



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA



GOVERNMENT GAZETTE

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CAPE TOWN, 9TH JULY, 1969.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 1158.

9 Julie 1969.

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

No. 99 van 1969: Wysigingswet op die Kieswette, 1969.

DEPARTMENT OF THE PRIME MINISTER.

No. 1158.

9th July, 1969.

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

No. 99 of 1969: Electoral Laws Amendment Act, 1969.

Act No. 99, 1969

ELECTORAL LAWS AMENDMENT ACT, 1969.

ACT

To amend the Electoral Laws Consolidation Act, 1946.

(English text signed by the State President.)
(Assented to 20th June, 1969.)

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

Amendment of section 1 of Act 46 of 1946, as amended by section 2 of Act 50 of 1948, section 1 of Act 30 of 1958, section 1 of Act 72 of 1962, section 1 of Act 51 of 1964 and section 1 of Act 84 of 1965.

1. Section 1 of the Electoral Laws Consolidation Act, 1946 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for the definition of "actually resided in that division" of the following definition:—"actually resided in that division" means—

(a) in relation to a student at a university, university college, teachers' training college, technical college, industrial school, technical high school or commercial high school or any other college or any high school, actually resided at a place within that division for the purpose of receiving training at the university, college or school concerned; and
(b) in relation to a person who is undergoing continuous or full-time training under the provisions of section 22 or 23 of the Defence Act, 1957 (Act No. 44 of 1957), or section 33 of the Police Act, 1958 (Act No. 7 of 1958), actually retained his home at a place within that division (irrespective of where he resided for the purposes of such training) or, if he did not retain any such home, actually retained his home at a place within that division immediately prior to the date on which such continuous or full-time training commenced;";

(b) by the substitution for the definition of "ballot paper envelope" of the following definition:

"ballot paper envelope" means an envelope referred to in paragraph (d) of section 53 (1) or section 71bis (1); and

(c) by the substitution for the definition of "presiding officer for votes of special voters" of the following definition:

"presiding officer for votes of special voters" means an electoral officer or a returning officer or magistrate or an additional, assistant or acting magistrate or any officer in the employment of the State designated as such presiding officer by the returning officer after consultation with the candidates concerned, if any, and with authorized representatives of political parties, if such representatives ask to be consulted, or any officer

WET

Tot wysiging van die Wet tot Konsolidasie van die Kieswette, 1946.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 20 Junie 1969.)*

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

1. Artikel 1 van die Wet tot Konsolidasie van die Kieswette, 1946 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur die omskrywing van „werklik sy verblyf in daardie afdeling gehad het” deur die volgende omskrywing te vervang:

„werklik sy verblyf in daardie afdeling gehad het”—

(a) met betrekking tot 'n student aan 'n universiteit, universiteitskollege, opleidingskollege vir onderwysers, tegniese kollege, nywerheidsskool, hoër tegniese skool of hoër handelskool of 'n ander kollege of 'n hoërskool, werklik op 'n plek binne daardie afdeling gewoon het met die doel om onderrig aan die betrokke universiteit, kollege of skool te ontvang; en

(b) met betrekking tot iemand wat ingevolge die bepalings van artikel 22 of 23 van die Verdedingswet, 1957 (Wet No. 44 van 1957), of artikel 33 van die Polisiewet, 1958 (Wet No. 7 van 1958), ononderbroke of voltydse opleiding ondergaan, werklik op 'n plek binne daardie afdeling sy vaste woonplek gehad het (afgesien van waar hy vir doeleinnes van bedoelde opleiding gewoon het) of, indien hy nie so 'n vaste woonplek gehad het nie, werklik op 'n plek binne daardie afdeling sy vaste woonplek gehad het onmiddellik voor die datum waarop daardie ononderbroke of voltydse opleiding 'n aanvang geneem het;”;

(b) deur die omskrywing van „stembriefkoevert” deur die volgende omskrywing te vervang:

„stembriefkoevert” 'n in paragraaf (d) van artikel 53 (1) of artikel 71bis (1) bedoelde koevert;” en

(c) deur die omskrywing van „voorsittende beampte vir stemme van spesiale kiesers” deur die volgende omskrywing te vervang:

„voorsittende beampte vir stemme van spesiale kiesers” 'n verkiesingsbeampte, kiesbeampte, magistraat, addisionele magistraat, assistent-magistraat of waarnemende magistraat of 'n beampte in die diens van die Staat wat deur die kiesbeampte, na raadpleging van die betrokke kandidate, indien enige, en van gemagtigde verteenwoordigers van politieke partye, indien sodanige verteenwoordigers versoek om geraadpleeg te word, aangewys is as sodanige voorsittende beampte, of 'n beampte wat in opdrag

Wysiging van
artikel 1 van
Wet 46 van 1946,
soos gewysig deur
artikel 2 van
Wet 50 van 1948,
artikel 1 van
Wet 30 van 1958,
artikel 1 van
Wet 72 van 1962,
artikel 1 van
Wet 51 van 1964
en artikel 1 van
Wet 84 van 1965.

Act No. 99, 1969

ELECTORAL LAWS AMENDMENT ACT, 1969.

Amendment of section 6 of Act 46 of 1946, as amended by section 3 of Act 50 of 1948, section 3 of Act 30 of 1958 and section 3 of Act 72 of 1962.

acting on the directions and under the control of any of the aforesaid officers;".

2. Section 6 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) No person shall be entitled to be registered or to the continuance of his registration or to vote in any division—

(a) if he has been convicted in the Union or in the territory of South-West Africa—

(i) of treason, if the conviction took place after the tenth day of June, 1950; or

(ii) of murder; or

(iii) of any other offence in respect of which he has been sentenced to a period of imprisonment (other than detention until the rising of the court) without the option of a fine or ordered to be detained under the Retreats and Rehabilitation Centres Act, 1963 (Act No. 86 of 1963), and the said period has not expired or such order has not finally ceased to be operative; or

(iv) of an offence under the Suppression of Communism Act, 1950 (Act No. 44 of 1950), or the Terrorism Act, 1967 (Act No. 83 of 1967), in respect of which he has been sentenced to a period of imprisonment without the option of a fine; or

(b) If he has been convicted of any corrupt or illegal practice under this Act and has been declared incapable of being registered or of voting at any election during any period, and the said period has not expired; or

(c) if he is subject to an order of court declaring him to be of unsound mind or mentally disordered or defective or is lawfully detained as mentally disordered or defective under the Mental Disorders Act, 1916 (Act No. 38 of 1916); or

(d) if he is, in pursuance of an order made under section 342 (1) (d) or (3) (b) or section 343 (3) of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), being detained in a reform school referred to in the said section 342, and the period of detention has not expired.".

