



STAATSKOERANT

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Validation of Proclamation No. 114 of 1984

1. Proclamation No. 114 of 6 July 1984 issued by the State President in terms of section 2 of the National States Constitution Act, 1971 (Act No. 21 of 1971), is hereby validated with effect from 6 July 1984.

AMATION

by the

Republic of South Africa

KWANDEBELE- WETGEWENDE VERGADERING.— WYSIGING VAN DIE KWANDEBELE-GRONDWET- PROKLAMASIE, 1979 (PROKLAMASIE R. 205 VAN 1979)

Kragtens die bevoegdheid my verleen by artikel 2 van die Grondwet van die Nasionale State, 1971 (Wet 21 van 1971)—

- (a) wysig ek hierby die KwaNdebele-grondwetproklamasie, 1979—
 - (i) deur Bylae II deur bygaande Bylae I te vervang; en
 - (ii) deur die byvoeging van 'n nuwe Bylae III ooreenkomstig bygaande Bylae II;
- (b) bepaal ek hierby dat enige gesag saamgestel of ingestel of persoon aangewys, verkies of aangestel of bevoegdheid verleen of enigiets gedoen uit hoofde van bevoegdhede verleen deur of ingevolge 'n bepaling van genoemde Bylae II geag word uit hoofde van bevoegdhede verleen deur of ingevolge die ooreenstemmende bepaling van Bylae II, soos gewysig deur hierdie Proklamasie, saamgestel, ingestel, aangewys, verkies, aangestel, verleen of gedoen te wees;
- (c) bepaal ek hierby dat die KwaNdebele- Wetgewende Vergadering vir doeleindes van genoemde Bylae II saamgestel en wat onmiddellik voor die inwerking-treding van hierdie Proklamasie bestaan, geag word behoorlik vir doeleindes van Bylae II, soos deur hierdie Proklamasie gewysig, saamgestel te wees, en dat iemand wat as lid van bedoelde Wetgewende Vergadering aangewys is of *ex officio*-lid daarvan is en sy amp onmiddellik voor bedoelde inwerkingtreding beklee, geag word behoorlik aangewys te wees as lid van die Wetgewende Vergadering of *ex officio*-lid daarvan te wees; en
- (d) ondanks die vervanging van Bylae II, bepaal ek hierby dat die bepalings van artikel 2 (2) daarvan van krag bly vir die duur van die huidige Wetgewende Vergadering.

NO. R. 114, 1984

KWANDEBELE LEGISLATIVE ASSEMBLY.— AMENDMENT OF THE KWANDEBELE CONSTITU- TION PROCLAMATION, 1979 (PROCLAMATION R. 205 OF 1979)

Under and by virtue of the powers vested in me by section 2 of the National States Constitution Act, 1971 (Act 21 of 1971)—

- (a) I hereby amend Schedule II of the KwaNdebele Constitution Proclamation, 1979—
 - (i) by the substitution for Schedule II of the accompanying Schedule I; and
 - (ii) by the addition of a new Schedule III in accordance with the accompanying Schedule II;
- (b) I hereby determine that any authority constituted or established or person designated, elected or appointed or power conferred or anything done by virtue of powers conferred by or in terms of any provision of the said Schedule II shall be deemed to have been constituted, established, designated, elected, appointed, conferred or done by virtue of powers conferred by or in terms of the corresponding provision of Schedule II, as amended by this Proclamation;
- (c) I hereby determine that the KwaNdebele Legislative Assembly as constituted for the purposes of the said Schedule II and in existence immediately before the commencement of this Proclamation shall be deemed to have been duly constituted for the purposes of Schedule II, as amended by this Proclamation, and that any person designated as a member of the said Legislative Assembly or being an *ex officio* member thereof and holding office immediately before such commencement shall be deemed to have been duly designated as a member of the Legislative Assembly or to be an *ex officio* member thereof; and
- (d) notwithstanding the replacement of Schedule II, I hereby determine that the provisions of section 2 (2) thereof shall continue in force for the duration of the present Legislative Assembly.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Ses-en-twintigste dag van Junie Eenduisend Negehonderd Vier-en-tagtig.

M. VILJOEN, Staatspresident.

Op las van die Staatspresident-in-rade:

P. G. J. KOORNHOF.

BYLAE I

"BYLAE II

DEEL I

WOORDOMSKRYWING

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan 'n betekenis geheg is in die Grondwet van die Nasionale State, 1971 (Wet 21 van 1971), die Wet op Burgerskap van Nasionale State, 1970 (Wet 26 van 1970), en die Wet op Swart Owerhede, 1951 (Wet 68 van 1951), die betekenis aldus daaraan geheg en beteken—

'Adjunk-speaker' die Adjunk-speaker van die Wetgewende Vergadering in artikel 22 bedoel;

'burger' iemand wat kragtens die bepalings van die Wet op Burgerskap van Nasionale State, 1970 (Wet 26 van 1970), 'n burger van KwaNdebele is;

'die Wet' die Grondwet van die Nasionale State, 1971 (Wet 21 van 1971);

'geheime stemming' 'n stemming gehou ingevolge artikel 14 (9);

'Kabinet' die Kabinet bedoel in artikel 29 (1) van die Wet;

'kieser' 'n manlike burger van KwaNdebele bo die ouderdom van 21 jaar;

'KwaNdebele' die gebied waarvoor die KwaNdebele-Wetgewende Vergadering ingestel is;

'Kommissaris-generaal' die Kommissaris-generaal vir die Suid-Ndebele-volkseenheid, aangestel ingevolge die Wet op die Bevordering van Swart Selfbestuur, 1959 (Wet 46 van 1959);

'Minister' die Minister van Samewerking en Ontwikkeling;

'stedelike raad' 'n raad deur 'n stedelike verteenwoordiger ingestel kragtens die bepalings van artikel 5 (1) (b) van die Wet op die Bevordering van Swart Selfbestuur, 1959 (Wet 46 van 1959);

'stedelike verteenwoordiger' 'n verteenwoordiger van die KwaNdebele-regering kragtens artikel 4 (2) van die Wet op die Bevordering van Swart Selfbestuur, 1959 (Wet 46 van 1959), erken;

'Sekretaris' die Sekretaris van die Departement van die Hoofminister;

'Sekretaris van die Wetgewende Vergadering' die Sekretaris van die Wetgewende Vergadering aangestel ingevolge reël 52 van die Reglement van Orde van die KwaNdebele-Wetgewende Vergadering;

'Speaker' die Speaker van die Wetgewende Vergadering in artikel 22 bedoel;

'Wetgewende Vergadering' die KwaNdebele-Wetgewende Vergadering.

DEEL II

DIE WETGEWENDE VERGADERING

Samestelling van Wetgewende Vergadering

2. (1) Die Wetgewende Vergadering bestaan uit—

- (a) 21 lede deur die Ndzundza- (Mabhoko)-stamowerheid uit eie geledere aangewys;
- (b) sewe lede deur die Manala (Mbongo)-stamowerheid uit eie geledere aangewys;

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-sixth day of June, One thousand Nine hundred and Eighty-four.

M. VILJOEN, State President.

By Order of the State President-in-Council:

P. G. J. KOORNHOF.

SCHEDULE I

"SCHEDULE II

PART I

DEFINITIONS

1. In this Schedule, unless the context otherwise indicates, any expression to which a meaning has been assigned in the National States Constitution Act, 1971 (Act 21 of 1971), the National States Citizenship Act, 1970 (Act 26 of 1970), and the Black Authorities Act, 1951 (Act 68 of 1951), shall bear such meaning, and—

'Cabinet' shall mean the Cabinet referred to in section 29 (1) of the Act;

'citizen' shall mean any person who is a citizen of KwaNdebele in terms of the provisions of the National States Citizenship Act, 1970 (Act 26 of 1970);

'Commissioner-General' shall mean the Commissioner-General for the South-Ndebele national unit, appointed in terms of the Promotion of Black Self-government Act, 1959 (Act 46 of 1959);

'Deputy Speaker' shall mean the Deputy Speaker of the Legislative Assembly referred to in section 22;

'KwaNdebele' shall mean the area for which the KwaNdebele Legislative Assembly has been established;

'Legislative Assembly' shall mean the KwaNdebele Legislative Assembly;

'Minister' shall mean the Minister of Co-operation and Development;

'secret ballot' shall mean a ballot conducted in terms of section 14 (9);

'Secretary' shall mean the Secretary for the Department of the Chief Minister;

'Secretary of the Legislative Assembly' shall mean the Secretary of the Legislative Assembly appointed in terms of rule 52 of the Rules of Procedure of the KwaNdebele Legislative Assembly;

'Speaker' shall mean the Speaker of the Legislative Assembly referred to in section 22;

'the Act' shall mean the National States Constitution Act, 1971 (Act 21 of 1971);

'urban board' shall mean a board established by an urban representative under section 5 (1) (b) of the Promotion of Black Self-government Act, 1959 (Act 46 of 1959);

'urban representative' shall mean a representative of the KwaNdebele Government recognised under section 4 (2) of the Promotion of Black Self-government Act, 1959 (Act 46 of 1959);

'voter' shall mean any male citizen of KwaNdebele above the age of 21 years.

PART II

THE LEGISLATIVE ASSEMBLY

Constitution of Legislative Assembly

2. (1) The Legislative Assembly shall consist of—

- (a) 21 members designated by the Ndzundza (Mabhoko) tribal authority from among its members;
- (b) seven members designated by the Manala (Mbongo) tribal authority from among its members;

- (c) ses lede deur elke stamowerheid [behalwe die Ndzundza (Mabhoko)-stamowerheid en die Manala (Mbongo)-stamowerheid] uit eie geledere aangewys;
 - (d) hoogstens twee lede deur die gemeenskapsowerhede (as daar is) uit eie geledere aangewys op 'n gesamentlike vergadering;
 - (e) twee lede deur die kaptein van die Ndzundza (Mabhoko)-stam aangewys;
 - (f) twee lede deur die kaptein van die Manala (Mbongo)-stam aangewys;
 - (g) een lid deur elke kaptein [behalwe die kapteins in paragrawe (e) en (f) bedoel] aangewys;
 - (h) vier lede deur die stedelike rade uit eie geledere aangewys op 'n gesamentlike vergadering; Met dien verstande dat hoogstens twee lede van 'n stedelike raad as lede aangewys kan word;
 - (i) vier lede deur die Hoofminister aangewys, binne sewe dae na sy verkiesing ingevolge artikel 14; en
 - (j) 16 lede verkies deur die kiesers van KwaNdebele tydens 'n verkiesing van lede van die Wetgewende Vergadering vir die kiesafdelings bekendgemaak ingevolge artikel 4 van Bylae III van hierdie Proklamasie.
- (2) (a) Die aanwysing van lede in subartikels (1) (a), (b), (c), (e), (f) en (g) bedoel, vind plaas op die datum of datums wat die Minister by kennisgewing in die *Staatskoerant* bepaal.
- (b) (i) Die vergaderings in subartikels (1) (d) en (h) bedoel, word gehou op 'n tyd en plek en word belê op die wyse en deur die persoon deur die Sekretaris bepaal.
- (ii) Enige getal lede wat meer is as die helfte van die getal lede van die gemeenskapsowerhede of van die stedelike rade, na gelang van die geval, maak 'n kworum uit.
- (iii) Die Sekretaris wys 'n lid van 'n gemeenskapsowerheid of van 'n stedelike raad, na gelang van die geval, aan om op 'n vergadering voor te sit.
- (iv) Die Sekretaris bepaal die wyse waarop die aanwysings wat in subartikels 1 (d) en (h) bedoel word, plaasvind.
- (c) Die verkiesing van die lede in subartikel (1) (j) bedoel, vind plaas op die datum of datums wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.
- (3) (a) 'n Lid van 'n stamowerheid, gemeenskapsowerheid of stedelike raad wat aangewys is as lid van die Wetgewende Vergadering kragtens die bepalings van subartikels (1) (a), (b), (c), (d) of (h), kan alleen met die goedkeuring van die Wetgewende Vergadering uit sy amp as lid van die betrokke stamowerheid, gemeenskapsowerheid of stedelike raad ontslaan word.
- (b) Die goedkeuring in paragraaf (a) bedoel, word aangevra by wyse van 'n versoekskrif gerig aan die Speaker, wat dit aan die Wetgewende Vergadering voorlê.

Kennisgewing deur die Sekretaris van die Wetgewende Vergadering

3. Die Sekretaris van die Wetgewende Vergadering stel die Kommissaris-generaal en die Ouditeur-generaal in kennis van die name van die lede van die Wetgewende Vergadering.

Onbevoegdheid van lede

4. (1) Geen persoon is bevoeg om as lid van die Wetgewende Vergadering aangewys of verkies te word of lid daarvan te bly nie indien hy—

- (a) onder die ouderdom van 21 jaar is;
- (b) nie 'n manlike burger van KwaNdebele is nie;

- (c) six members designated by every tribal authority [except the Ndzundza (Mabhoko) tribal authority and the Manala (Mbongo) tribal authority] from among its members;
- (d) not more than two members designated by the community authorities (if any) from among their members at a joint meeting;
- (e) two members designated by the Chief of the Ndzundza (Mabhoko) tribe;
- (f) two members designated by the Chief of the Manala (Mbongo) tribe;
- (g) one member designated by every Chief [except the chiefs referred to in paragraphs (e) and (f)];
- (h) four members designated by the urban boards from among their members at a joint meeting: Provided that not more than two members of any urban board may be designated as members;
- (i) four members designated by the Chief Minister within seven days after his election in terms of section 14; and
- (j) 16 members elected by the voters of KwaNdebele during an election of members of the Legislative Assembly for the electoral divisions made known in terms of section 4 of Schedule III of this Proclamation.

(2) (a) The designation of members referred to in subsections (1) (a), (b), (c), (e), (f) and (g) shall take place upon such date or dates as the Minister may determine by notice in the *Gazette*.

(b) (i) The meetings referred to in subsections (1) (d) and (h) shall be held at such time and place and shall be convened in such manner and by such person as the Secretary may determine.

(ii) Any number of members exceeding half the number of members of the community councils or of the urban boards, as the case may be, shall form a quorum.

(iii) The Secretary shall designate any member of a community authority or of an urban board, as the case may be, to preside at a meeting.

(iv) The Secretary shall determine the manner in which the designations referred to in subsections (1) (d) and (h) shall take place.

(c) The election of members referred to in subsection (1) (j) shall take place upon such date or dates as the State President may fix by proclamation in the *Gazette*.

(3) (a) No member of a tribal authority, community authority or urban board designated as a member of the Legislative Assembly under subsections (1) (a), (b), (c), (d) or (h) shall be dismissed from his office as a member of such tribal authority, community authority or urban board without the approval of the Legislative Assembly.

(b) The approval referred to in paragraph (a) shall be sought by means of a petition directed to the Speaker, who shall lay such petition before the Legislative Assembly.

Notice by Secretary of Legislative Assembly

3. The Secretary of the Legislative Assembly shall notify the Commissioner-General and the Auditor-General of the names of the members of the Legislative Assembly.

Disqualification of members

4. (1) No person shall be qualified to be designated as, or to be elected, a member of the Legislative Assembly or to remain a member thereof if he—

- (a) is under the age of 21 years;
- (b) is not a male citizen of KwaNdebele;

(c) in KwaNdebele of elders in die Republiek van Suid-Afrika skuldig bevind is aan—

- (i) hoogverraad;
- (ii) moord; of
- (iii) enige ander misdryf en daarvoor gevonnissen is tot 'n tydperk van minstens 90 dae gevangenisstraf sonder die keuse van 'n boete of beveel is om kragtens enige wetsbepaling betreffende rehabilitasiesentrums aangehou te word en genoemde tydperk nie verstryk het nie of bedoelde bevel nie finaal opgehou het om van krag te wees nie; of

(d) onderworpe is aan 'n hofbevel waarby hy kranksinnig of geestesongesteld verklaar is of aangehou word kragtens die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973).

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

Duur en ontbinding van Wetgewende Vergadering

5. Elke Wetgewende Vergadering duur vyf jaar gereken vanaf die dag waarop die eerste sessie daarvan begin: Met dien verstande dat die Staatspresident op versoek van die Kabinet 'n Wetgewende Vergadering te eniger tyd by proklamasie in die *Staatskoerant* kan ontbind.

Uitwerking van ontbinding

6. Ondanks die ontbinding van die Wetgewende Vergadering ingevolge hierdie Proklamasie, hetsy deur tydsverloop of andersins—

- (a) bly elke persoon wat op die datum van die ontbinding 'n lid van die Wetgewende Vergadering is, nog 'n lid daarvan;
- (b) bly die Wetgewende Vergadering bevoeg om sy werksaamhede te verrig; en
- (c) is die Kabinet bevoeg om die Wetgewende Vergadering vir die verrigting van sy werksaamhede byeen te roep gedurende die tydperk na sodanige ontbinding tot en met die dag onmiddellik voor die stembag van die verkiesing wat ingevolge die proklamasie in artikel 5 bedoel, gehou word, op dieselfde wyse in alle opsigte asof die ontbinding nie plaasgevind het nie.

