nie.
- C. 'n Stembriefie is ongeldig—
- as 'n lid sy naam daarop teken of enige woord skryf of teken maak waaraan dit herken kan word; of
 - as dit nie die amptelike stempel dra nie; of
 - as daar meer as een kruisie op is; of
 - as dit ongemerkt is of as daar twyfel is aangaande 'n lid se keuse.

INSTRUCTIONS TO MEMBERS

- A. Each member has only one vote.
- B. The member votes by placing a cross on the ballot paper in the square opposite the name of the candidate for whom he wishes to vote, and in no case must a ballot paper be marked with more than one cross.
- C. A ballot paper will be invalid—
- Upon which a member signs his name or writes any word, or makes any mark by which it becomes recognizable; or
 - which does not bear the official mark; or
 - which bears more than one cross; or
 - which is unmarked or if there is any doubt about a member's preference.

U.V.V. 2(a) (S.W.A.)

(Vorm van voorkant van stembriefie)
(Form of front of ballot paper)

Teenblad Counterfoil	Orde van keuse Order of preference	Name van kandidaat Names of Candidates
No.		
VERKIESING VAN VOORSITTER VAN DIE UITVOERENDE ELECTION OF CHAIRMAN OF THE EXECUTIVE KOMITEE VAN SUIDWES-AFRIKA COMMITTEE FOR SOUTH WEST AFRICA		
Datum van verkiesing Date of Election		
Naam van Lid Name of Member		
	(Kyk agterop vir instruksies aan Lede.) (See back hereof for instructions to Members.) <i>Let wel.</i> —Die teenblad moet 'n nommer hê wat ooreenstem met <i>Note.</i> —The counterfoil shall have a number corresponding die een op die agterkant van die stembriefie. to that on the back of the Ballot Paper.	

U.V. 2 (a) (S.W.A.)

(Vorm van agterkant van stembriefie)
(Form of back of ballot paper)

No. _____

Amptelike Stempel
Official MarkVOORSITTER VAN UITVOERENDE KOMITEE-VERKIESING VIR SUIDWES-AFRIKA
CHAIRMAN OF EXECUTIVE COMMITTEE ELECTION FOR SOUTH WEST AFRICADatum _____
Date _____

INSTRUKSIES AAN LEDE

- A. Elke lid het slegs een stem.
- B. Die lid stem—
- (a) deur die syfer 1 teenoor die naam van die kandidaat vir wie hy begerig is om te stem, te plaas.
- Hy word ook gevra om—
- (b) die syfer 2 teenoor die naam van sy tweede keuse te plaas;
- (c) die syfer 3 teenoor die naam van sy derde keuse te plaas, ensovoort, totdat hy die gewenste getal in die orde van sy keuse genommer het. Die getal keuses word nie noodwendig tot die getal vaktures beperk nie.
- C. 'n Stembriefie is ongeldig as—
- (a) 'n Lid sy naam daarop teken of enige ander woord daarop skrywe of merk daarop maak as 'n syfer of syfers wat hy daarop moet maak as hy sy stem uitbring en sy volgende keuses aandui; of
- (b) dit nie die amptelike stempel dra nie; of
- (c) die syfer 1 nie daarop gemerk is nie; of
- (d) die syfer 1 teenoor die naam van meer as een kandidaat gemerk is; of
- (e) die syfer 1 en 'n ander syfer teenoor die naam van dieselfde kandidaat gemerk is; of
- (f) dit ongemerk of as daar twyfel is aangaande 'n lid se keuse.

INSTRUCTIONS TO MEMBERS

- A. Each member has one vote only.
- B. The member votes—
- (a) by placing the figure 1 opposite the name of the candidate for whom he wishes to vote.
- He is also invited to place—
- (b) the figure 2 opposite the name of his second choice;
- (c) the figure 3 opposite the name of his third choice, and so on, numbering as many candidates as he pleases in the order of his preference. The number of preferences is not necessarily restricted to the number of vacancies.
- C. A ballot paper will be invalid—
- (a) upon which a member signs his name or writes any word or makes any mark other than the figure or figures required to be made by a member in recording his vote or signifying his preferences; or
- (b) which does not bear the official mark; or
- (c) on which the figure 1 is not marked; or
- (d) on which the figure 1 is marked opposite the name of more than one candidate; or
- (e) on which the figure 1 and some other figure is marked opposite the name of the same candidate; or
- (f) which is unmarked or if there is any doubt about a member's preference.

INHOUD

Departement van die Eerste Minister

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