Amendment of section 8 of Act 46 of 1946, as substituted by section 2 of Act 55 of 1952 and amended by section 1 of Act 81 of 1961, section 4 of Act 72 of 1962 and section 1 of Act 2 of 1968.

3. Section 8 of the principal Act is hereby amended—

(a) by the substitution for subsection (2) of the following subsection:

"(2) (a) For the purpose of a general registration in terms of subsection (1) every electoral officer shall prepare for each division in the area for which he has been appointed a list of persons who are entitled to vote.

(b) The said list shall be prepared by inserting therein—

(i) the names of persons enrolled on the existing voters' list who are qualified for registration as voters in such division; and

(ii) the names of persons whose applications for registration as voters in such division have been lodged with the electoral officer con-

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en onder beheer van enigeen van voormalde beampetes optree;”.

- 2. Artikel 6 van die Hoofwet word hierby gewysig deur sub- artikel (1) deur die volgende subartikel te vervang:**
- „(1) ’n Persoon is nie geregtig om in ’n afdeling geregister te word of geregistreer te bly of om daarin te stem nie—
- (a) indien hy in die Unie of in die gebied Suidwes-Afrika skuldig bevind is—
- (i) aan hoogverraad, as die skuldigbevinding na die tiende dag van Junie 1950 plaasgevind het; of
 - (ii) aan moord; of
 - (iii) aan enige ander misdryf ten opsigte waarvan hy gevonnis is tot ’n tydperk van gevangenisstraf (behalwe aanhouding tot die verdaging van die hof) sonder die keuse van ’n boete of bevel is om kragtens die Wet op Toevlugte en Rehabilitasiesentrum, 1963 (Wet No. 86 van 1963), aangehou te word en genoemde tydperk nie verstryk het nie, of bedoelde bevel nie finaal buite werking getree het nie; of
 - (iv) aan ’n misdryf ingevalle die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), of die Wet op Terrorisme, 1967 (Wet No. 83 van 1967), ten opsigte waarvan hy gevonnis is tot ’n tydperk van gevangenisstraf sonder die keuse van ’n boete; of
- (b) indien hy skuldig bevind is aan ’n korrupte of onwettige bedrywigheid ingevalle hierdie Wet en onbevoeg verklaar is om gedurende enige tydperk geregistreer te word of by ’n verkiesing te stem, en genoemde tydperk nie verstryk het nie; of
- (c) indien ’n bevel van die hof wat hom kranksinnig of geestelik gekrenk of gebrekkig verklaar, op hom van toepassing is, of indien hy wettiglik kragtens die „Wet op Geestesgebreken, 1916” (Wet No. 38 van 1916), as geestelik gekrenk of gebrekkig aangehou word; of
- (d) indien hy ingevalle ’n bevel kragtens artikel 342 (1) (d) of (3) (b) of artikel 343 (3) van die Strafproseswet, 1955 (Wet No. 56 van 1955), uitgevaardig, in ’n in genoemde artikel 342 bedoelde verbeteringskool aangehou word en die tydperk van aanhouding nie verstryk het nie.”.

3. Artikel 8 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (2) deur die volgende subartikel te vervang:
- „(2) (a) Vir die doel van ’n algemene registrasie ingevalle subartikel (1) stel elke verkiesingsbeampte vir elke afdeling in die gebied waarvoor hy aangestel is, ’n lys van persone op wat geregtig is om te stem.
- (b) Genoemde lys word opgestel deur daarin te plaas—
- (i) die name van persone wat in die bestaande kieserslys ingeskryf is en bevoeg is om as kiesers in so ’n kiesafdeling geregistreer te word; en
 - (ii) die name van persone wie se aansoek om registrasie as kiesers in so ’n kiesafdeling by die betrokke verkiesingsbeampte na die

Wysiging van artikel 8 van Wet 46 van 1946, soos gewysig deur artikel 2 van Wet 55 van 1952 en gewysig deur artikel 1 van Wet 81 van 1961, artikel 4 van Wet 72 van 1962 en artikel 1 van Wet 2 van 1968.

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cerned subsequent to the date of the supplementary registration immediately preceding such general registration or during a period of forty-two days ending at four o'clock in the afternoon of the forty-second day following any date fixed by proclamation in terms of subsection (1), and who are qualified to be so registered.”; and

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

“(b) The supplementary lists of voters prepared in terms of paragraph (a) shall respectively come into operation on the forty-second day after the first day of March, July or November: Provided that, if a supplementary list of voters for a division comes into operation as aforesaid before the day fixed for the taking of a poll by a proclamation issued in respect of that division in terms of section 35 or section 88 (as the case may be), such supplementary list of voters shall be valid for the purposes of the election to which such proclamation relates.”

Amendment of
section 13 of
Act 46 of 1946,
as amended by
section 9 of
Act 72 of 1962
and section 2 of
Act 51 of 1964.

4. Section 13 of the principal Act is hereby amended—

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

“(1) Subject to the provisions of subsections (3) and (4), no person shall be registered in any division—

(a) unless he actually resided in that division on the date of completion of his application for registration; or

(b) unless, if he did not so reside, he retained his home in that division.”;

- (b) by the deletion of subsection (2); and

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

“(3) If the nature of the occupation of any person is such that he is required to change his place of residence often and he does not retain a home in any one division and if he is otherwise qualified for registration, he shall be entitled to be registered in the division in which his principal place of business is situated; or, if he is in employment, in which the principal place of business of his employer, or the office or branch business of his employer from which his remuneration is paid is situated.”.

Amendment of
section 14 of
Act 46 of 1946,
as amended by
section 6 of
Act 50 of 1948
and section 5 of
Act 55 of 1952.

5. Section 14 of the principal Act is hereby amended—

- (a) by the substitution for paragraphs (a), (b) and (c) of subsection (1) of the following paragraphs:

“(a) that the applicant is qualified for registration in any division within the area for which he has been appointed, and is not disqualified in any respect, he shall, subject to the provisions of section 8, include his name in the voters' list for that division and shall notify the applicant accordingly;

(b) that the applicant is in any respect not qualified for registration, he shall disallow the application;

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datum van die supplementêre registrasie wat so 'n algemene registrasie onmiddellik voorafgaan of gedurende 'n tydperk van twee-en-veertig dae eindigende om vieruur in die namiddag van die twee-en-veertigste dag na 'n datum vasgestel by proklamasie ingevolge subartikel (1), ingedien is, en wat bevoeg is om aldus geregistreer te word."; en

- (b) deur paragraaf (b) van subartikel (5) deur die volgende paragraaf te vervang:

„(b) Die supplementêre lyste ingevolge paragraaf (a) opgestel tree in werking onderskeidelik op die twee-en-veertigste dag na die eerste dag van Maart, Julie of November: Met dien verstande dat indien 'n supplementêre kieserslys vir 'n afdeling soos voormeld in werking tree voor die dag wat vir die hou van 'n stemming bepaal word by 'n proklamasie uitgereik ten opsigte van daardie afdeling ingevolge artikel 35 of artikel 88 (na gelang van die geval), so 'n supplementêre kieserslys geldig is vir die doeleindes van die verkiesing waarop so 'n proklamasie betrekking het.”.