Ontruiming van setels

7. Die setel van 'n lid van die Wetgewende Vergadering word ontruim—

- (a) by die afsterwe van sodanige lid;
- (b) by die indiening by die Speaker van 'n skriftelike kennisgewing van bedanking onder die handtekening van sodanige lid;
- (c) indien sodanige lid ingevolge artikel 4 (1) onbevoeg is of word om 'n lid van die Wetgewende Vergadering te word of te bly;
- (d) indien sodanige lid lid is van 'n stamowerheid, gemeenskapsowerheid of stedelike raad en indien die Wetgewende Vergadering kragtens artikel 2 (3) (a) goedkeuring verleen vir sy ontslag;
- (e) indien sodanige lid nalaat om ten minste die helfte van die getal sittingsdae van enige gewone sessie van die Wetgewende Vergadering by te woon sonder dat hy voor die laaste sittingsdag van die besondere sessie redes vir sy afwesigheid aan die Speaker verstrek wat aanvaarbaar is vir die Wetgewende Vergadering.

(c) has been convicted in KwaNdebele or elsewhere in the Republic of South Africa of—

- (i) treason;
- (ii) murder; or
- (iii) any other offence, and sentenced therefor for a period of imprisonment for not less than 90 days without the option of a fine or ordered to be detained under any law relating to rehabilitation centres, and the said period has not expired or such order has not finally ceased to be operative; or

(d) is subject to an order of court declaring him to be of unsound mind or mentally ill or is detained under the Mental Health Act, 1973 (Act 18 of 1973).

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

Duration and dissolution of Legislative Assembly

5. Every Legislative Assembly shall continue for five years from the day on which its first session begins: Provided that the State President may at any time, at the request of the Cabinet, dissolve a Legislative Assembly by proclamation in the *Gazette*.

Effect of dissolution

6. Notwithstanding the dissolution of the Legislative Assembly in terms of this Proclamation, whether by effluxion of time or otherwise—

- (a) every person who at the date of such dissolution is a member of the Legislative Assembly shall remain a member thereof;
- (b) it shall remain competent for the Legislative Assembly to perform its functions; and
- (c) the Cabinet shall have power to summon the Legislative Assembly for the dispatch of business, during the period following such dissolution up to and including the day immediately preceding the polling day for the election held in terms of the proclamation referred to in section (5), in the same manner in all respects as if such dissolution had not occurred.

Vacating of seats

7. The seat of a member of the Legislative Assembly shall be vacated—

- (a) upon the death of such member;
- (b) upon the lodgement with the Speaker of a written notice of resignation under the hand of such member;
- (c) if such member becomes disqualified in terms of section 4 (1) to remain a member of the Legislative Assembly;
- (d) if such member is a member of a tribal authority, community authority or urban board and if the Legislative Assembly has granted approval for his dismissal under section 2 (3) (a);
- (e) if such member fails to attend at least half the number of days of sitting of any ordinary session of the Legislative Assembly without having furnished the Speaker prior to the last day of sitting of the particular session with reasons for his absence which are acceptable to the Legislative Assembly.

Aanvulling van toevallige vakatures

8. Indien die setel van 'n lid van die Wetgewende Vergadering ontruim word, word die vakature aangevul deur die aanwysing van 'n lid deur die betrokke stamowerheid, gemeenskapsowerheid, stedelike raad of kaptein of die Hoofminister, of deur die verkiesing van 'n lid, na gelang van die geval, vir die onverstreke tydperk van die ampstermyn van sy voorganger: Met dien verstande dat die vakature nie aangevul word nie indien die duur van die Wetgewende Vergadering binne drie maande na die ontstaan van sodanige vakature verstryk.

DEEL III**SETEL VAN REGERING EN SESSIES VAN WETGEWENDE VERGADERING**

9. (1) Siyabuswa is die setel van die Regering van KwaNdebele.

(2) Elke sessie van die Wetgewende Vergadering word gehou waar die setel van die Regering is of op sodanige plek as wat die Kabinet bepaal, en begin op 'n datum en tyd deur die Kabinet bepaal.

(3) Daar is minstens een maal in elke jaar 'n gewone sessie van die Wetgewende Vergadering, sodat daar nie 'n tydperk van meer as 15 maande tussen die einde van een gewone sessie en die begin van die volgende gewone sessie verloop nie: Met dien verstande dat die Minister kan goedkeur dat 'n gewone sessie na die verloop van die tydperk van 15 maande gehou word.

(4) Die eerste sessie van die Wetgewende Vergadering na die algemene verkiesing van lede daarvan wat as gevolg van 'n ontbinding van die Wetgewende Vergadering gehou word, moet binne drie maande na die laaste stembag van die verkiesing begin.

(5) 'n Buitengewone sessie van die Wetgewende Vergadering kan, en, indien die Minister dit gelas, moet deur die Kabinet byeengeroep word te eniger tyd na die eerste gewone sessie in subartikel (4) bedoel, en op sodanige buitengewone sessie mag slegs dié sake wat die Kabinet goedkeur, voorgelê word aan en behandel word deur die Wetgewende Vergadering: Met dien verstande dat indien sodanige buitengewone sessie op las van die Minister byeengeroep word, slegs dié sake wat die byeenroeping van die buitengewone sessie nodig gemaak het, bespreek word: Met dien verstande voorts dat die Wetgewende Vergadering by enige buitengewone sessie wat nie op las van die Minister byeengeroep is nie, deur 'n meerderheid van stemme kan besluit dat enige ander saak wat dringend en belangrik van aard is, by sodanige buitengewone sessie bespreek en behandel kan word.

(6) Die Sekretaris van die Wetgewende Vergadering stel minstens 30 dae voor 'n gewone sessie en minstens sewe dae voor 'n buitengewone sessie van die Wetgewende Vergadering die lede en die Kommissaris-generaal skriftelik in kennis van die datum en tyd bepaal vir sodanige sessie en die sake wat behandel staan te word.

(7) Die Kommissaris-generaal kan enige sessie van die Wetgewende Vergadering bywoon en die Speaker bied die Kommissaris-generaal so dikwels as wat laasgenoemde dit nodig ag, die geleentheid om die Wetgewende Vergadering toe te spreek in verband met enige saak wat deur die Wetgewende Vergadering oorweeg word of oorweeg staan te word.

DEEL IV**PROSEDURE IN WETGEWENDE VERGADERING****Procedure**

10. (1) Alle kwessies wat in die Wetgewende Vergadering ontstaan, word beslis deur 'n meerderheid van stemme van die aanwesige lede, uitgesonderd die lid wat op die sitting voorsit, welke persoon 'n beslissende stem het en dit uitoefen in die geval van 'n staking van stemme.

Filling of casual vacancies

8. If the seat of a member of the Legislative Assembly becomes vacant, such vacancy shall be filled by the designation of a member by the tribal authority, community authority, urban board or chief concerned or the Chief Minister, or by the election of a member, as the case may be, for the unexpired period of office of his predecessor: Provided that the vacancy shall not be filled if the duration of the Legislative Assembly is to expire within three months of such vacancy's arising.

PART III**SEAT OF GOVERNMENT AND SESSIONS OF LEGISLATIVE ASSEMBLY**

9. (1) Siyabuswa shall be the seat of the Government of KwaNdebele.

(2) Every session of the Legislative Assembly shall be held at the seat of the Government or at such place as the Cabinet may determine and shall commence on a date and at a time fixed by the Cabinet.

(3) There shall be an ordinary session of the Legislative Assembly at least once in every year so that a period of not more than 15 months shall intervene between the end of an ordinary session and the commencement of the next ordinary session: Provided that the Minister may approve the holding of an ordinary session after the expiry of such period of 15 months.

(4) The first session of the Legislative Assembly after the general election of members thereof held as a result of a dissolution of the Legislative Assembly shall commence within three months after the last polling day of such election.

(5) A special session of the Legislative Assembly may and, if the Minister so directs, shall be called by the Cabinet at any time after the first ordinary session referred to in subsection (4), and at such special session only such matters as the Cabinet may approve shall be laid before and dealt with by the Legislative Assembly: Provided that if such special session is called by direction of the Minister, only the matters necessitating the calling thereof shall be discussed: Provided further that the Legislative Assembly, at any special session not called by direction of the Minister, may by majority vote decide that any other matter that is of an urgent and important nature may be discussed and dealt with at such special session.

(6) The Secretary of the Legislative Assembly, not less than 30 days prior to an ordinary session and not less than seven days prior to a special session of the Legislative Assembly, shall notify the members and the Commissioner-General in writing of the date and time fixed for such session of and the matters to be dealt with thereat.

(7) The Commissioner-General may attend any sitting of the Legislative Assembly and the Speaker shall afford the Commissioner-General, as often as the latter may deem it necessary, the opportunity of addressing the Legislative Assembly in regard to any matter under consideration or to be considered by the Legislative Assembly.

PART IV**PROCEDURE IN LEGISLATIVE ASSEMBLY****Procedure**

10. (1) All questions arising in the Legislative Assembly shall be determined by a majority of votes of the members present, save the member presiding at the sitting, who shall have and exercise a casting vote in the case of an equality of votes.

(2) Enige getal lede wat meer is as die helfte van die getal lede van die Wetgewende Vergadering, maak 'n kworum uit.

(3) Behoudens die bepalings van hierdie Proklamasie en die Reglement van Orde van die Wetgewende Vergadering is daar vryheid van spraak en debat op sittings daarvan.

(4) Behoudens die bepalings van sy Reglement van Orde is die verrigtinge van die Wetgewende Vergadering oop vir die publiek.

(5) Die Speaker of die Adjunk-speaker sit voor op alle sittings van die Wetgewende Vergadering, of, indien sowel die Speaker as die Adjunk-speaker weens afwesigheid of om 'n ander rede nie op 'n sitting kan voorsit nie, benoem die aanwesige lede onder voorsitterskap van die Sekretaris van die Wetgewende Vergadering een van die lede om op sodanige sitting voor te sit: Met dien verstande dat die Sekretaris van die Wetgewende Vergadering gedurende die eerste sessie van 'n nuwe vergadering voorsit totdat 'n Speaker verkies is.

Eed wat lede moet aflê

11. (1) Elke lid van die Wetgewende Vergadering lê, voordat hy sy plek inneem, voor die Kommissaris-generaal of 'n persoon deur die Minister aangewys, op 'n sitting van die Wetgewende Vergadering 'n eed in die volgende vorm af en onderteken dit:

Ek, A.B., sweer dat ek die Grondwet van KwaNdebele en alle ander wette van toepassing in KwaNdebele sal respekteer en handhaaf, en ek beloof plegtig om my pligte as lid van die KwaNdebele- Wetgewende Vergadering na my beste vermoë te vervul.

So help my God.

(2) Geen lid van die Wetgewende Vergadering mag op 'n sitting van die Wetgewende Vergadering sy plek inneem of stem nie tot tyd en wyl hy die eed op die wyse by subartikel (1) voorgeskryf, afgelê en onderteken het.

DEEL V

KABINET

Samestelling van Kabinet

12. Die Kabinet bestaan uit 'n Hoofminister en soveel ander Ministers as wat deur die Staatspresident goedgekeur is.

Verkiesing van Hoofminister

13. Onmiddellik nadat al die lede wat aanwesig is op die eerste sittingsdag van die sessie van die Wetgewende Vergadering wat in artikel 9 (4) bedoel word, die eed in artikel 11 (1) bedoel, afgelê en onderteken het, gaan die Wetgewende Vergadering oor tot die verkiesing van 'n Hoofminister op die wyse in artikel 14 bepaal.

Wyse van verkiesing van Hoofminister

14. (1) Nominasies van kandidate vir verkiesing tot Hoofminister word op die eerste sittingsdag in artikel 13 bedoel deur die Sekretaris van die Wetgewende Vergadering gevra.

(2) 'n Lid van die Wetgewende Vergadering kan enige lid van die Wetgewende Vergadering as Hoofminister nomineer: Met dien verstande dat die lid wat aldus genomineer word, op daardie tydstip teenwoordig is.

(3) Elke nominasie word gesekondeer en word skriftelik voorgelê en moet onderteken wees deur die voorsteller, 'n sekondant en die genomineerde persoon.

(4) Geen debat word by die verkiesing toegelaat nie.

(5) Daar is geen beperking op die getal kandidate wat ingevolge hierdie artikel genomineer en gesekondeer kan word nie.

(2) Any number of members exceeding half the number of members of the Legislative Assembly shall form a quorum.

(3) Subject to the provisions of this Proclamation and the Rules of Procedure of the Legislative Assembly, there shall be freedom of speech and debate at its sittings.

(4) The proceedings of the Legislative Assembly shall, subject to its Rules of Procedure, be open to the public.

(5) The Speaker or the Deputy Speaker shall preside at all sittings of the Legislative Assembly or, if both the Speaker and the Deputy Speaker are unable, through absence or other cause, to preside at a sitting, the members present shall, under the chairmanship of the Secretary of the Legislative Assembly, nominate one of the members to preside at such sitting: Provided that the Secretary of the Legislative Assembly shall preside at the first session of a new Assembly until a Speaker is elected.

Oath to be taken by members

11. (1) Every member of the Legislative Assembly shall, before taking his seat, make and subscribe before the Commissioner-General or a person designated by the Minister an oath in the following form:

I, A.B., do swear to respect and uphold the Constitution of KwaNdebele and all other laws applicable in KwaNdebele and solemnly promise to perform my duties as a member of the Legislative Assembly of KwaNdebele to the best of my ability.

So help me God.

(2) No member of the Legislative Assembly shall sit or vote at any sitting of the Legislative Assembly until he has made and subscribed the oath in the form prescribed in subsection (1).

PART V

THE CABINET

Constitution of Cabinet

12. The Cabinet shall consist of a Chief Minister and such number of other Ministers as may be approved by the State President.

Election of Chief Minister

13. Immediately after all the members present on the first day of sitting of the Legislative Assembly referred to in section 9 (4) have made and subscribed the oath referred to in section 11 (1), the Legislative Assembly shall proceed to the election of a Chief Minister in the manner laid down in section 14.

Manner of election of Chief Minister

14. (1) Nominations of candidates for election to the office of Chief Minister shall be called for by the Secretary of the Legislative Assembly on the first day of sitting referred to in section 13.

(2) A member of the Legislative Assembly may nominate for Chief Minister any member of the Legislative Assembly: Provided that the member so nominated shall be present at the time.

(3) Every nomination shall be seconded, shall be submitted in writing and shall be signed by the nominator, a seconder and the person nominated.

(4) No debate shall be allowed at the election.

(5) There shall be no limit to the number of candidates who may be nominated and seconded in terms of this section.

(6) 'n Lid mag nie meer as een kandidaat nomineer of sekondeer nie en geen lid mag homself as kandidaat nomineer of sekondeer nie.

(7) Die name van die persone wat behoorlik genomineer is, moet onmiddellik deur die Sekretaris van die Wetgewende Vergadering aangekondig word.

(8) Indien daar ten opsigte van enige verkiesing slegs een nominasie ontvang word, word die betrokke kandidaat deur die Sekretaris van die Wetgewende Vergadering behoorlik verkose verklaar.

(9) Indien meer as een lid as Hoofminister voorgestel word, moet 'n geheime stemming gehou word ooreenkomstig die volgende prosedure, wat by die aanvang aan die lede verduidelik moet word deur die Sekretaris van die Wetgewende Vergadering:

- (a) Daar is 'n kort verdaging vir die gereedmaak van stembrieffies en daarna moet die Sekretaris van die Wetgewende Vergadering aan elke lid teenwoordig 'n stembriefie met 'n geheime amptelike merk op die keersy daarvan, uitreik.
- (b) Elke lid moet vervolgens die kandidaat vir wie hy wil stem, aandui deur 'n kruis teenoor die naam van sodanige kandidaat te maak op die stembriefie.
- (c) Die Sekretaris van die Wetgewende Vergadering moet dan die name van al die lede uitroep en elke lid kan, wanneer sy naam uitgeroep word, na die Tafel kom en sy stembriefie in 'n stembus op die Tafel plaas.
- (d) 'n Lid mag nie 'n stembriefie wat nie sy eie is nie, in die stembus plaas nie.
- (e) Sodra alle lede wat wil stem, gestem het, moet die Sekretaris van die Wetgewende Vergadering in teenwoordigheid van die Wetgewende Vergadering die stembrieffies met die hulp van die Assistent-sekretaris ondersoek en die uitslag van die stemming rapporteer.
- (f) Die kandidaat wat die meerderheid verkry het van al die stemme wat uitgebring is, word deur die Sekretaris van die Wetgewende Vergadering tot die behoorlik verkose Hoofminister verklaar.
- (g) Indien geen kandidaat 'n meerderheid van al die stemme wat aldus uitgebring is, behaal nie, word die kandidaat wat die minste stemme gekry het, uitgeskakel en word 'n verdere geheime stemming ten opsigte van die oorblywende kandidate gehou, en hierdie prosedure word herhaal so dikwels as wat nodig is, totdat 'n kandidaat 'n meerderheid verkry van al die stemme wat uitgebring is en behoorlik verkose verklaar word.
- (h) Wanneer twee of meer kandidate dieselfde getal stemme behaal het en een van dié kandidate vir die doeleindes van paragraaf (g) uitgeskakel moet word, bepaal die lede van die Wetgewende Vergadering by afsonderlike stemming, wat, indien nodig, herhaal word, maar nie meer as drie keer nie, watter van dié kandidate uitgeskakel moet word, en indien daar na die derde stemming steeds 'n staking van stemme tussen die betrokke kandidate is, gaan die Sekretaris van die Wetgewende Vergadering daartoe oor om deur loting op die wyse deur hom vasgestel, te bepaal watter kandidaat uitgeskakel moet word—

(i) wanneer—

- (a) slegs twee kandidate genomineer is; of
- (b) daar na die uitskakeling van een of meer kandidate ooreenkomstig die bepalings van hierdie artikel slegs twee kandidate oorbly,

(6) No member shall nominate or second more than one candidate and no member shall nominate or second himself as candidate.

(7) The names of the persons duly nominated shall immediately be announced by the Secretary of the Legislative Assembly.

(8) If in respect of any election only one nomination is received, the candidate concerned shall be declared by the Secretary of the Legislative Assembly to have been duly elected.

(9) If more than one member is nominated for Chief Minister, a secret ballot shall be held in accordance with the following procedure, which shall at the outset be explained to the members by the Secretary of the Legislative Assembly:

- (a) There shall be a brief adjournment for the preparation of ballot papers, after which the Secretary of the Legislative Assembly shall hand to each member present a ballot paper bearing a secret official mark on the reverse side thereof.
- (b) Every member shall thereupon signify the candidate for whom he desires to vote by placing a cross opposite the name of such candidate on such ballot paper.
- (c) The Secretary of the Legislative Assembly shall then call the names of all the members and each member may, when his name is called, come to the Table and drop his ballot paper into a ballot box on the Table.
- (d) No member shall drop into the ballot box a ballot paper which is not his own.
- (e) When all members wishing to vote have done so, the Secretary of the Legislative Assembly, in the presence of the Legislative Assembly, shall examine the ballot papers with the assistance of the Assistant Secretary and report the result of the ballot.
- (f) The candidate having received a majority of all the votes cast shall be declared by the Secretary of the Legislative Assembly to be the duly elected Chief Minister.
- (g) If no candidate receives a majority of all the votes so cast, the candidate who received the smallest number of votes shall be eliminated and a further secret ballot taken in respect of the remaining candidates, this procedure being repeated as often as may be necessary until a candidate receives a majority of all the votes cast and is declared duly elected.
- (h) Whenever two or more candidates have received the same number of votes, and one of the said candidates is required to be eliminated for the purposes of paragraph (g), the members of the Legislative Assembly shall by separate vote, which may if necessary be repeated, but not more than three times, determine which one of those candidates shall be eliminated and, if after the third vote there is still an equality of votes between the candidates concerned, the Secretary of the Legislative Assembly shall proceed to determine by lot, in the manner laid down by him, which candidate shall be eliminated—

(i) whenever—

- (a) only two candidates have been nominated; or,
- (b) after the elimination of one or more candidates in accordance with the provisions of this section, only two candidates remain,

en daar 'n staking van stemme tussen genoemde twee kandidate is, word 'n verdere stemming tussen hulle onmiddellik gehou, wat so dikwels nodig herhaal word totdat een van hulle 'n meerderheid van die stemme wat uitgebring is, behaal en behoorlik verkose verklaar word: Met dien verstande dat die Sekretaris van die Wetgewende Vergadering op 'n mosie deur die Wetgewende Vergadering aangeneem, die oorweging van die aangeleentheid tot die volgende sittingsdag kan uitstel.

- (j) 'n Lid wat opdaag nadat die lede se name uitgeroep is, is nie geregtig om te stem nie.

Aanstelling van Ministers

15. Die Ministers word deur die Hoofminister aangestel binne 'n tydperk van sewe dae na die datum waarop die Hoofminister ingevolge artikel 14 verkies is.

Eed wat lede van Kabinet moet aflê

16. Elke Minister, met inbegrip van die Hoofminister, moet, voordat hy sy pligte aanvaar, 'n eed in die volgende vorm voor die Speaker of die Adjunk-speaker aflê en onderteken:

Ek, A.B., sweer hierby om my amp as Minister van die KwaNdebele- Wetgewende Vergadering op eervolle en waardige wyse te beklee; die Grondwet van KwaNdebele en alle wette wat van toepassing is in KwaNdebele te eerbiedig; 'n opregte en getroue Minister te wees; geen sake wat aan my vir geheimhouding toevertrou word, regstreeks of onregstreeks te openbaar nie; en om my ampspligte met nougesetheid en na my beste vermoë na te kom en ek onderneem voor God om hierdie eed te eerbiedig.

So help my God.

Voer van verrigtinge van Kabinet

17. (1) Kwessies wat in die Kabinet ontstaan, word deur 'n meerderheid van stemme van die aanwesige Ministers beslis, en in die geval van 'n staking van stemme het die Hoofminister 'n beslissende stem.

(2) Die Kabinet kan reëls maak vir die wyse waarop sy vergadering gehou word.

(3) Die Kabinet kan van tyd tot tyd uit eie geledere 'n komitee aanstel vir enige doel wat hy nodig ag en kan een of meer lede van die Wetgewende Vergadering koöpteer om in sodanige komitee te dien, welke komitee aan die Kabinet verslag doen oor sy bevindinge en die aanbevelings wat die komitee nodig ag, voorlê.

(4) Die Kommissaris-generaal, 'n administratiewe hoof van 'n departement van die KwaNdebele-Regeringsdiens en enige persoon wat deur die Kabinet toegelaat word om dit te doen, kan enige vergadering van die Kabinet bywoon om raad te gee in verband met sake wat binne die bestek van die administrasie van KwaNdebele val.

Ampstermyn van lede van Kabinet

18. (1) Behoudens die bepalings van artikel 19—

- (a) beklee die Hoofminister sy amp totdat sy opvolger deur 'n nuwe Wetgewende Vergadering verkies is; en
(b) beklee 'n Minister (behalwe die Hoofminister) sy amp totdat die Hoofminister sy opvolger kragtens artikel 15 aanstel.

(2) Die Hoofminister kan by besluit van die Wetgewende Vergadering van sy amp onthef word.

(3) Enige Minister kan deur die Hoofminister van sy amp onthef word.

and there is an equality of votes between the said two candidates, a further vote between them shall immediately be taken and be repeated as often as may be necessary until one of them obtains a majority of the votes cast and is declared duly elected: Provided that the Secretary of the Legislative Assembly shall upon a motion adopted by the Legislative Assembly postpone consideration of the matter until the next day of sitting.

- (j) No member arriving after the names of the members have been called shall be entitled to vote.

Appointment of Ministers

15. The Ministers shall be appointed by the Chief Minister within a period of seven days of the date on which the Chief Minister was elected in terms of section 14.

Oath to be taken by members of Cabinet

16. Every Minister, including the Chief Minister, shall before assuming his duties make and subscribe before the Speaker or Deputy Speaker an oath in the following form:

I, A.B., do hereby swear to hold my office as Minister of the KwaNdebele Legislative Assembly with honour and dignity; to respect the KwaNdebele Constitution and all laws applicable in the area for which the KwaNdebele Legislative Assembly was established; to be a true and faithful Minister; not to divulge directly or indirectly any matters which are entrusted to me under secrecy; and to perform the duties of my office conscientiously and to the best of my ability and I undertake before God to honour this oath.

So help me God.

Conduct of proceedings of Cabinet

17. (1) Questions arising in the Cabinet shall be determined by a majority of votes of the members of the Cabinet present and in the case of an equality of votes the Chief Minister shall have a casting vote.

(2) The Cabinet may make rules for the conduct of its meetings.

(3) The Cabinet may from time to time appoint any committee from among its members for any purpose it may deem necessary and may co-opt one or more members of the Legislative Assembly to serve on such committee, which committee shall report to the Cabinet on its findings and may submit to the Cabinet such recommendations as the committee may deem necessary.

(4) The Commissioner-General, an administrative head of department of the KwaNdebele Government Service and any person permitted by the Cabinet to do so may attend any meeting of the Cabinet to advise on matters falling within the purview of the administration of KwaNdebele.

Period of office of Cabinet

18. (1) Subject to the provisions of section 19—

- (a) the Chief Minister shall hold office until his successor is elected by a new Legislative Assembly; and
(b) a Minister (other than the Chief Minister) shall hold office until the Chief Minister has appointed his successor under section 15.

(2) The Chief Minister may be removed from office by resolution of the Legislative Assembly.

(3) Any Minister may be removed from office by the Chief Minister.

Ontruiming van ampte deur die Hoofminister en Ministers

19. (1) Die Hoofminister of enige Minister ontruim sy amp—

- (a) indien hy sy setel as lid van die Wetgewende Vergadering ontruim;
- (b) indien hy uit sy amp as Hoofminister bedank by skriftelike kennisgewing aan die Speaker of 'n aankondiging te dien effekte op 'n sitting van die Wetgewende Vergadering of op 'n vergadering van die Kabinet doen;
- (c) indien hy uit sy amp as Minister bedank by skriftelike kennisgewing aan die Hoofminister of 'n aankondiging te dien effekte op 'n sitting van die Wetgewende Vergadering of op 'n vergadering van die Kabinet doen;
- (d) in die geval van die Hoofminister, indien hy by besluit van die Wetgewende vergadering van sy amp onthef word; of
- (e) in die geval van 'n Minister, indien hy deur die Hoofminister van sy amp onthef word.

(2) Indien die Hoofminister of enige Minister sy amp op 'n ander manier ontruim as deur die aankondiging van sy bedanking op 'n sitting van die Wetgewende Vergadering, verwittig die Speaker die Wetgewende Vergadering dienoreenkomstig gedurende die eersvolgende sessie daarvan.

Werkzaamhede van Hoofminister en Ministers

20. (1) Die Hoofminister of, in sy afwesigheid, 'n Minister vir dié doel deur hom benoem, sit voor op al die vergaderings van die Kabinet.

(2) Wanneer die amp van Hoofminister vakant raak of wanneer die Hoofminister afwesig is of nie in staat is om op te tree nie en geen Minister ingevolge subartikel (1) benoem is om op vergaderings van die Kabinet voor te sit nie, wys die Ministers uit eie geledere een aan om as Hoofminister waar te neem totdat die vakature aangevul is of totdat die Hoofminister in staat is om sy pligte te hervat, na gelang van die geval.

(3) Die Hoofminister moet die verantwoordelikheid vir die beheer oor en die administrasie van die verskillende departemente ingestel kragtens artikel 5 (2) van die Wet, aan die onderskeie Ministers opdra en toewys, kan sodanige toewysings van tyd tot tyd na goeie dinge wysig en kan, na oorlegpleging met die Kabinet, die bevoegdhede, pligte en werkzaamhede van sodanige departemente met die oog op beter administrasie herorganiseer.

Aanvul van toevallige vakatures

21. (1) 'n Toevallige vakature wat in die amp van Hoofminister ontstaan, word aangevul by 'n verkiesing ooreenkomstig die bepalings van hierdie Proklamasie, wat gehou word binne 'n tydperk van sewe dae na die datum waarop die vakature ontstaan het indien die Wetgewende Vergadering dan in sitting is, of indien die Wetgewende Vergadering nie dan in sitting is nie, word binne 'n tydperk van 14 dae na die datum waarop die vakature ontstaan het, 'n buitengewone sessie van die Wetgewende Vergadering vir die doel van sodanige verkiesing belê.

(2) Enige ander toevallige vakature wat in die Kabinet ontstaan, word aangevul deur aanstelling deur die Hoofminister binne 'n tydperk van sewe dae na die datum waarop die vakature ontstaan het.

DEEL VI

SPEAKER EN ADJUNK-SPEAKER

22. Onmiddellik nadat die Hoofminister verkies is, gaan die Wetgewende Vergadering oor tot die verkiesing van 'n speaker en 'n Adjunk-speaker, en die prosedure wat by die verkiesing van die Hoofminister gevolg word, is *mutatis mutandis* van toepassing op die verkiesing van 'n Speaker en 'n Adjunk-speaker.

Vacating of offices by Chief Minister and Ministers

19. (1) The Chief Minister or any Minister shall vacate his office—

- (a) if he vacates his seat as a member of the Legislative Assembly;
- (b) if he resigns the office of Chief Minister by notice in writing to the Speaker or makes an announcement to such effect at a sitting of the Legislative Assembly or at a meeting of the Cabinet;
- (c) if he resigns the office of Minister by notice in writing to the Chief Minister or makes an announcement to such effect at a sitting of the Legislative Assembly or at a meeting of the Cabinet;
- (d) in the case of the Chief Minister, if he is removed from office by resolution of the Legislative Assembly; or
- (e) in the case of a Minister, if he is removed from office by the Chief Minister.

(2) If the Chief Minister or any Minister vacates his office otherwise than by announcing his resignation at a sitting of the Legislative Assembly, the Speaker shall inform the Legislative Assembly accordingly at the next session thereof.

Functions of Chief Minister and Ministers

20. (1) The Chief Minister or, in his absence, a Minister nominated by him for such purpose shall preside at all Cabinet meetings.

(2) Whenever the office of Chief Minister becomes vacant or the Chief Minister is absent or unable to act and no Minister has been nominated in terms of subsection (1) to preside at meetings of the Cabinet, the Ministers shall designate one of their number to act as Chief Minister until such vacancy has been filled or until the Chief Minister is able to resume his duties, as the case may be.

(3) The Chief Minister shall assign and allocate the responsibility for the control and administration of the various departments established under section 5 (2) of the Act to the respective Ministers; may from time to time, as he may deem fit, amend such allocation, and may, if necessary, after consultation with the Cabinet reorganise the powers, duties and functions of such departments with a view to better administration.

Filling of casual vacancies

21. (1) Any casual vacancy arising in the office of Chief Minister shall be filled by election in accordance with the provisions of this Proclamation, which election shall take place within a period of seven days of the date on which such vacancy occurred if the Legislative Assembly is then in session or, if it is not then in session, a special session thereof shall, for the purpose of such election, be convened within a period of 14 days of the date on which such vacancy occurred.

(2) Any other casual vacancy arising in the Cabinet shall be filled by appointment by the Chief Minister within a period of seven days of the date on which such vacancy occurred.

PART VI

SPEAKER AND DEPUTY SPEAKER

22. Immediately after the Chief Minister has been elected the Legislative Assembly shall proceed to elect a Speaker and a deputy Speaker and the procedure adopted in the election of the Chief Minister shall apply *mutatis mutandis* to the election of a Speaker and a Deputy Speaker.

Ampstermyn van Speaker en Adjunk-speaker

23. Behoudens die bepalings van artikel 24 beklee die Speaker en die Adjunk-speaker hulle ampte tot die datum van ontbinding van die Wetgewende Vergadering.

Ontruiming van amp deur Speaker of Adjunk-speaker

24. (1) Die Speaker of die Adjunk-speaker ontruim sy amp—

- (a) indien hy sy setel as lid van die Wetgewende Vergadering ontruim;
- (b) indien hy uit sy amp as Speaker of Adjunk-speaker bedank by skriftelike kennisgewing aan die Sekretaris van die Wetgewende Vergadering of 'n aankondiging te dien effekte op 'n sitting van die Wetgewende Vergadering doen; of
- (c) indien hy by besluit van die Wetgewende Vergadering van sy amp onthef word.

(2) Indien die Speaker of die Adjunk-speaker sy amp op 'n ander manier ontruim as deur die aankondiging van sy bedanking op 'n sitting van die Wetgewende Vergadering, verwittig die Hoofminister of 'n Minister die Wetgewende Vergadering dienoreenkomstig gedurende die eersvolgende sessie daarvan.

Aanvul van toevallige vakatures

25. 'n Toevallige vakature in die amp van Speaker of Adjunk-speaker word, indien die Wetgewende Vergadering in sitting is wanneer die vakature ontstaan, aangevul deur die verkiesing van 'n bekleër vir die betrokke amp ooreenkomstig die bepalings van hierdie Proklamasie, en indien die Wetgewende Vergadering nie dan in sitting is nie, vind sodanige verkiesing op sy eersvolgende sitting plaas.

DEEL VII**STATUS VAN KAPTEINS****Kapteins behou hulle persoonlike status**

26. 'n Kaptein in KwaNdebele geniet steeds die persoonlike status wat hy tot nog toe geniet het, en hy het ten opsigte van seremoniële en stamaangeleenthede en by seremoniële geleenthede binne sy stamgebied voorrang bo die Hoofminister en Ministers, behalwe ten opsigte van aangeleenthede of geleenthede wat in verband staan met die werksaamhede van die Wetgewende Vergadering.

DEEL VIII**DIVERSE BEPALINGS****Aanneem van voordele deur lede**

27. (1) Geen lid van die Wetgewende Vergadering mag—

- (a) enige salaris, toelae, geld of beloning vir enige plig of diens wat deur hom in sy hoedanigheid van lid verrig word, aanneem nie, behalwe soos by wet voorgeskryf;
- (b) hetsy regstreeks of onregstreeks enige geld, vergoeding, geskenk of beloning aanneem of ontvang nie vir of ten opsigte van die bevordering of opponering van enige wetsontwerp, mosie, besluit, aangeleentheid of iets voorgelê of voorgestel vir voorlegging aan die Wetgewende Vergadering of 'n komitee daarvan vir sy oorweging.