4. Artikel 13 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Behoudens die by subartikels (3) en (4) bepaalde, word niemand in 'n afdeling geregistreer nie—

(a) tensy hy werklik sy verblyf in daardie afdeling gehad het op die datum van voltooiing van sy aansoek om registrasie; of

(b) tensy hy, indien hy nie aldus sy verblyf gehad het nie, sy vaste woonplek in daardie afdeling aangehou het.”;

- (b) deur subartikel (2) te skrap; en

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

„(3) Indien die aard van iemand se beroep sodanig is dat hy sy verblyfplek dikwels moet verander en hy nie 'n vaste woonplek in een afdeling aanhou nie, het hy, mits hy andersins bevoeg is vir registrasie, die reg om geregistreer te word in die afdeling waarin sy hoofbesigheidsplek geleë is; of as hy in diens is, waarin die hoofbesigheidsplek van sy werkgever of die kantoor of besigheidstak van sy werkgever van waar sy besoldiging betaal word, geleë is.”.

Wysiging van
artikel 13
van Wet 46
van 1946, soos
gewysig deur
artikel 9 van
Wet 72 van
1962 en deur
artikel 2 van
Wet 51 van 1964.

5. Artikel 14 van die Hoofwet word hierby gewysig—

- (a) deur paragrawe (a), (b) en (c) van subartikel (1) deur die volgende paragrawe te vervang:

„(a) dat die aansoeker bevoeg is vir registrasie in 'n afdeling binne die gebied waarvoor hy aangestel is, en in geen opsig onbevoeg is nie, neem hy, met inagneming van die bepalings van artikel 8, sy naam in die kieserslys vir daardie afdeling op en gee hy die aansoeker dienooreenkomsdig kennis;

(b) dat die aansoeker in enige opsig nie vir registrasie bevoeg is nie, wys hy die aansoek van die hand;

Wysiging van
artikel 14
van Wet 46 van
1946, soos
gewysig deur
artikel 6 van
Wet 50 van
1948 en artikel
5 van Wet 55 van
1952.

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(c) that the applicant is qualified for registration in a division outside the area for which he has been appointed, he shall forward the application to the electoral officer for the area in which that division is situate, and on receipt of the application by the latter officer, it shall be deemed to be an application for registration in that division.”;

(b) by the deletion of paragraph (d) of the said subsection; and

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

“(3) Whenever an electoral officer has come to any decision under paragraph (b) or (c) of subsection (1), he shall in the prescribed form inform the applicant of the decision and of the reason therefor.”.

Amendment of section 15 of Act 46 of 1946, as amended by section 6 of Act 55 of 1952, section 2 of Act 81 of 1961 and section 10 of Act 72 of 1962.

6. Section 15 of the principal Act is hereby amended—

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

“(1) A voters’ list shall show, in each section referred to in subsection (2), in respect of every person whose name is included therein—

(a) his serial number;

(b) his surname and immediately thereafter his initials and, in the case of a female voter, the word “miss” and, if she is or has been married, her maiden name;

(c) his profession, trade or occupation;

(d) his residential address; and

(e) his identity number, except in the case of persons in the territory of South-West Africa, including the Eastern Caprivi Zipfel referred to in section 38 (5) of the South-West Africa Constitution Act, 1968 (Act No. 39 of 1968),

and all surnames in each section shall be in alphabetical order: Provided that in the case of persons in the territory of South-West Africa, including the Eastern Caprivi Zipfel referred to in the said section 38 (5) or in the port and settlement of Walvis Bay, full christian names instead of initials shall be shown.”; and

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

“(3) If a division is divided into polling districts under section 40, the voters’ list for that division shall, subject to the provisions of subsection (2), be compiled and printed so as to show—

(a) the surnames of the voters in each polling district in serial numbers and in alphabetical order; and

(b) in which polling district every voter is, subject to the provisions of this Act, required to vote, and a separate voters’ list may be compiled and printed for each polling district or, subject to the provisions of section 40 (4), for two or more polling districts.”.

Amendment of section 16 of Act 46 of 1946, as amended by section 7 of Act 50 of 1948 and section 7 of Act 55 of 1952.

7. Section 16 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Whenever there has been a permanent change in the place of residence, home, place of business, office or branch business with reference to which a voter who has been registered in any division became qualified by resi-

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- (c) dat die aansoeker bevoeg is vir registrasie in 'n afdeling buite die gebied waarvoor hy aangestel is, stuur hy die aansoek aan die verkiesingsbeampte vir die gebied waarin daardie afdeling geleë is, en by ontvangs van die aansoek deur laasbedoelde beampte, word dit geag 'n aansoek om registrasie in daardie afdeling te wees;" ;
- (b) deur paragraaf (d) van genoemde subartikel te skrap; en
- (c) deur subartikel (3) deur die volgende subartikel te vervang:
- „(3) Wanneer 'n verkiesingsbeampte ingevolge paragraaf (b) of (c) van subartikel (1) 'n besluit geneem het, moet hy die aansoeker in die voorgeskrewe vorm van die besluit verwittig en van die rede daarvoor.”.

6. Artikel 15 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Op 'n kieserslys moet, in elke afdeling in subartikel (2) bedoel, ten aansien van iedere persoon wie se naam daarin opgeneem is, aangegee word—

- (a) sy volgnommer;
- (b) sy van en onmiddellik daarna sy voorletters en in die geval van 'n vroulike kieser die woord „mejuf-frou” of 'n afkorting daarvan en as sy getroud is of was, haar nooiensvan;
- (c) sy professie, bedryf of beroep;
- (d) sy woonadres; en
- (e) sy persoonsnommer, behalwe in die geval van persone in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel waarna in artikel 38 (5) van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet No. 39 van 1968), verwys word, en alle vanne in elke afdeling moet in alfabetiese orde wees: Met dien verstande dat in die geval van persone in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel waarna in bedoelde artikel 38 (5) verwys word, of in die hawe en nedersetting Walvisbaai, volle voorname in plaas van voorletters aangegee moet word.”; en

- (b) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Indien 'n afdeling kragtens artikel 40 in stemdistrikte onderverdeel is, word die kieserslys vir daardie afdeling, met inagneming van die bepalings van subartikel (2), so opgestel en gedruk dat daarop aangegee word—

- (a) die vanne van die kiesers in elke stemdistrik in volgnommers en in alfabetiese orde; en
- (b) in welke stemdistrik elke kieser, onderworpe aan die bepalings van hierdie Wet, sy stem moet uitbring,
en kan vir elke stemdistrik, of, behoudens die bepalings van artikel 40 (4), vir twee of meer stemdistrikte, 'n afsonderlike kieserslys opgestel en gedruk word.”.