(2) 'n Lid van die Wetgewende Vergadering wat die bepalings van subartikel (1) oortree, begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens een jaar en moet daarenboven enige bedrag of die waarde van enige geld, vergoeding, geskenk of beloning deur hom aangeneem of ontvang, terugbetaal.

Period of office of Speaker and Deputy Speaker

23. Subject to the provisions of section 24, the Speaker and the Deputy Speaker shall hold office until the date of dissolution of the Legislative Assembly.

Vacating of office by the Speaker or the Deputy Speaker

24. (1) The Speaker or the Deputy Speaker shall vacate his office—

- (a) if he vacates his seat as a member of the Legislative Assembly;
- (b) if he resigns the office of Speaker or Deputy Speaker by notice in writing to the Secretary of the Legislative Assembly or makes an announcement to such effect at a sitting of the Legislative Assembly; or
- (c) if he is removed from office by resolution of the Legislative Assembly.

(2) If the Speaker or the Deputy Speaker vacates his office otherwise than by announcing his resignation at a sitting of the Legislative Assembly, the Chief Minister or Minister shall inform the Legislative Assembly accordingly at the next session thereof.

Filling of casual vacancies

25. A casual vacancy in the office of Speaker or Deputy Speaker shall, if the Legislative Assembly is in session when such vacancy occurs, be filled by the election of an incumbent to the office concerned in the manner provided for in this Proclamation, if the Legislative Assembly is not then in session, such election shall take place at the next session thereof.

PART VII**STATUS OF CHIEFS****Chiefs to retain their personal status**

26. A chief in KwaNdebele shall continue to enjoy the personal status he has hitherto enjoyed and shall with regard to ceremonial and tribal matters and on ceremonial occasions within his tribal area take precedence over the Chief Minister and Ministers, except in respect of matters or occasions connected with the business of the Legislative Assembly.

PART VIII**MISCELLANEOUS PROVISIONS****Acceptance of benefits by Members**

27. (1) No member of the Legislative Assembly shall—

- (a) accept any salary, allowance, fee or reward for any duty performed or service rendered by him in his capacity as a member except as may be prescribed by law;
- (b) accept or receive, either directly or indirectly, any fee, compensation, gift or reward for or in respect of the promotion or opposition of any bill, motion, resolution, matter or thing submitted or proposed for submission to the Legislative Assembly or any committee thereof for its consideration.

(2) Any member of the Legislative Assembly who contravenes the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a penalty not exceeding R1 000 or, in default of payment, to imprisonment for a period not exceeding one year and in addition shall repay any amount or the value of any fee, compensation, gift or reward accepted or received by him.

Hou van permanente rekords

28. (1) Die Wetgewende Vergadering hou 'n permanente rekord van die vernaamste gebeurtenisse wat plaasvind vanaf die datum van die instelling van die Wetgewende Vergadering.

(2) In die besonder word die volgende opgeteken—

- (a) alle wette, proklamasies en goewermentskennisgewings met betrekking tot die instelling of aangeleentheid van die Wetgewende Vergadering;
- (b) die naam van elke streekowerheid binne sy regsgebied;
- (c) die naam van elke stam- en gemeenskapsowerheid binne sy regsgebied;
- (d) die naam en ampstermyn van elk van die opeenvolgende Speakers en Adjunk-speakers;
- (e) die naam en ampstermyn van elk van die opeenvolgende Hoofministers en Ministers;
- (f) die naam van elke lid; en
- (g) sodanige ander aangeleenthede as wat die Wetgewende Vergadering bepaal.

Gebruik van amptelike tale

29. (1) Alle notules en ordelyste word in Ndebele, Afrikaans en Engels gehou en alle geregtelike, administratiewe en finansiële dokumente word ook, na gelang van omstandighede, aldus gehou.

(2) Die Wetgewende Vergadering hou 'n *verbatim* verslag by van die verrigtinge van die Wetgewende Vergadering en sodanige verslag word in Ndebele, Afrikaans en Engels gehou."

BYLAE II**"BYLAE 111****DEEL I****WOORDOMSKRYWING**

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan 'n betekenis in die Grondwet van die Nasionale State, 1971 (Wet 21 van 1971), die Wet op Burgerskap van Nasionale State, 1970 (Wet 26 van 1970), en die Wet op Swart Owerhede, 1951 (Wet 68 van 1951), geheg is, daardie betekenis en beteken—

'agent' 'n persoon wat ingevolge artikel 18 as agent van 'n kandidaat aangestel is;

'behoorlik verkose' of 'behoorlik verkies' ook onbestrede verkose of onbestrede verkies;

'hoofstemopnemer' 'n kommissaris of landdros wat kragtens artikel 7 'n hoofstemopnemer is;

'identiteitsdokument' 'n bewysboek in artikel 3 (1) (b) (i) van die Swartes (Afskaffing van Passe en Koördinerende van Dokumente) Wet, 1952 (Wet 67 van 1952), bedoel, maar nie ook 'n dokument bedoel in artikel 3 (2) van genoemde Wet nie;

'kiesafdeling' 'n kiesafdeling soos in die *Amptelike Koerant* kragtens artikel 4 (3) bekend gemaak;

'kiesbeampte' 'n kiesbeampte kragtens artikel 8 aangestel;

'kieser' 'n manlike persoon bo die ouderdom van 21 jaar wat kragtens artikel 3 van die Wet op Burgerskap van Nasionale State, 1970 (Wet 26 van 1970), 'n burger van KwaNdebele is en wat geregtig is om te stem in 'n kiesafdeling in KwaNdebele by 'n verkiesing van lede van die KwaNdebele- Wetgewende Vergadering;

'kommissaris' 'n kommissaris aangestel kragtens artikel 2 van die Swart Administrasie Wet, 1927 (Wet 38 van 1927), en ook 'n addisionele en assistent-kommissaris;

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

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

Maintenance of permanent records

28. (1) The Legislative Assembly shall maintain a permanent record of the main events taking place from the date of the establishment of the Legislative Assembly.

(2) In particular the following shall be recorded—

- (a) all laws, proclamations and government notices relating to the establishment or affairs of the Legislative Assembly;
- (b) the name of each regional authority within its area of jurisdiction;
- (c) the name of each tribal and community authority within its area of jurisdiction;
- (d) the name and period of office of each of the successive Speakers and Deputy Speakers;
- (e) the name and period of office of each of the successive Chief Ministers and Ministers;
- (f) the name of every member; and
- (g) such other matters as the Legislative Assembly may determine.

Use of official languages

29. (1) All minutes and order papers shall be recorded in Ndebele, English and Afrikaans and all judicial, administrative and financial documents shall also, as circumstances may dictate, be so recorded.

(2) The Legislative Assembly shall maintain a *verbatim* report of the proceedings of the Legislative Assembly and such report shall be recorded in Ndebele, English and Afrikaans."

SCHEDULE II**"SCHEDULE III****PART I****DEFINITIONS**

1. In this Schedule, unless the context otherwise indicates, any expression to which a meaning has been assigned in the National States Constitution Act, 1971 (Act 21 of 1971), the National States Citizenship Act, 1970 (Act 26 of 1970), and the Black Authorities Act, 1951 (Act 68 of 1951), shall bear such meaning, and—

'agent' shall mean a person appointed in terms of section 18 to be an agent of a candidate;

'chief polling officer' shall mean any commissioner or magistrate who is a chief polling officer under section 7;

'commissioner' shall mean a commissioner appointed under section 2 of the Black Administration Act, 1927 (Act 38 of 1927), and includes an additional and an assistant commissioner;

'duly elected' shall include returned unopposed;

'electoral division' shall mean an electoral division made known in the *Official Gazette* under section 4 (3);

'electoral officer' shall mean an electoral officer appointed under section 6;

'identity document' shall mean a reference book referred to in section 3 (1) (b) (i) of the Blacks (Abolition of Passes and Co-ordination of Documents) Act, 1952 (Act 67 of 1952), but not a document referred to in section 3 (2) of the said Act;

'Legislative Assembly' shall mean the KwaNdebele Legislative Assembly;

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

'member' shall mean an elected member of the Legislative Assembly;

'Minister' die Minister aan wie die Hoofminister die behartiging van die aangeleenthede met betrekking tot die hou van verkiesings opgedra het;

'nominasiehof' 'n nominasiehof in artikel 13 bedoel;

'stemdistrik' die regsgebied van 'n kommissaris of landdros of 'n kiesafdeling;

'stemopnemer' 'n persoon kragtens artikel 9 as stemopnemer aangestel;

'verkiesingsbeampte' 'n beampte kragtens artikel 6 aangestel;

'Wetgewende Vergadering' die KwaNdebele- Wetgewende Vergadering.

KIESAFDELINGS

Afbakening van kiesafdelings

2. (1) Met tussenpose van minstens drie jaar en hoogstens vyf jaar stel die Kabinet 'n afbakningskommissie aan, bestaande uit magistrate en soveel beamptes wat die Kabinet dienstig ag, maar nie meer as sewe lede nie, om KwaNdebele in kiesafdelings te verdeel op so 'n wyse dat geen kiesafdeling gedeeltelik in die gebied van een stamowerheid en gedeeltelik in die gebied van 'n ander stamowerheid geleë is nie: Met dien verstande dat daar minstens een kiesafdeling in die gebied van elke stamowerheid is.

(2) By die verdeling van KwaNdebele in kiesafdelings volgens subartikel (1) moet die afbakningskommissie ooreenkomstig die bepalings van artikel 3 handel.

Metode van verdeling van KwaNdebele in kiesafdelings

3. Vir die doeleindes van die verdeling van KwaNdebele in kiesafdelings moet die afbakningskommissie behoorlik oorweging skenk aan—

- (a) gemeenskaplikheid of verskeidenheid van belange;
- (b) verkeersmiddele;
- (c) natuurlike kenmerke;
- (d) grense van stamme;
- (e) bevolkingsdigtheid; en
- (f) waarskynlikheid van toename of afname in die bevolking.

Magte en pligte van afbakningskommissie vir afbakening van kiesafdelings

4. (1) 'n Afbakeningskommissie, saamgestel kragtens die bepalings van artikel 2, moet aan die Kabinet voorle—

- (a) 'n lys van kiesafdelings met die name wat die afbakningskommissie daaraan gegee het en 'n beskrywing van die grense van elke sodanige kiesafdeling;
- (b) 'n kaart of kaarte wat die kiesafdelings toon waarin KwaNdebele verdeel is;
- (c) die ander besonderhede wat die afbakningskommissie nodig ag.

(2) Die Kabinet kan alle sake met betrekking tot so 'n lys of alle sake wat uit die magte of pligte van die afbakningskommissie voortspruit, na die afbakningskommissie vir oorweging verwys.

(3) Die Minister maak by kennisgewing in die *Amptelike Koerant* die name en grense van die Kiesafdelings bekend soos hulle deur die afbakningskommissie of 'n meerderheid daarvan finaal vasgestel en gesertifiseer is, en daarna is die kiesafdelings soos hulle genoem en omskryf is, KwaNdebele se kiesafdelings totdat 'n herverdeling plaasvind.

'Minister' shall mean the Minister to whom the Chief Minister has assigned the administration of matters relating to the holding of elections;

'nomination court' shall mean a nomination court referred to in section 13;

'polling district' shall mean the area of jurisdiction of a commissioner or magistrate or an electoral division;

'polling officer' shall mean a person appointed under section 9 as polling officer;

'returning officer' shall mean a returning officer appointed under section 8;

'voter' shall mean any male person above the age of 21 years who is a citizen of KwaNdebele under section 3 of the National States Citizenship Act, 1970 (Act 26 of 1970), and who is entitled to vote in an electoral division in KwaNdebele in an election of members of the Legislative Assembly.

ELECTORAL DIVISIONS

Delimitation of electoral divisions

2. (1) At intervals of not less than three years and not more than five years the Cabinet shall appoint a delimitation commission consisting of magistrates and such number of officers as the Cabinet may deem necessary, but not more than seven members, to divide KwaNdebele into electoral divisions in such manner that no electoral division is situated partly in the area of one tribal authority and partly in the area of another tribal authority: Provided that there shall be at least one electoral division in the area of every tribal authority.

(2) In dividing KwaNdebele into electoral divisions in terms of subsection (1), the delimitation commission shall act in accordance with the provisions of section 3.

Method of dividing KwaNdebele into electoral divisions

3. For the purpose of dividing KwaNdebele into electoral divisions the delimitation commission shall give due consideration to—

- (a) community or diversity of interests;
- (b) means of communication;
- (c) physical features;
- (d) boundaries of tribes;
- (e) sparsity or density of population;
- (f) probability of increase or decrease of population.

Powers and duties of delimitation commission for delimiting electoral divisions

4. (1) A delimitation commission constituted under the provisions of section 2 shall submit to the Cabinet—

- (a) a list of electoral divisions, with the names given to them by such delimitation commission and a description of the boundaries of every such division;
- (b) a map or maps showing the electoral divisions into which KwaNdebele has been divided; and
- (c) such further particulars as such delimitation commission may consider necessary.

(2) The Cabinet may refer to such delimitation commission for its consideration all matters relating to such list or arising out of the powers of such delimitation commission.

(3) The Minister shall by notice in the *Official Gazette* make known the names and boundaries of the electoral divisions as finally settled and certified by such delimitation commission, or a majority thereof, and thereafter, until such time as there is a redivision, the electoral divisions as named and defined shall be the electoral divisions of KwaNdebele.

(4) In geval van 'n verskil tussen die beskrywing van die kiesafdelings en die kaart of kaarte in subartikel (1) bedoel, gee die beskrywing of, indien die beskrywing ingevolge subartikel (5) gewysig is, die beskrywing soos aldus gewysig, die deurslag.

(5) (a) Indien die afbakeningskommissie oortuig is dat 'n verskil soos voormeld, te wyte is aan 'n fout in die beskrywing van die grense van 'n kiesafdeling, moet hy die Kabinet skriftelik dienooreenkomstig meedeel en 'n wysiging van die betrokke beskrywing van die fout regstel en deur die afbakeningskommissie gesertifiseer is, aan die Kabinet voorleë, tensy die tydperke wat ingevolge paragraaf (c) vir so 'n wysiging toegelaat word, verstryk het.

(b) Behoudens die bepalinge van paragraaf (c) maak die Minister 'n wysiging ingevolge paragraaf (a) aan hom voorgelê, by kennisgewing in die *Amptelike Koerant* bekend, en daarna is die grense soos aldus gewysig, ondanks die bepalinge van subartikel (3), die grense van die betrokke kiesafdeling totdat 'n herverdeling plaasvind.

(c) Wanneer 'n herverdeling voltooi is, word 'n beskrywing van die grense van 'n kiesafdeling nie kragtens hierdie subartikel gewysig nie na die datum van publikasie in die *Amptelike Koerant* van die kennisgewing in artikel 4 (3) voorgeskryf ten opsigte van die eerste algemene verkiesing wat na sodanige herverdeling gehou word.

(6) (a) Indien die Kabinet dit beveel, moet die Minister die naam van 'n kiesafdeling soos ingevolge subartikel (3) bekendgemaak, by kennisgewing in die *Amptelike Koerant* verander.

(b) Die naam kragtens paragraaf (a) aan 'n kiesafdeling gegee, is, ondanks die bepalinge van subartikel (3), die naam van daardie kiesafdeling totdat 'n herverdeling plaasvind.

Datum waarop verandering van kiesafdelings van krag word

5. 'n Verandering van die getal lede van die Wetgewende Vergadering wat in KwaNdebele verkies moet word, en 'n herverdeling van KwaNdebele in kiesafdelings tree in werking, wat die verkiesing van lede van die Wetgewende Vergadering betref, by die eersvolgende algemene verkiesing wat gehou word na die voltooiing van die herverdeling of van 'n toewysing ingevolge sodanige verandering, en nie eerder nie.

DEEL II

VOORAFGAANDE BEPALINGS

Verkiesingsbeampte

6. (1) Die Minister stel 'n verkiesingsbeampte vir KwaNdebele aan wat 'n beampte van die KwaNdebele-Regeringsdiens is of wat 'n beampte is van die Staatsdiens van die Republiek wat ingevolge artikel 5 (4) van die Grondwet van die Nasionale State, 1971 (Wet 21 van 1971), aangewys is om die Kabinet van KwaNdebele by te staan.

(2) Die verkiesingsbeampte is verantwoordelik vir die hou van verkiesings van lede van die Wetgewende Vergadering.

Hoofstemopnemers

7. (1) Elke kommissaris of magistraat buite KwaNdebele is ampshalwe die hoofstemopnemer vir die gebied waaroor hy regsbevoegdheid uitoefen: Met dien verstande dat waar 'n magistraat sowel as 'n kommissaris oor dieselfde gebied regsbevoegdheid uitoefen, die kommissaris die hoofstemopnemer ten opsigte van sodanige gebied is.

(2) Die hoofstemopnemer kan soveel adjunkte as wat hy nodig ag, aanstel om hom gedurende verkiesings behulpzaam te wees.

(4) If any discrepancy arises between the description of the divisions and the map or maps referred to in subsection (1), the description or, if the description has been amended in terms of subsection (5), the description as so amended, shall prevail.

(5) (a) If such delimitation commission is satisfied that any discrepancy as aforesaid is due to an error in the description of the boundaries of any electoral division, it shall in writing inform the Cabinet accordingly and submit to the Cabinet an amendment of the description concerned, correcting the error and certified by the delimitation commission, unless the period allowed in terms of paragraph (c) for such an amendment has expired.

(b) Subject to the provisions of paragraph (c), the Minister shall by notice in the *Official Gazette* make known any amendment submitted to him in terms of paragraph (a), and thereafter, until such time as there is a redivision, the boundaries as so amended shall be the boundaries of the electoral division concerned.

(c) When a redivision has been completed, no description of the boundaries of any electoral division shall be amended under this subsection after the date of publication in the *Official Gazette* of the notice prescribed by subsection (3) in respect of the first general election held after such redivision.

(6) (a) When so directed by the Cabinet the Minister shall by notice in the *Official Gazette* alter the name of any electoral division as made known under subsection (3).

(b) The name given to any electoral division under paragraph (a) shall, notwithstanding the provisions of subsection (3), be the name of such electoral division until such time as there is a redivision.

Date from which alteration of electoral divisions takes effect

5. Any alteration in the number of members of the Legislative Assembly to be elected in KwaNdebele and any redivision of KwaNdebele into electoral divisions shall, in respect of the election of members of the Legislative Assembly, come into operation with effect from the next general election held after the completion of the redivision of any allocation consequent upon such alteration, and not earlier.

PART II

PRELIMINARY PROVISIONS

Electoral officer

6. (1) The Minister shall appoint an electoral officer for KwaNdebele who shall be an officer of the KwaNdebele Government Service or an officer of the Public Service of the Republic who has been designated in terms of section 5 (4) of the National States Constitution Act, 1971 (Act 21 of 1971), to assist the Cabinet of KwaNdebele.

(2) The electoral officer shall be responsible for the conduct of elections of members of the Legislative Assembly.

Chief polling officer

7. (1) Every commissioner or magistrate outside KwaNdebele shall *ex officio* be the chief polling officer for the area over which he exercises jurisdiction: Provided that, where both a magistrate and a commissioner exercise jurisdiction over the same area, the commissioner shall be the chief polling officer in respect of such area.

(2) The chief polling officer may appoint such number of deputies as he may deem necessary to assist him during elections.

Kiesbeamptes

8. (1) Die verkiesingsbeampte stel vir elke kiesafdeling 'n kiesbeampte aan.

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

Stemopnemers en telbeamptes

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

Stemburo's

10. Daar moet 'n stemburo wees—

- (a) by die setel van die hoofstemopnemer en by elke plek waar 'n nominasiehof gehou is; en
- (b) op sodanige ander plek of plekke binne sy regsgebied as wat hy nodig ag.

Lede wat verkies moet word

11. Een lid word vir elke kiesafdeling verkies.

Bepaling van nominasie- en stemdatums

12. (1) Wanneer 'n verkiesing moet plaasvind, moet die Minister, behoudens die bepalinge van subartikel (2), by kennisgewing in die *Amptelike Koerant*—

- (a) 'n dag en plek bepaal waarop 'n nominasiehof in elke kiesafdeling moet sit om nominasies van kandidate vir verkiesing in elke kiesafdeling te ontvang; en
- (b) indien 'n stemming ingevolge die bepalinge van artikel 14 moet plaasvind, die ure bepaal wanneer die stemming op elke stemdag moet begin en eindig en kan hy verskillende tye ten opsigte van afsonderlike stemburdistrikte bepaal.

(2) Die dag kragtens subartikel (1) (a) bepaal, moet—

- (a) minstens 21 dae en hoogstens 28 dae wees na die datum van publikasie van die kennisgewing in subartikel (1) vermeld;
- (b) na die datum wees wat bepaal is vir die aanwysing van aangewese lede kragtens artikel 2 (1) (a) tot en met (i) van Bylae II van hierdie Proklamasie; en
- (c) minstens 60 dae wees voor die datum bepaal vir die verkiesing kragtens artikel 2 (1) (j) van Bylae II van hierdie Proklamasie.

Nominasie van kandidate vir verkiesing

13. (1) Op die dag en op die plek kragtens artikel 12 (1) (a) ten opsigte van enige kiesafdeling bepaal, hou die kiesbeampte vir daardie kiesafdeling 'n openbare hofsitting, wat as 'n nominasiehof bekend staan, vir die nominasie van kandidate vir verkiesing in daardie kiesafdeling.

(2) Behoudens die bepalinge van subartikel (3), kan enige persoon wat nie kragtens die bepalinge van artikel 4 van Bylae II van hierdie Proklamasie onbevoeg is nie, as kandidaat genomineer word.

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

- (a) hy voorgestel word deur 'n persoon wat 'n kieser van daardie kiesafdeling is en wat 'n verklaring onder eed of 'n bevestiging afgelê het in die vorm vervat in Deel I van Aanhangsel A hiervan;

Returning officers

8. (1) The electoral officer shall appoint a returning officer for every electoral division.

(2) The returning officer may appoint such number of deputies as he may deem necessary to assist him during elections.

Polling officers and counting officers

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

Polling stations

10. There shall be a polling station—

- (a) at the seat of the chief polling officer and at every place where a nomination court has been held; and
- (b) at such other place or places within his area of jurisdiction as he may deem necessary.

Members to be elected

11. One member shall be elected in each electoral division.

Fixing of nomination and polling dates

12. (1) Whenever an election is to take place the Minister shall, subject to the provisions of subsection (2), by notice in the *Official Gazette*—

- (a) fix a day on which and a place at which a nomination court shall sit in each electoral division to receive nominations for candidates for election in each electoral division; and
- (b) if, in a poll is to take place accordance with the provisions of section 14, state the hours at which such poll shall commence and close on each polling day and may fix different times in respect of individual polling districts.

(2) The day fixed under subsection 1 (a) shall be—

- (a) not less than 21 days and not more than 28 days from the date of publication of the notice referred to in subsection (1);
- (b) after the date fixed for the designation of designated members under section 2 (1) (a) up to and including (i) of Schedule 11 of this Proclamation; and
- (c) not less than 60 days before the date fixed for the election under section 2 (1) (j) of Schedule 11 of this Proclamation.

Nomination of candidates for election

13. (1) On the day and at the place fixed under section 12 (1) (a) in respect of any electoral division the returning officer for such electoral division shall hold a public court, to be known as a nomination court, for the nomination of candidates for election in such electoral division.

(2) Subject to the provisions of subsection (3), any person not disqualified under section 4 of Schedule 11 of this Proclamation may be nominated as a candidate.

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

- (a) he is proposed by a person who is a voter in such electoral division and who has made a declaration under oath or an affirmation in the form contained in Part I of Annexure A hereto;

- (b) hy gesekondeer word deur 'n persoon wat 'n kieser van daardie kiesafdeling is en wat 'n verklaring onder eed of 'n bevestiging afgelê het in die vorm vervat in Deel II van Aanhangsel A hiervan; en
- (c) hy die nominasie aanvaar het en 'n verklaring onder eed of 'n bevestiging afgelê het in die vorm vervat in Deel III van Aanhangsel A hiervan.

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

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

Uitslag aan einde van 'n sitting van 'n nominasiehof

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

- (a) slegs een kandidaat behoorlik genomineer is, verklaar die kiesbeamppte onverwyld dat sodanige kandidaat onbestrede verkies is tot lid van die Wetgewende Vergadering vir daardie kiesafdeling vanaf die dag waarop sodanige lid die eed afgelê het;
- (b) geen kandidaat behoorlik genomineer is nie, verklaar die kiesbeamppte onverwyld dat daar 'n toevallige vakature in daardie kiesafdeling bestaan; of
- (c) meer as een kandidaat behoorlik genomineer is, word 'n stemming op die wyse hieronder bepaal, gedurende die stemtydperk gehou.

Deposito deur of namens genomineerde persone

15. (1) Indien by 'n sitting van 'n nominasiehof meer as een kandidaat behoorlik genomineer is, moet die kiesbeamppte vereis dat daar deur of namens elke sodanige genomineerde persoon by hom die bedrag van twee honderd rand gestort word.

(2) Wanneer die kiesbeamppte vereis dat sodanige deposito gestort word deur of namens 'n aldus genomineerde persoon en daar nie dadelik aan die vereiste voldoen word nie, word sodanige persoon, ondanks die bepalinge van artikel 14, geag nie behoorlik as kandidaat genomineer te wees nie.

(3) Indien 'n stemming plaasvind en die totale getal stemme wat daarby op 'n verslane kandidaat uitgebring is, minder is as die helfte van die getal stemme van die suksesvolle kandidaat, word die bedrag wat deur of namens die verslane kandidaat gestort is, verbeur en in die Inkomstefonds van KwaNdebele gestort.

(4) Behoudens die uitdruklike bepalinge van hierdie artikel word die gestorte bedrag aan die deponeerder terugbetaal.

Aankondiging van name en Besonderhede van kandidate in Amptelike Koerant

16. (1) Aan die einde van 'n sitting van 'n nominasiehof moet die kiesbeamppte onverwyld die verkiesingsbeamppte in die vorm vervat in Aanhangsel B hiervan, in kennis stel van—

- (a) enige verklaring wat hy ingevolge artikel 14 (a) of (b) gedoen het; of

- (b) he is seconded by a person who is a voter in such electoral division and who has made a declaration under oath or an affirmation in the form contained in Part II of Annexure A hereto; and
- (c) he has accepted nomination and has made a declaration under oath or an affirmation in the form contained in Part III of Annexure A hereto.

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

(5) The nomination court shall sit from nine o'clock in the forenoon until twelve o'clock noon: Provided that if at the latter hour any person present has been proposed for candidate and his nomination has not been completed, the returning officer shall continue the sitting for such period not exceeding one hour as may be necessary to enable such candidate to be duly nominated.

Result at the end of a sitting of a nomination court

14. If at the end of a sitting of a nomination court—

- (a) only one candidate has been duly nominated, the returning officer shall forthwith declare that such candidate has been returned unopposed as a member of the Legislative Assembly for such electoral division with effect from the date on which such member has made the oath;
- (b) no candidate has been duly nominated, the returning officer shall forthwith declare that a casual vacancy exists in such electoral division; or
- (c) more than one candidate has been duly nominated, a poll shall take place during the period of polling in the manner hereinafter provided.

Deposit by or on behalf of nominees

15. (1) If at a sitting of a nomination court more than one candidate has been duly nominated, the returning officer shall require that there be deposited with him, by or on behalf of each person so nominated, the sum of two hundred rand.

(2) If, when the returning officer requires any such deposit to be made by or on behalf of a person so nominated, the requirement is not forthwith complied with, such person shall, notwithstanding anything in section 14 contained, be deemed not to be duly nominated as a candidate.

(3) If a poll takes place and the total number of votes received thereat by any unsuccessful candidate is less than half the number of votes received by the successful candidate who received the lowest number of votes, the sum deposited by or on behalf of such unsuccessful candidate shall be forfeited and shall be paid into the KwaNdebele Revenue Fund.

(4) Save as is in this section expressly provided, the sum deposited shall be returned to the depositor.

Publication of names and particulars of candidates in Official Gazette

16. (1) At the close of a sitting of a nomination court the returning officer shall forthwith, in the form contained in Annexure B hereto, notify the electoral officer of—

- (a) any declaration he may have made in terms of section 14 (a) or (b); or

(b) die besonderhede van elke behoorlik genomineerde kandidaat indien 'n stemming ingevolge artikel 14 (c) gehou moet word.

(2) Die verkiesingsbeampte laat die besonderhede van elke kandidaat ten opsigte van elke kiesafdeling so gou moontlik, maar in elk geval nie later nie as 30 dae voor die aanvang van die stemtydperk, in die *Amptelike Koerant* publiseer.

Openbare kennisgewing deur elke kiesbeampte

17. Wanneer 'n stemming gehou staan te word ooreenkomstig die bepalings van artikel 14 (c), publiseer elke kiesbeampte so spoedig doenlik na nominasiedag, op die plek waar die nominasiehof sitting gehou het en sodanige ander plekke wat hy goeë dink, 'n openbare kennisgewing van—

- (a) die stemtydperk;
- (b) die ure wat vir die begin en die einde van die stemming kragtens artikel 12 (1) (b) vasgestel is;
- (c) die volle naam en adres van elke kandidaat wat vir verkiesing in elke kiesafdeling genomineer is; en
- (d) waar elke stemburo binne sy regsgebied geleë is.

DEEL III

DIVERSE BEPALINGS IN VERBAND MET HOU VAN VERKIESINGS

Aanstelling van agente deur kandidaat

18. (1) 'n Behoorlik genomineerde kandidaat by 'n verkiesing van lede van die Wetgewende Vergadering kan, indien hy dit verlang, in die vorm vervat in Aanhangsel C hiervan, een of meer agente ten opsigte van 'n stemdistrik aanstel om hom behulpsaam te wees, en hy moet die kiesbeampte of die hoofstemopnemer, na gelang van die geval, skriftelik in kennis stel van die name en adresse van sodanige agente.

(2) Slegs een agent per kandidaat word toegelaat om binne 'n stemburo of op 'n plek waar stemme getel word, teenwoordig te wees.

(3) Die kiesbeampte of hoofstemopnemer, na gelang van die geval, moet elke agent wat ingevolge subartikel (1) aangestel is en van wie se naam en adres hy ingevolge daardie subartikel in kennis gestel is, inlig omtrent die plekke waar en datums waarop stemming gaan plaasvind en die datum waarop en die plek waar die telling van stemme 'n aanvang gaan neem.

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

Kennisgewing deur hoofstemopnemer en kiesbeampte aan verkiesingsbeampte aangaande sy behoeftes aan stembriewe, stemopnemers en telbeamptes

19. Elke hoofstemopnemer en kiesbeampte moet op versoek van die verkiesingsbeampte, wanneer 'n verkiesing gehou gaan word, hom van die volgende besonderhede voorsien:

- (a) Die geraamde getal stembriewe wat nodig is;
- (b) die getal adjunk-hoofstemopnemers, adjunk-kiesbeamptes, stemopnemers, amptelike getuies en telbeamptes wat nodig is vir die doeltreffende hou van die stemming en die tel van stemme; en
- (c) enige verdere inligting wat na sy mening onder die verkiesingsbeampte se aandag gebring moet word.

(b) the particulars of every duly nominated candidate if a poll is to take place in terms of section 14 (c).

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

Public notice by every returning officer

17. Whenever a poll is to take place in accordance with the provisions of section 14 (c), each returning officer shall, as soon as practicable after nomination day at the places at which the nomination court held its sitting or such other places as he may deem fit, give public notice of—

- (a) the polling period;
- (b) the hours fixed in terms of section 12 (1) (b) for the commencement and close of such poll;
- (c) the full name and address of each candidate nominated for election in each electoral division; and
- (d) the situation of each polling station within his area of jurisdiction.

PART III

MISCELLANEOUS PROVISIONS RELATING TO THE CONDUCT OF ELECTIONS

Appointment of agents by candidates

18. (1) Any duly nominated candidate in an election of members of the Legislative Assembly may, if he so desires, appoint, in the form contained in Annexure C hereto, one or more agents in respect of any polling district to assist him and shall notify the returning officer or chief polling officer, as the case may be, in writing of the names and addresses of such agents.

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

(3) Every agent who has been appointed and whose name and address have been notified in terms of subsection (1) shall be informed by the returning officer or chief polling officer, as the case may be, of the places where and dates on which a poll is to take place and of the date of which and the places where the counting of votes is to commence.

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

Notice by chief polling officer and returning officer to electoral officer of his requirements in respect of ballot papers, polling officers and counting officers

19. Whenever an election is to be held, every chief polling officer and returning officer shall, upon request by the electoral officer, furnish him with the following particulars:

- (a) the estimated number of ballot papers required;
- (b) the number of deputy chief polling officers, deputy returning officers, polling officers, official witnesses and counting officers required for effectually taking a poll effectively and for counting of votes effectively; and
- (c) any further information which in his opinion it is necessary to bring to the notice of the electoral officer.

Verskaffing van ultrusting

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

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

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

By watter stemburo 'n kieser moet stem

21. 'n Kieser kan gedurende die stemtydperk—

- (a) indien hy buite KwaNdebele is, by enige stemburo waar 'n stemming gehou word, stem; en
- (b) indien hy binne KwaNdebele is, slegs in die kiesafdeling stem waar hy geregtig is om te stem.

Prosedure by stemming

22. (1) Die stemopnemer moet daagliks by die sluiting van die stemming en in teenwoordigheid van sodanige kandidaat of agente as wat teenwoordig is, die opening van die stembus verseël, en moet slegs by die aanvang van die stemming die volgende môre in teenwoordigheid van sodanige kandidaat of agente as wat teenwoordig is, die seël breek: Met dien verstande dat hy, nadat hy die stembus by die sluiting van die stemming op die finale dag van die stemtydperk verseël het, dit nie weer mag oopmaak nie maar aan die hoofstemopnemer of kiesbeampte, na gelang van die geval, moet aflewer.