7. Artikel 16 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) So dikwels daar 'n blywende verandering plaas gevind het in die verblyfplek, woonplek, besigheidsplek, kantoor of besigheidstak met betrekking tot welke 'n kieser wat in 'n afdeling geregistreer is, bevoegd geword het uit hoofde van verblyf, kan hy onmiddellik nadat so 'n

Wysiging van artikel 15 van Wet 46 van 1946, soos gewysig deur artikel 6 van Wet 55 van 1952, artikel 2 van Wet 81 van 1961 en artikel 10 van Wet 72 van 1962.

Wysiging van artikel 16 van Wet 46 van 1946, soos gewysig deur artikel 7 van Wet 50 van 1948 en artikel 7 van Wet 55 van 1952.

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dence, he may, immediately after there has been such a permanent change, notify the electoral officer for the area in which that division is situate, of the change.”.

Amendment of section 17 of Act 46 of 1946, as amended by section 5 of Act 30 of 1958 and section 11 of Act 72 of 1962.

8. Section 17 of the principal Act is hereby amended—

(a) by the substitution for subsections (1), (2) and (3) of the following subsections:

“(1) Every district registrar of births and deaths shall, not later than the tenth day of every month, transmit to the electoral officer for the area in which the death has taken place, a return in the prescribed form containing the prescribed particulars concerning every adult person whose death was registered by him during the preceding month; and the electoral officer shall transmit to the chief electoral officer a return of all such persons whose names do not appear upon a voters’ list for any division in the area for which the electoral officer has been appointed.

(2) The registrar or clerk of any court which—

(a) imposes on any adult person a sentence or makes an order which would render any such person unqualified for registration or disqualified for continuance of registration or incapable of voting at any election; or

(b) declares any person incapable during any period of being registered or of voting at any election; or

(c) declares any person to be mentally disordered or defective, shall, not later than the tenth day of the month following the month in which the sentence was imposed or the order was issued or the declaration was made, or if the conviction, sentence, order or declaration is brought under review or is appealed against, not later than the tenth day of the month following the month in which it is confirmed on review or appeal, as the case may be, transmit to the chief electoral officer a return in the prescribed form containing the prescribed particulars concerning that person.

(3) The superintendent of every institution as defined in section 87 of the Mental Disorders Act, 1916 (Act No. 38 of 1916), shall, not later than the tenth day of every month, transmit to the chief electoral officer a return in the prescribed form containing the prescribed particulars concerning every adult person who had been detained in the institution under an order of court declaring such person to be mentally disordered or defective and was discharged during the previous month as a patient who had recovered.”; and

(b) by the deletion of subsection (4).

Substitution of section 18 of Act 46 of 1946, as substituted by section 8 of Act 50 of 1948 and amended by section 8 of Act 55 of 1952, section 6 of Act 30 of 1958, section 12 of

9. The following section is hereby substituted for section 18 of the principal Act:

**“Amend-
ment of
voters’ list
by electoral
officer.**

18. (1) Subject to the provisions of subsections (2), (3) and (4), the electoral officer shall, if he is satisfied as to the relative facts, amend the voters’ list for any division in the area for which he has been appointed by—

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

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blywende verandering plaasgevind het, die verkiesingsbeampte vir die gebied waarin die afdeling geleë is, van die verandering kennis gee.”.

8. Artikel 17 van die Hoofwet word hierby gewysig—

(a) deur subartikels (1), (2) en (3) deur die volgende subartikels te vervang:

„(1) Elke distriktsregister van geboortes en sterfgevalle moet, nie later nie dan die tiende dag van elke maand, na die verkiesingsbeampte vir die gebied waarin die dood plaasgevind het, 'n opgaaf in die voorgeskrewe vorm instuur wat die voorgeskrewe besonderhede bevat omtrent elke sterfgeval van 'n volwasse persoon wat hy gedurende die vorige maand geregistreer het, en die verkiesingsbeampte moet na die hoofverkiesingsbeampte 'n opgawe instuur van alle persone wie se name in eersbedoelde opgawe opgeneem is en nie op 'n kieserslys vir 'n afdeling binne die gebied waarvoor die verkiesingsbeampte aangestel is, verskyn nie.

Wysiging van artikel 17 van Wet 46 van 1946, soos ge wysig deur artikel 5 van Wet 30 van 1958 en artikel 11 van Wet 72 van 1962.

(2) Die griffler of klerk van 'n hof wat—

(a) 'n volwasse persoon 'n straf oplê of 'n bevel gee wat so 'n persoon onbevoeg sou maak vir registrasie of onbevoeg om geregistreer te bly of om by 'n verkiesing 'n stem uit te bring; of

(b) 'n persoon onbevoeg verklaar om gedurende 'n tydperk geregistreer te word of om by 'n verkiesing 'n stem uit te bring; of

(c) 'n persoon geestelik gekrenk of gebrekkig verklaar, moet nie later nie dan die tiende dag van die maand wat volg op die maand waarin die straf opgelê of die bevel uitgevaardig of die verklaring gedoen is, of as die skuldigbevinding, straf, bevel of verklaring in hersiening geneem word of as daarteen in hoër beroep gegaan word, dan nie later nie dan die tiende dag van die maand wat volg op die maand waarin dit by hersiening of appèl, na gelang van die geval, bekragtig word, na die hoofverkiesingsbeampte 'n opgaaf in die voorgeskrewe vorm instuur wat die voorgeskrewe besonderhede omtrent daardie persoon bevat.

(3) Die bestuurder van elke inrigting soos 'n artikel 87 van die „Wet op Geestesgebreken, 1916“ (Wet No. 38 van 1916), omskryf, moet nie later nie dan die tiende dag van elke maand, na die hoofverkiesingsbeampte 'n opgaaf in die voorgeskrewe vorm instuur wat die voorgeskrewe besonderhede bevat omtrent elke volwasse persoon wat ingevolge 'n geregtelike bevel waarby bedoelde persoon geestelik gekrenk of gebrekkig verklaar word, in die inrigting aangehou was en gedurende die vorige maand as 'n herstelde pasiënt ontslaan is.”; en

(b) deur subartikel (4) te skrap.