(2) Die stemopnemer is verantwoordelik vir die veilige bewaring van die stembus, stembriewe en instrumente gedurende die stemtydperk.

Verklaring van geheimhouding

23. Elke hoofstemopnemer, kiesbeampte, stemopnemer, kandidaat of agent, amptelike getuie of enige ander persoon of beampte (uitgesonderd 'n polisiebeampte) wat geregtig is om in 'n stemburo of by die tel van stemme teenwoordig te wees, moet voor die aanvang van die stemming, en elke telbeampte moet voor die aanvang van die tel van stemme, in die vorm vervat in Aanhangsel D hiervan, 'n beëdigde verklaring van geheimhouding aflê voor 'n vrederegter of 'n kommissaris van ede, of, indien hy nie 'n hoofstemopnemer of kiesbeampte is nie, voor 'n hoofstemopnemer of kiesbeampte, wat hierby gemagtig word om sodanige eed af te neem.

Bevoegdhede van stemopnemer by 'n stemburo

24. (1) Die stemopnemer by 'n stemburo moet daar orde hou, moet reël hoeveel kiesers daar tegelyk binnegelaat word en moet alle ander persone, uitgesonderd die hoofstemopnemer, die kiesbeampte, die kandidaat of agente en polisiebeamptes en ander beamptes aan diens, buite hou.

(2) Behoudens die uitsondering wat by subartikel (1) gemaak word, kan die stemopnemer enige persoon (uitgesonderd 'n persoon wat sy stem uitbring) aansê om die stemburo te verlaat, en enige persoon wat versuim om die stemburo te verlaat wanneer daar van hom vereis word om dit te doen, kan op bevel van die stemopnemer sonder lasbrief in hegtenis geneem word en begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande.

Provision of equipment

20. (1) For all elections the electoral officer shall provide ballot boxes, ballot papers, instruments for marking ballot papers and identity documents and other requirements, and shall do such other acts and make such arrangements to facilitate the taking of a poll as may be necessary to conduct the election effectively.

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

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

Polling station at which voter is to vote

21. Any voter, during the polling period—

- (a) may, if he is outside KwaNdebele, vote at any polling station where a poll is held; and
- (b) shall, if he is inside KwaNdebele, vote only in the electoral division where he is entitled to vote.

Procedure at ballot

22. (1) The polling officer shall daily at the close of poll, in the presence of such candidates or agents as may be present, seal the opening in the ballot box, and shall break the seal only at the commencement of poll on the following morning in the presence of such candidates or agents as may be present: Provided that, having sealed the ballot box at the close of polling on the final day of the polling period, he shall not re-open it but shall deliver it to the chief polling officer or returning officer, as the case may be.

(2) The polling officer shall be responsible for the safe-keeping of the ballot box, ballot papers and instruments during the polling period.

Declaration of secrecy

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

Powers of polling officer at a polling station

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

(2) Save as is excepted in subsection (1), such polling officer may require any person (other than a person recording his vote) to leave such polling station and any person failing to leave such polling station when so required may be arrested without a warrant on the order of such polling officer and shall be guilty of an offence and liable on conviction to a fine not exceeding R50 or to imprisonment for a period not exceeding three months.

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

Geen kieser mag meer as een keer stem nie

25. Geen kieser is geregtig om meer as een keer tydens 'n verkiesing te stem of om in meer as een kiesafdeling te stem nie.

Stembriewe

26. (1) 'n Kandidaat kan van 'n embleem of simbool op die stembrief gebruik maak om hom aan te dui.

(2) Die verkiesingsbeampte moet op aansoek van 'n kandidaat 'n embleem of simbool in subartikel (1) bedoel teenoor die betrokke kandidaat se naam op die stembrief laat aanbring: Met dien verstande dat 'n kandidaat wat van so 'n embleem of simbool gebruik wil maak, tydens die sitting van 'n nominasiehof die verkiesingsbeampte skriftelik op die nominasievorm van die embleem of simbool in kennis stel, en dat, indien geen sodanige kennis gegee word nie, sy naam op die stembrief verskyn sonder enige embleem of simbool daarteenoor.

(3) Elke stembrief wat gebruik moet word deur kiesers wat wil stem, moet in die vorm van Aanhangsel E hiervan wees.

Wyse waarop gestem word

27. (1) 'n Persoon wat daarop aanspraak maak om by 'n verkiesing van lede van die Wetgewende Vergadering te stem, kan te eniger tyd voor of gedurende so 'n verkiesing sy identiteitsdokument toon aan enige landdros, kommissaris, hoofstemopnemer, kiesbeampte of stemopnemer wat, indien hy daarvan oortuig is dat sodanige persoon 'n burger van KwaNdebele is en nie aan die diskwalifikasies in artikel 4 van Bylae II van hierdie Proklamasie bedoel onderhewig is nie—

(a) deur ondervraging van die kieser die kiesafdeling waarin die kieser geregtig is om te stem, moet bepaal; en

(b) 'n inskrywing in die vorm vervat in Aanhangsel F hiervan moet maak in Afdeling E van sodanige identiteitsdokument.

(2) By 'n verkiesing moet die stemopnemer by voorlegging aan hom deur enige persoon van 'n identiteitsdokument wat 'n inskrywing in subartikel (1) genoem bevat, en nadat hy vasgestel het dat geen stembrief reeds aan die kieser by daardie verkiesing uitgereik is nie—

(a) die geheime merk wat by daardie verkiesing gebruik word, in Afdeling E van die kieser se identiteitsdokument aanbring;

(b) die datum oor die stempel in die identiteitsdokument endosseer;

(c) die geheime merk agterop 'n stembrief aanbring wat die betrokke besonderhede bevat ten opsigte van die kiesafdeling waarin die kieser geregtig is om te stem; en

(d) die stembrief aan die kieser oorhandig.

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

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

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

No voter to vote more than once

25. No voter shall be entitled to vote more than once in any election or to vote in more than one electoral division.

Ballot papers

26. (1) A candidate may make use, on the ballot paper, of an emblem or symbol with which to denote himself.

(2) On application by a candidate, the electoral officer shall affix on the ballot paper opposite the name of such candidate an emblem or symbol referred to in subsection (1): Provided that a candidate wishing to make use of such emblem or symbol shall, at the time of the sitting of a nomination court, inform the electoral officer in writing of such emblem or symbol, and that, if no such notice is given, his name shall appear on the ballot paper without any emblem or symbol opposite it.

(3) Every ballot paper to be used by voters wishing to vote shall be in the form contained in Annexure E hereto.

Manner of voting

27. (1) Any person claiming to vote at any election of members of the Legislative Assembly may at any time before or during such election produce his identity document to any magistrate, commissioner, chief polling officer, returning officer or polling officer, who shall, if he is satisfied that such person is a citizen of KwaNdebele and is not subject to the disqualification referred to in section 4 of Schedule 11 of this Proclamation—

(a) by questioning the voter, determine the electoral division in which such voter is entitled to vote; and

(b) in Section E of such identity document, make an entry in the form contained in Annexure F hereto.

(2) In any election the polling officer, upon production by any person of an identity document containing an entry referred to in subsection (1) to the effect that such person is entitled to vote and after determining that no ballot paper has been issued to such at such election, shall—

(a) stamp, in Section E of the voter's identity document the secret mark used in such election;

(b) endorse the date across the stamp in such identity document;

(c) stamp the secret mark on the back of a ballot paper containing the relevant particulars in respect of the electoral division in which such voter is entitled to vote; and

(d) hand such ballot paper to such voter.

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

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

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

28. (1) 'n Kieser wat nie in staat is om sy stem uit te bring op die wyse voorgeskryf in hierdie Proklamasie nie, kan die stemopnemer versoek om sy stembrief namens hom in te vul.

(2) Sodanige stemopnemer moet vervolgens met behoorlike inagneming van die handhawing van geheimhouding en in teenwoordigheid van twee amptelike getuies en 'n persoon (as daar is) van die kieser se eie keuse wat hom moet vergesel—

- (a) sodanige kieser in kennis stel van die embleem of simbool (as daar is) in artikel 26 bedoel, wat teenoor die naam van enige sodanige kandidaat op die stembrief verskyn;
- (b) indien nodig, aan sodanige kieser die name van die kandidaat vir die bepaalde kiesafdeling voorlees;
- (c) 'n kruis in die ruimte op die stembrief aanbring teenoor die embleem of simbool of die naam van die kandidaat wat mondeling deur sodanige kieser aangedui of gekies is, na gelang van die geval;
- (d) die stembrief daarna vou en dit in die stembus plaas.

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

Bedorwe stembriewe

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

DEEL IV

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

Verseëling van stembusse, ens.

30. (1) Elke stemopnemer maak onmiddellik na die sluiting van die stemming, in teenwoordigheid van sodanige kandidaat of hulle agente (as daar is) as wat aanwesig is, afsonderlik pakkette, verseël met die seëls van die kandidaat of agente (as daar is) wat hulle seëls ook daarop wil afdruk, van—

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

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

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

(3) Elkeen van die pakkette in subartikel (1) bedoel en die opgawe in subartikel (2) bedoel, word voorsien van 'n etiket in die vorm vervat in Aanhangsel I hiervan.

Optrede deur hoofstemopnemer of kiesbeampte by ontvangs van stembriewe

31. Elke hoofstemopnemer of kiesbeampte moet by ontvangs van kiesers se stembriewe sodanige stembriewe onoorgemaak in veilige bewaring hou totdat die stemme getel word, en dan moet daarmee gehandel word soos in artikels 32 tot en met 36 voorgeskryf.

Voters who are unable to vote in the manner prescribed

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

(2) Such polling officer shall thereupon, with due regard to the maintenance of secrecy and in the presence of two official witnesses and a person (if any) of the voter's own choice who shall accompany him—

- (a) inform such voter of the emblem or symbol (if any), referred to in section 26, which appears opposite the name of any such candidate on the ballot paper;
- (b) if necessary, read to such voter the names of the candidates for the particular electoral division;
- (c) affix a cross in the space provided on the ballot paper opposite the emblem or symbol or the name of the candidate verbally indicated or selected as the case may be, by such voter; and
- (d) fold the ballot paper and put it into the ballot box.

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

Spoiled ballot papers

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

PART IV

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

Sealing of ballot boxes etc.

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

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

and shall forthwith deliver such packets or cause them to be delivered to the chief polling officer or returning officer.

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

(3) A label in the form contained in Annexure I hereto shall be affixed to each of the packets referred to in subsection (1) and to the statement referred to in subsection (2).

Action to be taken by chief polling officer or returning officer upon receipt of ballot papers

31. Every chief polling officer or returning officer shall upon receipt of voters' ballot papers retain such ballot papers unopened in safe custody until the counting of votes when they shall be dealt with as prescribed in section 32 to 36 inclusive.

Verifiëring van stembriefopgawe

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

(2) Wanneer die hoofstemopnemer of kiesbeampte die verifiëring van die opgawe van stembriewe van elke stemburo in sy kiesafdeling voltooi het, maak hy, ongeag of sodanige opgawes juis bevind is al dan nie, in die teenwoordigheid van sodanige kandidate of agente as wat aanwesig is, die stembriewe uit al die stembusse op so 'n wyse deurmekeer dat dit onmoontlik is om te bepaal uit watter stembus 'n bepaalde stembrief geneem is.

(3) Nadat hy die geheime amptelike merk op die stembriewe nagegaan het, gaan die hoofstemopnemer of kiesbeampte oor tot die tel van die stemme en terwyl hy die stemme tel, laat hy die stembriewe met hulle voorkant na bo hou.

Wyse waarop stemme getel moet word

33. Vir die doel van die tel van stemme word die stembriewe in pakkette van 50 vasgebind (aan elkeen waarvan 'n onderskeidende nommer toegeken word) en daarna word die getal stemme ten opsigte van elke kandidaat opgeskryf en nagegaan.

Watter stembriewe verwerp word

34. (1) Die hoofstemopnemer of kiesbeampte verwerp en tel nie 'n stembrief nie—

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

(2) Die hoofstemopnemer of kiesbeampte endosseer die woord "verwerp" op elke stembrief wat hy as ongeldig verwerp.

Bepaling van uitslag van verkiesing deur hoofstemopnemer of kiesbeampte

25. Nadat die tel van stemme voltooi is, stel die hoofstemopnemer of kiesbeampte die verkiesingsbeampte onverwyld in 'n opgawe in die vorm vervat in Aanhangsel H hiervan, per geregistreerde pos of aflewering per hand in 'n verseëldde koevert in kennis van die uitslag van die verkiesing in sy kiesafdeling.

Beskikking oor verkiesingstukke deur hoofstemopnemer of kiesbeampte na afloop van tel van stemme

36. (1) Na afloop van die tel van die stemme ten aansien van sy gebied maak die hoofstemopnemer of kiesbeampte die volgende afsonderlike pakkette op:

- (a) Alle ongebruikte en bedorwe stembriewe wat by elke stemburo gebruik is;

Verification of ballot paper statement

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

(2) When the chief polling officer or returning officer has completed the verification of a ballot paper account for each polling station in his electoral division, and whether or not such accounts are found to be correct, he shall in the presence of such candidates or agents as may be present mix together the ballot papers contained in all the ballot boxes so that it is impossible to determine from which ballot box any particular ballot paper was taken.

(3) The chief polling officer or returning officer, after scrutinising the secret official mark on the ballot papers, shall proceed to count the votes and while counting the votes shall cause the ballot papers to be kept with their faces upwards.

Manner in which votes are to be counted

33. The ballot papers shall, for the purpose of counting, be fastened together in packets of 50 (to each of which a distinctive number shall be assigned) and thereafter the number of votes for each candidate shall be recorded and checked.

Which ballot papers shall be rejected

34. (1) The chief polling officer or returning officer shall reject and not count any ballot paper—

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

(2) The chief polling officer or returning officer shall endorse the word "rejected" on each ballot paper rejected by him as invalid.

Determination of result of election by chief polling officer or returning officer

35. Upon completion of the counting of votes the chief polling officer or the returning officer shall forthwith, by registered post or delivery by hand, in a sealed envelope notify the electoral officer of the outcome of the election in his electoral division by means of a statement in the form contained in Annexure H hereto.

Disposal of electoral matter by chief polling officer or returning officer after counting of votes has been completed

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

- (a) All unused and spoiled ballot papers used at each polling station;

- (b) alle getelde stembriewe;
- (c) alle verworpe stembriewe; en
- (d) alle stembriefopgawes behoorlik geëndosseer met sy bevindings betreffende die verifiëring van sodanige opgawes.

(2) Die hoofstemopnemer of kiesbeampste—

- (a) voorsien elke pakket in subartikel (1) bedoel van 'n etiket in die vorm vervat in Aanhangsel I hiervan;
- (b) verseël elke sodanige pakket met sy eie seël en met die seëls van sodanige kandidaat en agente (as daar is) as wat hulle seëls ook daarop wil afdruk; en
- (c) bewaar sodanige pakette vir 'n tydperk van ses maande en vernietig dit daarna: Met dien verstande dat ongebruikte blanko stembriewe (as daar is) nie vernietig word nie maar per geregistreerde pos aan die verkiesingsbeampste gestuur word.

Beskikking oor seël en merkinstrumente

37. Die geelkoperseël en instrumente vir die geheime amptelike merke moet per geregistreerde pos aan die verkiesingsbeampste teruggestuur word.

Bepaling van uitslag van verkiesing deur verkiesingsbeampste

38. (1) By ontvangs van die uitslae vanaf alle hoofstemopnemers en kiesbeampstes moet die verkiesingsbeampste, in teenwoordigheid van twee getuies, wat magistrate of addisionele magistrate moet wees, daartoe oorgaan om die verseëlde koeverte waarna in artikel 35 verwys word, oop te maak en die uitslag van die verkiesing bepaal, en die verkiesingsbeampste en sodanige getuies moet skriftelik sertifiseer dat die uitslag aldus bepaal, korrek is.

(2) Die verkiesingsbeampste moet so gou moontlik daarna die getal kandidaat wat by die verkiesing die meeste stemme gekry het, behoorlik verkose lede van die Wetgewende Vergadering verklaar.

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

Bekendmaking van name van verkose lede

39. (1) Sodra die name en adresse van die persone by 'n algemene verkiesing behoorlik verkies vir die onderskeie kiesafdelings van KwaNdebele bekend is, moet die verkiesingsbeampste by kennisgewing in die *Amptelike Koerant* die volle naam en adres van elke sodanige verkose lid, tesame met die datum waarop hy behoorlik verkies is, die naam van die kiesafdeling wat sodanige lid verteenwoordig en die totale getal stemme wat ten gunste van sodanige lid uitgebring is, laat publiseer.

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

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

- (b) all counted ballot papers;
- (c) all rejected ballot papers; and
- (d) all ballot paper statements duly endorsed with his findings in regard to the verification of such statements.

(2) The chief polling officer or returning officer shall—

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

Disposal of seal and marking instruments

37. The brass seal and instruments for the secret official marks shall be returned by registered post to the electoral officer.

Determination of result of election by electoral officer

38. (1) Upon receipt of the results from all chief polling officers and returning officers the electoral officer, in the presence of two witnesses, who shall be magistrates or additional magistrates, shall proceed to open the sealed envelopes referred to in section 35 and determine the result of the election and the electoral officer and such witnesses shall in writing certify the result so determined to be correct.

(2) As soon as possible thereafter the electoral officer shall declare the number of candidates, who have received the greater number of votes to be duly elected members of the Legislative Assembly in the said election.

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

Publication of names of elected members

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

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

(3) The particulars referred to in subsection (1) shall be conveyed by the electoral officer to the Secretary of the Legislative Assembly.

DEEL V

ALGEMEEN EN AANVULLEND

Onbelangrike foute raak nie geldigheid van verkiesing nie

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

Bewys dat verkiesing gehou is

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

Ontruiming van setels

42. Indien die setel van 'n verkose lid van die Wetgewende Vergadering ingevolge die bepalings van artikel 7 van Bylae II van hierdie Proklamasie vakant raak, moet dit aangevul word op die wyse wat in artikel 8 van genoemde Bylae II bepaal word.

Kennisgewing van vakature aan KwaNdebele- Wetgewende Vergadering

43. Wanneer die Speaker van die Wetgewende Vergadering hom van die ontstaan van 'n vakature vergewis het, maak hy dit aan die Wetgewende Vergadering bekend, indien dit dan in sitting is, of, indien die Wetgewende Vergadering nie dan in sitting is nie, by die aanvang van die eersvolgende sitting: Met dien verstande dat indien sodanige vakature intussen aangevul is, hy die Wetgewende Vergadering dienoooreenkomstig in kennis stel.

Publikasie en betekening van kennisgewings

44. Behalwe waar publikasie in die *Amptelike Koerant* of op 'n ander bepaalde wyse uitdruklik voorgeskryf is, is dit voldoende indien 'n openbare kennisgewing wat ooreenkomstig hierdie Proklamasie gepubliseer moet word, gepubliseer word in 'n nuusblad wat sirkuleer in die kiesafdeling waarop dit die voorneme is dat die kennisgewing betrekking moet hê, of indien dit aangeplak word langs die hoofbuite deur van die kantoor van elke hoofstemopnemer en kiesbeamppte of op enige ander plek wat die verkiesingsbeamppte voorskryf.

Sondae en openbare feesdae

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

Vrystelling van seëlreg

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

Gebruik van rubberstempels

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

PART V

GENERAL AND SUPPLEMENTARY

Immaterial mistakes not to affect validity of election

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

Evidence of election being held

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

Vacating of seats

42. If the seat of an elected member of the Legislative Assembly becomes vacant in terms of section 7 of Schedule 11 of this Proclamation, it shall be filled in the manner laid down by section 8 of the said Schedule II.

Notification of vacancy to KwaNdebele Legislative Assembly

43. Whenever the Speaker of the Legislative Assembly is satisfied that a vacancy has occurred, he shall announce such fact to the Legislative Assembly if it is then in session or, if it is not then in session, at the commencement of the next session: Provided that, should such vacancy have in the interim been filled, he shall inform the Legislative Assembly accordingly.

Publication and service of notices

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

Sundays and public holidays

45. Whenever under this Proclamation anything is required to be commenced, concluded or done on a particular date, and such date happens to fall upon a Sunday or a day declared by or under a law to be a public holiday, such thing shall be commenced, concluded or done on the first date after such Sunday or public holiday or, if the latter date is also a public holiday or a Sunday, then on the first date after such public holiday or Sunday.

Exemption from stamp duty

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

Use of rubber stamps

47. Whenever a certificate is required to be given by any officer in terms of this Proclamation, no rubber stamp or other impression shall be used in signing such certificate.

Voorgeskrewe vorms

48. Die vorms vir gebruik in verband met die hou van verkiesings moet wees soos deur hierdie Proklamasie voorgeskryf.

DEEL VI**MISDRYWE EN STRAWWE****Onderbreking of steuring van verrigtings by verkiesings**

49. 'n Persoon wat opsetlik verrigtings in verband met die hou van verkiesings ooreenkomstig die bepalings van hierdie Proklamasie onderbreek, belemmer of versteur of op stemdag enige vorm van luidspreker gebruik of enige optog van of betoging deur persone vorm of reël, uitgesonderd vir amptelike doeleindes, begaan 'n misdryf en is by skuldigebevinding strafbaar met 'n boete van hoogstens twee honderd rand of met gevangenisstraf vir 'n tydperk van hoogstens drie maande.

Bedrog met stembriewe, ens.

50. (1) 'n Persoon wat—

- (a) 'n stembrief of die geheime amptelike merk op 'n stembrief vervals, namaak of met opset om te bedrieg vernietig;
- (b) sonder behoorlike magtiging 'n ander persoon van 'n stembrief voorsien;
- (c) met die opset om te bedrieg enige ander stuk papier in 'n stembus plaas as die stembrief wat hy regtens daarin mag plaas;
- (d) met die opset om te bedrieg 'n stembrief uit die stemburo wegneem; of
- (e) sonder behoorlike magtiging 'n stembus of pakket stembriewe wat dan vir die doel van die verkiesing in gebruik is, vernietig, neem, oopmaak of hom op 'n ander wyse daarmee bemoei,

begaan 'n misdryf en is by skuldigebevinding strafbaar, indien hy 'n hoofstemopnemer of kiesbeampte of 'n beampte aanwesig in 'n stemburo is, met gevangenisstraf vir 'n tydperk van hoogstens twee jaar, en indien hy 'n ander persoon is, met gevangenisstraf vir 'n tydperk van hoogstens nege maande.

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

(3) Indien die hoofstemopnemer of kiesbeampte aldus beskuldig of aangekla word, kan verklaar word dat die eiendomsreg by die Minister berus.

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

Skending van geheimhouding

51. (1) Elke beampte, kandidaat of agent wat by 'n stemburo of by die tel van stemme aanwesig is, moet die geheimhouding van die stemming in daardie stemburo handhaaf en help om dit te handhaaf, en geen sodanige beampte, kandidaat of agent mag aan 'n persoon, uitgesonderd vir die een of ander regtens geoorloofde doel, enige inligting mededeel wat waarskynlik die geheimhouding van die stemming kan verrydel nie.

Forms prescribed

48. The forms to be used in connection with the conduct of elections shall be those prescribed by this Proclamation.

PART VI**OFFENCES AND PENALTIES****Interrupting or disturbing proceedings at elections**

49. Any person who wilfully interrupts, obstructs or disturbs any proceedings in connection with the conduct of elections in terms of the provisions of this Proclamation, or who on polling day uses any form of loudspeaker, or forms or organises any procession of or demonstration by persons other than for official purposes, shall be guilty of an offence and liable upon conviction to a fine not exceeding R200 or to imprisonment for a period not exceeding three months.

Fraudulent ballot papers, etc.

50. (1) Any person who—

- (a) forges or counterfeits or fraudulently destroys any ballot paper or the secret official mark on any ballot paper;
- (b) without due authority supplies a ballot paper to any person;
- (c) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in;
- (d) fraudulently takes out of the polling station any ballot paper; or
- (e) without due authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purpose of the election;

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

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

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

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

Infringement of secrecy

51. (1) Every officer, candidate or agent in attendance at a polling station or at the counting of votes shall maintain, and aid in maintaining, the secrecy of the voting in such polling station and no such officer, candidate or agent shall except for some purpose authorised by law, communicate to any person any information likely to defeat the secrecy of the voting.

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

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

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

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

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

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

Pligversuim deur hoofstemopnemer, kiesbeampte of ander beampte

52. 'n Hoofstemopnemer, kiesbeampte of 'n ander beampte of persoon wat opsetlik versuim om enige van die pligte te vervul wat kragtens die bepalings van hierdie Proklamasie aan hom opgelê is, begaan 'n misdryf en is by skuldigbevinding strafbaar, in die geval van 'n hoofstemopnemer en kiesbeampte, met 'n boete van hoogstens R400 of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar, en in die geval van enige ander beampte of persoon, met 'n boete van hoogstens R200 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande.

DEEL VII

KORRUPT EN ONWETTIGE BEDRYWIGHEDE EN ANDER MISDRYWE IN VERBAND MET VERKIESINGS

Omskrywing van korrupte bedrywigheid

53. "Korrupte bedrywigheid" beteken enigeen van die misdrywe van trakteerdery, onbehoorlike beïnvloeding, omkoperij en uitgee vir 'n ander waaroor hierdie deel handel.

Trakteerdery

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

(2) Subject to the provisions of this Proclamation, no person shall interfere with or attempt to interfere with a voter when such a voter is marking his ballot paper, or otherwise attempt to find out for which candidate any voter is about to vote or has voted, or at any time communicate to any person the identity of the candidate for whom, according to information obtained, any voter is about to vote or has voted at a taking of a poll under this Proclamation.

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

(4) No person shall place upon any ballot paper any mark or writing whereby a person casting his vote on such ballot paper may be identified.

(5) Every person present at the counting of votes shall maintain, and aid in maintaining, the secrecy of the voting, and no such person shall attempt to ascertain or communicate the identity of the candidate for whom, according to information obtained at such counting, any vote was cast in any particular ballot paper.

(6) No person who, in carrying out his duties under this Proclamation, has come to know for which candidate any other person has voted shall disclose such knowledge, except in answer to a question lawfully put to him in the course of proceedings in a competent court.

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

Neglect of duty by chief polling officer, returning officer or other officer to perform his duties

52. Any chief polling officer, returning officer or any other officer or person who wilfully fails to perform any of the duties which under the provisions of this Proclamation he is required to perform shall be guilty of an offence and, in the case of a chief polling officer and returning officer, liable upon conviction to a fine not exceeding R400 or to imprisonment for a period not exceeding two years and, in the case of any other officer or person, to a fine not exceeding R200 or to imprisonment for a period not exceeding 12 months.

PART VII

CORRUPT AND ILLEGAL PRACTICES AND OTHER OFFENCES RELATING TO ELECTIONS

Definition of corrupt practice

53. "Corrupt practice" shall mean any of the offences of treating, undue influence, bribery and personation dealt with in this Part.

Treating

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

Onbehoorlike beïnvloeding

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

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

Omkopery

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

- (a) aan of vir 'n kieser, of aan of vir 'n persoon namens 'n kieser, of aan of vir enige ander persoon, enige geld of enigiets anders gee, leen of verkry of ooreenkom om dit te gee, te leen of te verkry of dit aanbied, beloof of beloof om dit te verkry of om te probeer om dit te verkry, met die doel om 'n kieser te beweeg om sy stem by 'n verkiesing uit te bring al dan nie, of korruptelik een van voormelde handelinge verrig omdat die kieser sy stem by 'n verkiesing uitgebring het al dan nie;
- (b) aan of vir 'n kieser, of aan of vir 'n persoon namens 'n kieser, of aan of vir enige ander persoon enige geld of enigiets anders gee of leen, of ooreenkom om dit te gee of te leen, of dit aanbied, of beloof om dit te verkry of om te probeer om dit te verkry, vir optrede in of deelname aan enige optog of betoging voor, gedurende of na 'n verkiesing;
- (c) aan of vir 'n persoon 'n skenking, lening, aanbod, belofte, verkryging of ooreenkoms gee, verstrekk, doen of aangaan met die doel om sodanige persoon te beweeg om die verkiesing van 'n kandidaat by 'n verkiesing of die stem van 'n kieser by 'n verkiesing te verkry of om te probeer om dit te verkry;
- (d) teen of ten gevolge van so 'n skenking, lening, aanbod, belofte, verkryging of ooreenkoms die verkiesing van 'n kandidaat by 'n verkiesing of die stem van 'n kieser by 'n verkiesing verkry of onderneem, beloof of probeer om dit te verkry;
- (e) aan of vir die gebruik van 'n ander persoon enige geld voorskiet of betaal of laat voorskiet of betaal met die bedoeling dat daardie geld of enige deel daarvan by 'n verkiesing aan omkopery bestee moet word, of wilens en wetens aan 'n persoon enige geld betaal of laat betaal ter vereffening of terugbetaling van geld wat in geheel of ten dele by 'n verkiesing aan omkopery bestee is;
- (f) voor of gedurende enige verkiesing vir homself of 'n ander persoon enige geld of lening ontvang of beding omdat hy by 'n verkiesing gestem het of ooreengekom het om te stem, of omdat hy hom by 'n verkiesing van stemming onthou het of ooreengekom het om hom van stemming te onthou;
- (g) na 'n verkiesing geld ontvang omdat 'n persoon sy stem uitgebring het al dan nie of 'n ander persoon beweeg het om sy stem by enige verkiesing uit te bring al dan nie; of

Undue influence

55. (1) Any person who by himself or through any other person directly or indirectly makes use or threatens to make use of any force, violence or restraint or inflicts or threatens to inflict any temporal or spiritual injury, damage, harm or loss upon or against any person, or does or threatens to do anything to the disadvantage of any person, whether for the purpose of inducing or compelling such person to vote or refrain from voting, or on account of such persons's having voted or refrained from voting at any election, shall be guilty of the offence of undue influence.

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

Bribery

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

- (a) give, lends or procures, or agrees to give, lend or procure, or offers, promises, or promises to procure or to endeavour to procure any money or any other thing to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, for the purpose of inducing any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter's having voted or refrained from voting at any election;
- (b) gives, lends or agrees to give or lend, or offers, or promises to procure or to endeavour to procure any money or any other thing to or for any voter, or to or for any other person, for acting or joining in any procession or demonstration before, during or after any election;
- (c) makes any such gift, loan, offer, promise, procurement or agreement to or for any person for the purpose of inducing such person to procure or endeavour to procure the return of any candidate at any election or the vote of any voter in an election;
- (d) against or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures, or engages, promises or endeavours to procure, the return of any candidate in any election or the vote of any voter in any election;
- (e) advances or pays, or causes to be advanced or paid, any money to, or for the use of, any other person with the intent that such money, or any part thereof, shall be expended in bribery in any election, or knowingly pays, or causes to be paid, any money to any person in discharge or repayment of any money wholly or in part expended in bribery in any election;
- (f) before or during any election, receives, or contracts for any money or loan, for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting, in any election;
- (g) after any election receives any money on account of any person's having voted or refrained from voting, or having induced any other person to vote or refrain from voting at any election; or

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

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

Uitgee vir 'n ander

57. 'n Persoon wat—

- (a) by 'n verkiesing in die naam van 'n ander persoon, hetsy lewend of afgestorwe, of van 'n denkbeeldige persoon, om 'n stembrief aansoek doen; of
- (b) nadat hy een keer by 'n verkiesing gestem het, weer by 'n stemburo by dieselfde verkiesing om 'n stembrief aansoek doen;

begaan die misdryf van hom vir 'n ander uitgee.

Strawwe vir korrupte bedrywighede en gevolge van skuldigbevinding

58. (1) 'n Persoon wat 'n misdryf begaan van hom vir 'n ander uitgee, is by skuldigbevinding strafbaar met gevangenisstraf vir 'n tydperk van hoogstens twee jaar.

(2) 'n Persoon wat aan 'n ander korrupte bedrywigheid skuldig is as van hom vir 'n ander uitgee, is by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met sowel sodanige boete as sodanige gevangenisstraf.

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

- (a) om by 'n verkiesing 'n stem uit te bring; of
- (b) om 'n openbare of regterlike amp te beklee, en indien hy enige sodanige amp beklee, kan die hof verklaar dat hy met ingang van genoemde datum die amp moet neerlê.

DEEL VIII

ONWETTIGE BEDRYWIGHEDE

Korrupte verkryging van kandidatuur of terugtrekking daarvan

59. Geen persoon mag—

- (a) 'n ander persoon korruptelik bewoog of oorhaal om, as teenprestasie vir 'n betaling of belofte van watter aard ook al, 'n kandidaat by enige verkiesing te word of as sodanig terug te trek nie;
- (b) as gevolg daarvan dat hy aldus bewoog of oorgehaal is, 'n kandidaat by enige verkiesing word of as sodanig terugtrek nie; of
- (c) voor of gedurende 'n verkiesing, met die doel om die verkiesing van 'n ander kandidaat te bevorder of te bewerkstellig, 'n valse verklaring dat 'n kandidaat by 'n verkiesing teruggetrek het, publiseer nie, wetende dat die verklaring vals is.

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

60. (1) Alle biljette, plakkate, aanplakbiljette, pamflette, omsendbriewe of ander drukwerk wat op 'n verkiesing betrekking het, moet die naam en adres van die drukker en uitgewer in 'n duidelik leesbare vorm toon.

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

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

Personation

57. Any person who—

- (a) in any election applies for a ballot paper in the name of some other person, whether living, dead or fictitious; or
- (b) having voted once in an election, during the same election again applies for a ballot paper at any polling station;

shall be guilty of the offence of personation.

Penalties for corrupt practices and consequences of conviction

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

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

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

- (a) of voting in any election; or
- (b) of holding any public office or judicial office, and if he holds any such office, the court may declare that such office shall be vacated by him with effect from the said date.

PART VIII

ILLEGAL PRACTICES

Corrupt procurement of candidature or withdrawal thereof

59. No person shall—

- (a) corruptly induce or procure any other person to become a candidate, or to withdraw as a candidate in any election, in consideration of any payment or promise of any nature;
- (b) become a candidate or withdraw as a candidate in any election, by reason of such inducement or procurement; or
- (c) before or during any election publish a false statement of the withdrawal of a candidate in an election for the purpose of promoting or procuring the election of any other candidate, knowing such statement to be false.