9. Artikel 18 van die Hoofwet word hierby deur die volgende artikel vervang:

„Wysiging van 18. (1) Behoudens die bepalings van subartikels van (2), (3) en (4), moet 'n verkiesingsbeampte, indien kieserslys deur hy oortuig is ten opsigte van die feite wat ter sake is, die kieserslys vir 'n afdeling in die gebied waarvoor verkiesingsbeampte hy aangestel is, wysig deur—

Vervanging van artikel 18 van Wet 46 van 1946, soos vervang deur artikel 8 van Wet 50 van 1948 en gewysig deur artikel 8 van Wet 55 van 1952, artikel 6 van Wet 30 van 1958, artikel 12 van

(a) 'n fout in die besonderhede van die registrasie van 'n persoon te verbeter, 'n weglatting daarin aan te vul of 'n verandering daarin aan te teken;

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and section 3 of
Act 51 of 1964.**

- (b) after ascertaining by virtue of the provisions of sections 30 or 30bis that a person has ceased to be permanently resident in the electoral division in which he is registered, transferring his name, when the voters' lists after the next ensuing supplementary registration are prepared, subject to the provisions of section 13 (1) (b), to the list in respect of the electoral division to which he has moved, or, in the case of a person who has left the Union with the intention of not returning thereto, removing his name from the list;
- (c) removing the name of any person who, according to a return or notification under section 17 (1) or (5), is dead or disqualified for continuance of registration;
- (d) restoring the name of any person referred to in paragraph (c) who has ceased to be so disqualified;
- (e) removing any superfluous entry where the name of the same person appears more than once in the same voters' list or in voters' lists for more than one division;
- (f) removing the name of any person who is not a South African citizen or is under the age of twenty-one years, or, in the case of a white person, under the age of eighteen years, or who would otherwise not be qualified to be registered, should he complete an application for registration on the date of the removal;
- (g) removing the name of any person in respect of whom an objection has been lodged under section 22 and has been upheld; or
- (h) adding the name of any person which was wrongly omitted in the course of any registration in terms of section 8.

(2) An electoral officer shall not amend the voters' list concerned in terms of subsection (1) from the day on which a nomination court will sit in terms of the relative proclamation issued under section 35 or 88 up to polling day, both days inclusive: Provided that if an electoral officer is satisfied that the name of any person has inadvertently been omitted or removed from a voters' list, or has been inserted in the voters' list for a polling district or a division other than that in which it should have been inserted and in which the said person is entitled to be registered, such electoral officer shall make the proper amendment to the voters' list, in relation to such omission or removal or incorrect insertion, at any time up to four o'clock in the afternoon on the day seven days before polling day.

(3) Before removing the name of any person from the voters' list, or restoring or adding it thereto, the electoral officer shall, by such means as are practicable, satisfy himself that the name relates to the person concerned.

(4) If under subsection (1) the electoral officer removes from a voters' list a name which is not the name of a fictitious person or of a person who has died, he shall inform the person concerned by a notice in the prescribed form directed to the address of that person as shown in the voters' list.

(5) If the electoral officer has in terms of paragraph (b) of subsection (1) transferred the name of

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(b) na vasstelling uit kragte van die bepalings van artikel 30 of 30bis dat 'n persoon nie meer permanent woonagtig is in die kiesafdeling waarin hy geregistreer is nie, onderworpe aan die bepalings van artikel 13 (1) (b), wanneer die kieserslyste na die eersvolgende supplementêre registrasie opgestel word, sy naam oor te plaas na die lys ten opsigte van die kiesafdeling waarheen hy verhuis het, of, in die geval van 'n persoon wat die Unie verlaat het met die bedoeling om nie daarheen terug te keer nie, sy naam van die lys te verwijder;

(c) die naam van 'n persoon wat, volgens 'n opgaaf of kennisgewing ingevolge artikel 17 (1) of (5), oorlede is of onbevoeg is om geregistreer te bly, te verwijder;

(d) die naam van 'n in paragraaf (c) bedoelde persoon, wat nie langer aldus onbevoeg is nie, op die lys te herstel;

(e) 'n oortollige inskrywing te verwijder, waar die naam van dieselfde persoon meer dan een maal in dieselfde kieserslys of in kieserslyste vir meer dan een afdeling voorkom;

(f) die naam te verwijder van 'n persoon wat nie 'n Suid-Afrikaanse burger is nie of benede die leeftyd van een-en-twintig jaar of, in die geval van 'n blanke persoon, benede die leeftyd van agtien jaar is, of wat andersins, as hy op die datum van verwijdering 'n aansoek om registrasie sou voltooi, nie bevoeg sou wees om geregistreer te word nie;

(g) die naam te verwijder van 'n persoon ten aansien van wie 'n beswaar kragtens artikel 22 ingewer en geldig verklaar is; of

(h) die naam van 'n persoon by te voeg wat in die loop van 'n registrasie ingevolge artikel 8, verkeerdelik weggelaat is.

(2) Vanaf die dag waarop 'n nominasiehof sitting sal hou ingevolge die betrokke proklamasie kragtens artikel 35 of 38 uitgevaardig, tot en met die stemdag, wysig 'n verkiesingsbeampte nie die betrokke kieserslys ooreenkomsdig subartikel (1) nie: Met dien verstande dat indien 'n verkiesingsbeampte oortuig is dat die naam van 'n persoon per abuis uit 'n kieserslys weggelaat of verwijder is, of in 'n kieserslys opgeneem is vir 'n ander stemdistrik of afdeling dan dié waarin dit opgeneem moes gewees het, en waarin genoemde persoon op registrasie geregtig is, daardie verkiesingsbeampte die juiste wysiging met betrekking tot so 'n weglatting of verwijdering of verkeerde opname te eniger tyd tot om vieruur in die namiddag op die dag wat sewe dae voor die stemdag val, in die kieserslys moet aanbring.

(3) Alvorens die naam van 'n persoon uit die kieserslys te verwijder, of dit daarop te herstel of by te voeg, moet die verkiesingsbeampte hom deur sulke middele as wat uitvoerbaar is daarvan vergewis dat die naam op die betrokke persoon betrekking het.

(4) Indien die verkiesingsbeampte kragtens subartikel (1) 'n naam uit 'n kieserslys verwijder wat nie die naam van 'n denkbeeldige of afgestorwe persoon is nie, moet hy die betrokke persoon by kennisgewing in die voorgeskrewe vorm gerig aan die adres van daardie persoon soos op die kieserslys aangegee, daarvan verwittig.

(5) Indien die verkiesingsbeampte kragtens paragraaf (b) van subartikel (1) 'n kieser se naam oor-

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en artikel 3 van
Wet 51 van 1964.

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Substitution of section 20 of Act 46 of 1946, as amended by section 14 of Act 72 of 1962.

10. The following section is hereby substituted for section 20 of the principal Act:

"Returns of amendments by electoral officers to chief electoral officer, magistrates and representatives of political parties.

20. The electoral officer shall within ten days after the end of each month furnish to the chief electoral officer a return of all amendments made by him under section 18 during the preceding month, and shall at the same time supply one copy of each such return to the magistrate of every district wherein a division in the area for which the electoral officer has been appointed, or any portion of such a division, is situated (other than the magistrate in the town or city where the office of the electoral officer is situated) and one copy to the authorized representative of each political party or group in the said area, one of whose objects it is to promote the election of candidates representing such party or group.".