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

60. (1) Every bill, placard, poster, pamphlet, circular or other printed matter having reference to an election shall exhibit the name and address of the printer and publisher thereof in a clearly legible form.

(2) Geen persoon mag sodanige drukwerk wat nie die naam en adres van die drukker en uitgewer in 'n duidelik leesbare vorm toon nie, druk, uitgee of aanplak of laat druk, uitgee of aanplak nie.

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

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

(5) Alle verslae, briewe, artikels, biljette, plakate, aanplakbiljette, pamflette, omsendbriewe, spotprente of ander drukwerk (hieronder in hierdie subartikel nuusbladartikels genoem) wat, na die skyn geoordeel, bedoel of bereken is om die uitslag van 'n verkiesing te beïnvloed en in 'n nuusblad opgeneem of op 'n ander wyse gepubliseer word en op of na die datum van die begin van die verkiesing van lede vir die KwaNdebele Wetgewende Vergadering in KwaNdebele of die Republiek gepubliseer word, moet onderaan die volle naam en adres toon van die persoon deur wie die nuusbladartikel geskryf of geproduseer is: Met dien verstande dat—

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

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

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

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

(7) Vir doeleindes van hierdie artikel word 'n verkiesing geag te begin op die datum van publikasie van die kennisgewing bedoel in artikel 12 (1).

Vergaderings op persele waar gewoonlik drank verkoop word

61. (1) Geen persoon mag—

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

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

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

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

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

(5) Every report, letter, article, bill, placard, poster, pamphlet, circular, cartoon or other printed matter (hereinafter in this subsection called a newspaper article) which, on the face of it, is intended or calculated to affect the result of an election, and is inserted in any newspaper or otherwise published and is published in KwaNdebele or the Republic on or after the date of commencement of such election of members to the KwaNdebele Legislative Assembly, shall bear at the foot thereof the full name and address of the person by whom such newspaper article was written or produced: Provided that—

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

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

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

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

(7) For the purposes of this section an election shall be deemed to commence on the date of publication of the notice referred to in section 12 (1).

Meetings on premises ordinarily serving for the sale of liquor

61. (1) No person shall hire or use—

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

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

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

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

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

Strawwe vir onwettige bedrywigheid

62. 'n Persoon wat 'n onwettige bedrywigheid begaan, is by skuldigbevinding strafbaar—

- (a) in die geval van 'n onwettige bedrywigheid ingevolge artikel 60 (3), met 'n boete van hoogstens R200 of met gevangenisstraf vir 'n tydperk van hoogstens een jaar;
- (b) in die geval van enige ander onwettige bedrywigheid, met 'n boete van hoogstens R400 of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar en kan, waar geen onbevoegdheid spesiaal vir 'n bepaalde kategorie persone kragtens hierdie Proklamasie voorgeskryf word nie, ook deur die hof verklaar word, gedurende 'n tydperk van hoogstens twee jaar vanaf die datum van die skuldigbevinding, onbevoeg te wees om 'n openbare of regterlike amp te beklee, en indien hy dan 'n openbare of regterlike amp beklee, kan die hof verklaar dat hy met ingang van genoemde datum die amp moet neerlê. Met diën verstande dat geen persoon aan 'n onwettige bedrywigheid ingevolge artikel 60 (2) skuldig bevind word nie indien hy bewys dat hy onkundig omtrent die wetsvoorskrifte gehandel het.

Gevolge vir kandidaat

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

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

(2) Behoudens die uitsonderings wat kragtens hierdie Proklamasie toegelaat word, is enige persoon wat enige van die bepalings van artikels 59 tot en met 62 oortree of versuim om daaraan te voldoen, aan 'n onwettige bedrywigheid skuldig.

Strawwe waar uitdruklike voorsiening ontbreek

64. Waar daar nie uitdruklike voorsiening gemaak word vir strawwe weens 'n misdryf ingevolge hierdie Proklamasie of weens 'n oortreding van enige bepaling daarvan of versuim om daaraan te voldoen nie, is die oortreder by skuldigbevinding strafbaar met 'n boete van hoogstens R200 of met gevangenisstraf vir 'n tydperk van hoogstens een jaar.

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

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

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

Penalties for illegal practices

62. Any person guilty of an illegal practice shall be liable upon conviction—

- (a) in the case of an illegal practice under section 60 (3), to a fine not exceeding R200 or to imprisonment for a period not exceeding one year;
- (b) in the case of any other illegal practice, to a fine not exceeding R400 or to imprisonment for a period not exceeding two years and may, where no incapacity is specially provided for any particular class of person under this Proclamation, further be declared by the court incapable during a period not exceeding two years from the date of the conviction of filling a public office or judicial office and, if he holds a public office or judicial office at the time, the court may declare that such office shall be vacated by him with effect from the said date: Provided that no person shall be convicted of an illegal practice under section 60 (2), if he proves that he acted in ignorance of the requirements of the law.

Consequences to candidate

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

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

(2) Subject to such exceptions as may be allowed under this Proclamation, any person who contravenes or fails to comply with any of the provisions of sections 59 to 62 inclusive shall be guilty of an illegal practice.

Penalties where no express provision made

64. Where no penalties are expressly provided for an offence against this Proclamation or for the contravention of any provision thereof or failure to comply therewith, the offender shall be liable upon conviction to a fine not exceeding R200 or to imprisonment for a period not exceeding one year.

Gevalle waarvoor nie voorsiening gemaak is nie

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

AANHANGSEL A

KWANDEBELE

DEEL I

VERKLARING DEUR VOORSTELLER

Ek,
(Identiteitsdokument No.)
Adres
.....
nomineer hierby
(Identiteitsdokument No.)
Beroep
Adres
.....
as kandidaat vir verkiesing in die kiesafdeling en
verklaar plegtig/onder eed* dat ek 'n kieser in genoemde kiesafdeling is.

Voorsteller

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

Geteken en beëdig/bevestig voor my te
hierdie dag van 19.....

Kommissaris van Ede

Gebied

Hoedanigheid

DEEL II

VERKLARING DEUR SEKONDANT

Ek,
(Identiteitsdokument No.)
Adres
.....
sekondeer hierby die nominasie in Deel I hiervan en verklaar plegtig/onder eed* dat ek 'n kieser in genoemde kiesafdeling is.

Sekondant

Cases not provided for

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

ANNEXURE A

KWANDEBELE

PART I

DECLARATION BY PROPOSER

I,
(Identity Document No.)
Address
.....
do hereby nominate
(Identity Document No.)
Occupation
Address
.....
as candidate for election in the Electoral Division of and I hereby
solemnly* declare under oath* that I am a voter in the said electoral division.

Proposer

The deponent has acknowledged that he knows and understands the contents of this affidavit/declaration.*

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

Commissioner of Oaths

Area

Capacity

PART II

DECLARATION BY SECONDER

I,
(Identity Document No.)
Address
.....
do hereby second the nomination in Part I hereof and I hereby solemnly* declare under oath* that I am a voter in the said electoral division.

Secunder

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

Geteken en beëdig/bevestig* voor my te.....
hierdie dag van 19.....

Kommissaris van Ede

Gebied.....

Hoedanigheid.....

DEEL III

VERKLARING DEUR KANDIDAAT

Ek,
(Identiteitsdokument No.),
stem hierby toe en aanvaar die nominasie hierbo en verklaar hierby plegtig/
onder eed* dat ek nie onderhewig is aan enige van die diskwalifikasies
vermeld in artikel 4 van Bylae 11 van hierdie Proklamasie nie.

Kandidaat

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

Geteken en beëdig/bevestig* voor my te.....
hierdie dag van 19.....

Kommissaris van Ede

Gebied.....

Hoedanigheid.....

AANHANGSEL B

KWANDEBELE

NOMINASIEHOFOPGAWE

Die Verkiesingsbeamppte,

Ek wens te berig dat by die afsluiting van die nominasiehof deur my
gehou te, op hede die

..... dag van 19.....—

- (a) die kandidaat (kandidate)* hieronder vermeld behoorlik genomineer is vir verkiesing tot lid (lede)* van die Wetgewende Vergadering vir die kiesafdeling
- (b) ek kragtens artikel 14 (a) van Proklamasie R..... verklaar het dat die kandidaat (kandidate)* hieronder vermeld onbestrede verkies is tot lid (lede)* van die Wetgewende Vergadering vir genoemde kiesafdeling vanaf die sluiting van die stemtydperk;
- (c) ek kragtens artikel 14 (b) van Proklamasie R..... verklaar het—
- (i) dat die kandidaat (kandidate)* hieronder vermeld behoorlik verkies is tot lid (lede)* van die Wetgewende Vergadering vanaf die sluiting van die stemtydperk; en
- (ii) dat.....toevallige vakature(s)* vir genoemde kiesafdeling bestaan.

Kiesbeamppte

GENOMINEERDE KANDIDATE

Van	Volle Voornamen	Adres	Beroep

* Skrap wat nie van toepassing is nie.

The deponent has acknowledged that he knows and understands the contents of this affidavit/declaration.*

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

Commissioner of Oaths

Area.....

Capacity.....

PART III

DECLARATION BY CANDIDATE

I,
(Identity Document No.),
do hereby consent to and accept the nomination above and I hereby solemnly* declare under oath* that I am not subject to the disqualifications mentioned in section 4 of Schedule 11 of this Proclamation.

Candidate

The deponent has acknowledged that he knows and understands the contents of this affidavit/declaration.*

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

Commissioner of Oaths

Area.....

Capacity.....

ANNEXURE B

KWANDEBELE

NOMINATION COURT RETURN

The Electoral Officer,

I have to report that at the conclusion of the nomination court held by me
at this.....day of 19.....—

- (a) the candidate(s) mentioned below was/were* duly nominated for election—as member(s) of the Legislative Assembly for the Electoral Division of
- (b) I declared, in terms of section 14(a) of Proclamation R..... of 19....., that the candidate/candidates* mentioned below had been returned unopposed as from the close of the polling period, as member(s) of the Legislative Assembly for the said electoral division;
- (c) I declared, in terms of section 14(b) of Proclamation R..... of 19.....—
- (i) the candidate/candidates* mentioned below to be duly elected member(s) of the Legislative Assembly for the said electoral division as from the close of the polling period; and
- (ii) that a casual vacancy/vacancies* existed in the said electoral division.

Returning officer

CANDIDATES NOMINATED

Surname	Names in full	Address	Occupation

* Delete whichever does not apply.

AANHANGSEL C**KWANDEBELE****AANSTELLING VAN AGENT**

Hierby word gesertifiseer dat ek (naam)
 (Identiteitsdokument No.),
 Adres
 aangestel het as my agent en om namens my teenwoordig te wees by
 stemburo in die
 kiesafdeling op/gedurende
 die tydperk*.....

.....
 Kandidaat
 (Identiteitsdokument No.)

Adres van kandidaat:

 Datum

AANHANGSEL D**KWANDEBELE****VERKLARING VAN GEHEIMHOUDING**

Ek,
 beloof hierby plegtig en verklaar dat ek by hierdie verkiesing van 'n lid
 (lede)* van die KwaNdebele- Wetgewende Vergadering in die kiesafdeling
 niks sal
 doen nie wat verbode is by artikel 51 van Proklamasie R.....
 van 19....., wat ek gelees het en volkome begryp.

Adres * Hoofstemopnemer
 * Kiesbeampte
 * Stemopnemer
 Datum * Telbeampte
 * Kandidaat
 * Agent
 * Amptelike getuie

Bostaande verklaring is voor my afgelê en onderteken op hierdie
 dag van 19

Plek * Kiesbeampte
 Datum * Hoofstemopnemer
 * Vrederegter
 * Kommissaris van Ede

AANHANGSEL E**KWANDEBELE****STEMBRIEF**

(Vorm van voorkant van stembrief)

Teenblad No. Verkiezing van lid (lede)* van die KwaNdebele- Wetgewende Vergadering	Volle naam, adres en beroep van kandidaat	Embleem of simbool van kandidaat, as daar is
Kiesafdeling Datum/tydperk*		
Identiteitsdokument No. van kieser		
Let wel.—Stem vir slegs een kandidaat		

ANNEXURE C**KWANDEBELE****APPOINTMENT OF AGENT**

This is to certify that I have appointed
 (Identity Document No.)
 Address
 to be my agent and to attend on my behalf at the Polling Station
 in the Electoral Division of on/during the period*

.....
 Candidate
 (Identity Document No.)

Address of candidate
 Date

ANNEXURE D**KWANDEBELE****DECLARATION OF SECRECY**

I,
 do hereby solemnly promise and declare that I will not in this election of a
 member/members* of the KwaNdebele Legislative Assembly for the Elec-
 toral Division of ... do anything forbidden by section 51 of Proclamation R.
 of 19, which I have read and which I fully understand.

Address:

 * Chief Polling Officer
 * Returning Officer
 * Polling Officer
 * Counting Officer
 * Candidate
 * Agent
 * Official witness

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

Place:
 Date:
 * Chief Polling Officer
 * Returning Officer
 * Justice of the Peace
 * Commissioner of Oaths

ANNEXURE E**KWANDEBELE****BALLOT PAPER**

Form of front of Ballot Paper

Counterfoil No. Election of member/members* the KwaNdebele Legislative Assembly Electoral	Full name address and occupation of candidate	Emblem or symbol of candidate if any
Division of Date/Period*		
Identity Document No. of voter		
Note.—Vote for one candidate only		

* Skrap wat nie van toepassing is nie.

* Delete whichever does not apply.

(Vorm van agterkant van stembrief)

No.	No. Verkiësing van (lede)* vir die KwaNdebele- Wetgewende Vergadering vir die Kiesafdeling	Geheime merk
No.		
No.		
No.		

AANHANGSEL F**KWANDEBELE-WETGEWENDE VERGADERING
VERKIESING VAN LEDE**

Ek,,
verklaar dat 'n burger
van KwaNdebele is en geregtig is om te stem in die kiesafdeling

Handtekening
Hoedanigheid

Distrik

Datum

AANHANGSEL G**KWANDEBELE****STEMBRIEFVERSLAG**

Verkiësing van 'n lid (lede)* van die Wetgewende Vergadering vir die
kiesafdeling gehou op/gedurende die tydperk*

Stemburo

Stemdistrik

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

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

Gedateer hierdie dag van

..... 19....

Plek

Kiesbeampte/Hoofstemopnemer*

AANHANGSEL H**KWANDEBELE****OPGAWE VAN GETAL STEMME UITGEBRING**

Kiesafdeling

Die Verkiësingbeampte

Ek verklaar hierby dat by die hou van die verkiësing op/gedurende die
tydperk* vir die
verkiësing van 'n lid (lede)* van die Wetgewende Vergadering vir bover-
melde kiesafdeling in my stemdistrik die volgende kandidaat (kandidate)*
die getalle stemme teenoor sy/hulle* naam/name* genoem, gekry het:

* Skrap wat nie van toepassing is nie.

Form of back of Ballot Paper

No.	No. member(s) for the Election of KwaNdebele Legislative Assembly for the Electoral Division of	Secret Mark
No.		
No.		
No.		

ANNEXURE F**KWANDEBELE LEGISLATIVE ASSEMBLY****ELECTION OF MEMBERS**

I,, hereby declare that
is a citizen of KwaNdebele and is entitled to vote in the Electoral Division
of

Signature

Capacity

District of

Date

ANNEXURE G**KWANDEBELE****BALLOT PAPER ACCOUNT**

Election of a member/members of the Legislative Assembly for the
Electoral Division of held on/during
the period*
Polling Station Polling District

Ballot papers received	Number	Ballot papers accounted for	Number
Ballot papers:		Ballot papers in bal- lot box	
Nos		Ballot papers unused:	
to		Nos	
inclusive		to	
		inclusive	
		Ballot papers spoiled	
Total number received		Total number ac- counted for	

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

Dated this day of 19....

Place

Returning Officer/Chief Polling
Officer***ANNEXURE H****KWANDEBELE****STATEMENT OF NUMBER OF VOTES POLLED**

Electoral Division

The Electoral officer,

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

* Delete whichever does not apply.

Naam	Identiteits- dokument No.	Getal stemme
Totale getal stemme		
Getal verworpe stembriewe.....		

Datum

Kiesbeambte/Hoofstemopnemer*

Kiesafdeling

AANHANGSEL I

KWANDEBELE**ETIKET**

Die Hoofstemopnemer/Kiesbeampte/Verkiesingsbeampte*,

Kiesafdeling

Inhoud

Datum/verkiezingstydperk*

Datum versend

Stemopnemer/
Hoofstemopnemer/
Kiesbeampte*

* Skrap wat nie van toepassing is nie."

[illegible]

Date

*Returning Officer/Chief Polling Officer**

Electoral Division.....

ANNEXURE I

KWANDEBELE

LABEL

The Chief Polling Officer/Returning/Electoral* Officer.....

Electoral Division of.....

Contents.....

Date/Period* of poll

Date of dispatch

Polling Officer
Chief Polling Officer
Returning Officer*

* Delete what does not apply.

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