Substitution of section 21 of Act 46 of 1946.

11. The following section is hereby substituted for section 21 of the principal Act:

"Copy of voters' list to be kept for inspection.

21. A copy of the voters' list for a division shall be kept for inspection by the public at the magistrate's office of every district wherein that division or any portion thereof is situated (except the magistrate's office in the town or city where the office of the electoral officer is situated) and at the office of the electoral officer for the area in which that division is situated, and any person desiring to inspect or make copies of, or take extracts from, that list shall, during office hours, be entitled, without payment, to do so.".

Amendment of section 30bis of Act 46 of 1946, as inserted by section 4 of Act 51 of 1964.

12. Section 30bis of the principal Act is hereby amended by the addition of the following subsection:

"(4) An application, lodged in terms of the provisions of subsection (2) or section 30, shall be considered by the electoral officer in terms of the provisions of section 14 for inclusion in an appropriate supplementary voters' list referred to in section 8 (5).".

Amendment of section 35 of Act 46 of 1946, as amended by section 13 of Act 50 of 1948 and section 10 of Act 55 of 1952.

13. Section 35 of the principal Act is hereby amended by the substitution for subsections (3) and (4) of the following subsections:

"(3) The day fixed under paragraph (a) of subsection (1), shall be a day not less than ten or more than fourteen days after the publication of the proclamation referred to in the said subsection.

(4) The day fixed under paragraph (b) of subsection (1), shall be a day not less than thirty-five or more than forty-five days after the nomination day.".

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geplaas het na die lys ten opsigte van die kiesafdeling waarheen hy verhuis het, moet hy die betrokke persoon by kennisgewing in die voorgeskrewe vorm gerig aan die adres waarheen hy verhuis het van die oorplasing verwittig en 'n afskrif van daardie kennisgewing verstrek aan die gemagtigde verteenwoordiger van elke politieke party in die gebied waarvoor die verkiesingsbeampete aangestel is.”.

10. Artikel 20 van die Hoofwet word hierby deur die volgende artikel vervang:

„Opgawes van wysings deur verkiesingsbeampetes aan hoofverkiesingsbeampete, magistrate en verteenwoordigers van politieke partye.

20. Die verkiesingsbeampete moet binne tien dae na die end van elke maand aan die hoofverkiesingsbeampete 'n opgaaf verstrek van alle wysings wat hy gedurende die vorige maand kragtens artikel 18 aangebring het, en moet terselfdertyd een afskrif van elke sodanige opgaaf verstrek aan die magistraat van elke distrik waarin 'n afdeling in die gebied waarvoor die verkiesingsbeampete aangestel is, of 'n gedeelte van so 'n afdeling, geleë is (behalwe die magistraat in die dorp of stad waar die kantoor van die verkiesingsbeampete geleë is), asook een afskrif aan die gemagtigde verteenwoordiger van elke politieke party of groep in genoemde gebied, een van wie se oogmerke dit is om die verkiesing van kandidate wat bedoelde party of groep verteenwoordig, te bevorder.”.

Vervanging van artikel 20 van Wet 46 van 1946, soos gewysig deur artikel 14 van Wet 72 van 1962.

11. Artikel 21 van die Hoofwet word hierby deur die volgende artikel vervang:

„Afskrif van kieserslys moet vir insae gehou word.

21. 'n Afskrif van die kieserslys vir 'n afdeling moet vir insae deur die publiek gehou word by die magistraatskantoor van elke distrik waarin daardie afdeling of 'n gedeelte daarvan geleë is (behalwe die magistraatskantoor in die dorp of stad waar die kantoor van die verkiesingsbeampete geleë is) asook by die kantoor van die verkiesingsbeampete vir die gebied waarin daardie afdeling geleë is, en 'n persoon wat verlang om daardie lys in te sien of om afskrifte daarvan of uittreksels daaruit te maak, het die reg om dit sonder betaling gedurende kantoorure te doen.”.

Vervanging van artikel 21 van Wet 46 van 1946.

12. Artikel 30bis van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg:

„(4) Die verkiesingsbeampete moet 'n aansoek om registrasie wat ingevolge die bepalings van subartikel (2) of artikel 30 ingedien word, oorweeg ooreenkomsdig die bepalings van artikel 14 vir insluiting in 'n toepaslike supplementêre kieserslys in artikel 8 (5) bedoel.”.

Wysiging van artikel 30bis van Wet 46 van 1946, soos ingevoeg deur artikel 4 van Wet 51 van 1964.

13. Artikel 35 van die Hoofwet word hierby gewysig deur subartikels (3) en (4) deur die volgende subartikels te vervang:

„(3) Die kragtens paragraaf (a) van subartikel (1) bepaalde dag moet 'n dag wees wat nie vroeër val nie dan tien of later dan veertien dae na die afkondiging van die in genoemde subartikel bedoelde proklamasie.

(4) Die kragtens paragraaf (b) van subartikel (1) bepaalde dag moet 'n dag wees wat nie vroeër val nie dan vyf-en-dertig of later dan vyf-en-veertig dae na nominasiedag.”.

Wysiging van artikel 35 van Wet 46 van 1946, soos gewysig deur artikel 13 van Wet 50 van 1948 en artikel 10 van Wet 55 van 1952.

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Amendment of section 37 of Act 46 of 1946, as amended by section 18 of Act 72 of 1962.

14. Section 37 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) If more than one person have been duly nominated in accordance with section 36, the returning officer shall, before the close of the sitting of the nomination court, require that there be deposited with him, by or on behalf of each such person, the sum of four hundred rand or such security for that sum as the returning officer may deem sufficient.”.

Amendment of section 40 of Act 46 of 1946.

15. Section 40 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:

“(4) For the said purposes there shall be one polling station at such convenient place within the division as shall be determined by the returning officer, or, if the division is divided into polling districts, there shall be one polling station within each such polling district: Provided that if the Minister, or in the case of an election of members of a provincial council, the administrator, is of opinion that the conduct of an election will be facilitated thereby, he may direct the returning officer, before he has given the notice referred to in section 38, to establish more than one polling station in the electoral division or in any polling district therein for voters whose names appear on the voters' list opposite serial numbers specified by him in respect of each such polling station, or to establish one polling station in respect of two or more polling districts.”.

Amendment of section 42 of Act 46 of 1946, as substituted by section 2 of Act 84 of 1965.

16. Section 42 of the principal Act is hereby amended by the substitution for the words preceding paragraph (a) of the following words:

“Any person, other than a person referred to in section 13 (4), who is enrolled upon the voters' list for any division and who has reason to believe—”.

Amendment of section 42bis of Act 46 of 1946, as inserted by section 3 of Act 84 of 1965 and amended by section 1 of Act 29 of 1966.

17. Section 42bis of the principal Act is hereby amended by the substitution for subsection (5) of the following subsection:

“(5) Every presiding officer appointed under this section shall, before his letter of appointment is handed to him, make in the prescribed form a declaration on oath before the returning officer or a magistrate, who is hereby authorized to administer such an oath, and shall be furnished with a prescribed official stamp which shall be impressed below his signature on every declaration of identity signed by him, which official stamp and the accompanying accessories shall be returned to the returning officer concerned immediately after the conclusion of the election by the presiding officer or the candidate who designated him for appointment.”.

Amendment of section 43 of Act 46 of 1946, as amended by section 15 of Act 50 of 1948, section 20 of Act 72 of 1962, section 7 of Act 51 of 1964 and section 4 of Act 84 of 1965.

18. Section 43 of the principal Act is hereby amended by the substitution for subsection (5) of the following subsection:

“(5) If the application is received by the returning officer not later than four o'clock in the afternoon of the fifth day before the polling day, the applicant shall be entitled (save as specially provided in section 46 (1) in regard to persons on Bird Island or in the Eastern Caprivi Zipfel referred to in section 38 (5) of the South-West Africa Constitution Act, 1968 (Act No. 39 of 1968), or in the Prince Edward Islands) to have a ballot paper issued to him and to record his vote in the manner provided for absent voters.”.

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**14. Artikel 37 van die Hoofwet word hierby gewysig deur Wysiging van
subartikel (1) deur die volgende subartikel te vervang:**

„(1) Indien meer dan een persoon ooreenkomsdig artikel 36 behoorlik genomineer is, stel die kiesbeampte voor die einde van die sitting van die nominasiehof die eis dat daar deur of ten behoeve van iedere sodanige persoon by hom die bedrag van vierhonderd rand gestort word of die sekerheid vir daardie bedrag gestel word wat die kiesbeampte voldoende ag.”.

**15. Artikel 40 van die Hoofwet word hierby gewysig deur Wysiging van
subartikel (4) deur die volgende subartikel te vervang:**

„(4) Vir genoemde doel moet daar een stemburo wees op 'n geleë plek binne die afdeling wat die kiesbeampte bepaal, of as die afdeling in stemdistrikte verdeel is, moet daar een stemburo binne iedere sodanige stemdistrik wees: Met dien verstande dat indien die Minister, of in die geval van 'n verkiesing van lede vir 'n provinsiale raad, die administrateur, van mening is dat die voer van 'n verkiesing daardeur vergemaklik sal word, hy die kiesbeampte, voordat hy die in artikel 38 bedoelde kennisgewing uitgevaardig het, kan gelas om meer dan een stemburo in die kiesafdeling of in een of ander stemdistrik daarin in te rig vir kiesers wie se name op die kierslys verskyn teenoor volgnommers deur hom ten opsigte van iedere sodanige stemburo vermeld, of om een stemburo ten opsigte van twee of meer stemdistrikte in te rig.”.

**16. Artikel 42 van die Hoofwet word hierby gewysig deur die Wysiging van
woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:**

„Iemand, behalwe 'n in artikel 13 (4) bedoelde persoon, wat op die kieserslys vir 'n afdeling geregistreer is en wat rede het om te glo—”.

**17. Artikel 42bis van die Hoofwet word hierby gewysig deur Wysiging van
subartikel (5) deur die volgende subartikel te vervang:**

„(5) Iedere voorsittende beampte kragtens heidie artikel aangestel moet, voordat sy aanstellingsbrief aan hom oorhandig word, in die voorgeskrewe vorm 'n beëdigde verklaring aflê voor die kiesbeampte of 'n landdros wat hierby gemagtig word om so 'n eed af te neem, en moet voorsien word van 'n voorgeskrewe ampelike stempel wat onder sy naamtekening gestempel moet word op elke identiteitsverklaring wat hy onderteken, welke ampelike stempel met bygaande toebehore onverwyld, na afloop van die verkiesing, deur die voorsittende beampte of die kandidaat wat hom aangewys het vir aanstelling, aan die betrokke kiesbeampte terugbesorg moet word.”.

**18. Artikel 43 van die Hoofwet word hierby gewysig deur Wysiging van
subartikel (5) deur die volgende subartikel te vervang:**

„(5) Indien die aansoek nie later nie dan vieruur in die namiddag van die vyfde dag voor die stemdag deur die kiesbeampte ontvang word, is die aansoeker geregtig (behalwe soos in die besonder bepaal word in 'n artikel 46 (1) ten aansien van persone op Bird-eiland of in die Oostelike Caprivi Zipfel waarna in artikel 38 (5) van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet No. 39 van 1968), verwys word, of in die Prince Edward-eilande) op uitreiking aan hom van 'n stembrief en om sy stem uit te bring op die wyse vir afwesige kiesers voorgeskry.”.

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Amendment of section 46 of Act 46 of 1946, as amended by section 16 of Act 50 of 1948, section 1 of Act 8 of 1957, section 21 of Act 72 of 1962 and section 8 of Act 51 of 1964.

19. Section 46 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) The returning officer shall by means of a date stamp record on every application for a ballot paper received by him the date of its receipt, number all such applications in consecutive order, and, if he received any such application not later than four o'clock in the afternoon of the fifth day before polling day, and is satisfied that it was properly signed by the applicant before a competent witness and also by such witness, that the declaration referred to in section 43 (1) has been initialled by the applicant personally, and that the applicant's name appears on the voters' list of the division for which he is the returning officer, he shall issue in respect of the applicant a ballot paper in the manner hereinafter prescribed, unless after consultation with the candidate or an agent of every candidate he is satisfied that the reasons advanced in support of the relevant belief referred to in section 43 (1) are too vague to substantiate such belief or is not satisfied that such reasons in fact exist, and provided the application is, in the case of a person stationed on Bird Island or in the Eastern Caprivi Zipfel referred to in section 38 (5) of the South-West Africa Constitution Act, 1968 (Act No. 39 of 1968), or in the Prince Edward Islands, received on a date (not being later than twenty-one days before polling day) deemed by the returning officer to be sufficiently early to render it possible, having regard to the postal service, to issue the ballot paper to the applicant, and for the applicant duly to record his vote and for the presiding officer for absent votes to return the covering envelope to the returning officer before the close of the poll.”.

Amendment of section 57 of Act 46 of 1946, as amended by section 18 of Act 50 of 1948, section 25 of Act 72 of 1962, section 16 of Act 51 of 1964 and section 10 of Act 84 of 1965.

20. Section 57 of the principal Act is hereby amended by the deletion of the proviso to paragraph (a) of subsection (1).

Amendment of section 66 of Act 46 of 1946, as amended by section 20 of Act 50 of 1948, section 19 of Act 51 of 1964 and section 13 of Act 84 of 1965.

21. Section 66 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:

“(4) Where a returning officer has received a covering envelope and a special covering envelope from the same voter, only the contents of the covering envelope or special covering envelope that reached him first shall be considered and the contents of the other covering envelope or special covering envelope shall be dealt with in accordance with the provisions of this Act relating to rejected applications and ballot paper envelopes.”.

Amendment of section 71bis of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965 and amended by section 2 of Act 2 of 1968.

22. Section 71bis of the principal Act is hereby amended—
(a) by the substitution for subsection (1) of the following subsection:

“(1) Prior to the day immediately following the nomination day the chief electoral officer shall furnish every presiding officer for votes of special voters with—

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19. Artikel 46 van die Hoofwet word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

„(a) Die kiesbeampte stempel elke aansoek om 'n stembrief wat hy ontvang, met die datum van ontvangs daarvan, plaas op elke sodanige aansoek 'n volgnommer, en indien hy so 'n aansoek nie later nie dan vieruur in die namiddag van die vyfde dag voor die stemdag ontvang het en bevind dat dit behoorlik deur die aansoeker voor 'n bevoegde getuie en ook deur bedoelde getuie onderteken is, dat die verklaring bedoel in artikel 43 (1) deur die aansoeker eiehandig geparafeer is, en dat die naam van die aansoeker voorkom op die kieserslys van die afdeling waarvoor hy kiesbeampte is, reik hy ten opsigte van die aansoeker op die hieronder voorgeskrewe wyse 'n stembrief uit, tensy hy, na oorlegpleging met die kandidate of 'n agent van elke kandidaat, oortuig is dat die redes aangegee ter stawing van die ter sake dienende geloof in artikel 43 (1) bedoel, te vaag is om so 'n geloof te staaf of nie oortuig is dat sodanige redes wel bestaan nie, en mits, in die geval van iemand wat op Bird-eiland of in die Oostelike Caprivi Zipfel waarna in artikel 38(5) van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet No. 39 van 1968), verwys word, of in die Prince Edward-eilande gestasioneer is, die aansoek ontvang word op 'n datum (nie later dan een-en-twintig dae voor die stemdag nie) wat die kiesbeampte as vroeg genoeg beskou om dit, met inagneming van die posdiens, moontlik te maak om die stembrief aan die aansoeker uit te reik en vir die aansoeker om sy stem behoorlik uit te bring, en vir die voorsittende beampte vir stemme van afwesiges om die omslagkoevert aan die kiesbeampte terug te besorg voor die sluiting van die stemming.”.

Wysiging van artikel 46 van Wet 46 van 1946, soos gewysig deur artikel 16 van Wet 50 van 1948, artikel 1 van Wet 8 van 1957, artikel 21 van Wet 72 van 1962 en artikel 8 van Wet 51 van 1964.

20. Artikel 57 van die Hoofwet word hierby gewysig deur die voorbehoudsbepaling by paragraaf (a) van subartikel (1) te skrap.

Wysiging van artikel 57 van Wet 46 van 1946, soos gewysig deur artikel 18 van Wet 50 van 1948, artikel 25 van Wet 72 van 1962, artikel 16 van Wet 51 van 1964 en artikel 10 van Wet 84 van 1965.

21. Artikel 66 van die Hoofwet word hierby gewysig deur subartikel (4) deur die volgende subartikel te vervang:

„(4) Wanneer 'n kiesbeampte 'n omslagkoevert en 'n spesiale omslagkoevert van dieselfde kieser ontvang het, word slegs die inhoud van die omslagkoevert of spesiale omslagkoevert wat hom die eerste bereik het, in aanmerking geneem en word met die inhoud van die ander spesiale omslagkoevert ooreenkomsdig bepaalings van hierdie Wet met betrekking tot verworpe van 1965. aansoeke en stembriefkoeverte gehandel.”.

Wysiging van artikel 66 van Wet 46 van 1946, soos gewysig deur artikel 20 van Wet 50 van 1948, artikel 19 van Wet 51 van 1964 en artikel 13 van Wet 84 van 1965.

22. Artikel 71bis van die Hoofwet word hierby gewysig— (a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Voor die dag wat onmiddellik volg op die nominasiedag voorsien die hoofverkiesingsbeampte iedere voorsittende beampte vir stemme van spesiale kiesers van—

Wysiging van artikel 71bis van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965 en gewysig deur artikel 2 van Wet 2 van 1968.

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- (a) forms of application to vote as special voters;
 - (b) either ballot papers, without the name, address and occupation of candidates, the name of the division in which the poll is to be held, and the date of the polling day, which on the front thereof do not in any other respect differ from the ballot papers issued to voters in divisions in which two or more candidates have been duly nominated, and on the back thereof further differ from the ballot papers referred to in paragraph (1) of section 76 only by reason of the insertion on the left-hand side next to the space for the official mark of the words 'signature of presiding officer for votes of special voters', or, in his discretion and after the nomination day, in respect of one or more divisions, ballot papers which differ from the ballot papers referred to in the said paragraph only by reason of such insertion of the said words;
 - (c) envelopes marked 'Special voter—for registration by postal authorities—post free/Spesiale kieser—deur posbeamptes aangeteken te word—pos-vry.';
 - (d) smaller envelopes on which the words 'ballot paper envelope' and 'stembriefkoevert' are printed; and
 - (e) as soon as may be after the nomination day, a list containing, in alphabetical order, the names of the divisions in which a poll is to be held on the same day, and, below the name of every division, the address of the returning officer appointed for that division, and the names of all the duly nominated candidates at the election in that division, arranged in alphabetical order, and their addresses and occupations and the names of the political parties they represent."; and
 - (b) by the addition of the following subsection:
- “(3) Whenever a returning officer has appointed a presiding officer for votes of special voters, he shall furnish such officer with the electoral documents referred to in subsection (1).”.

Amendment of
section 71ter of
Act 46 of 1946,
as inserted by
section 17 of
Act 84 of 1965
and amended by
section 2 of
Act 29 of 1966.

23. Section 71 *ter* of the principal Act is hereby amended—

- (a) by the substitution for subsections (1), (2) and (3) of the following subsections:
 - “(1) Every application to vote as a special voter shall be completed in duplicate and shall contain a declaration to the effect that the applicant has reason to believe—
 - (a) that he will, because of his serious illness or physical infirmity, or, in the case of a female, her advanced pregnancy or her confinement within fifteen days before polling day, not be able to attend at any polling station; or
 - (b) that he will throughout the hours of polling on polling day be outside the division for which he is enrolled and not within ten miles of the nearest polling station within that division by the nearest practicable route; or
 - (c) that he will throughout the hours of polling on polling day be on Bird Island or in the Eastern Caprivi Zipfel referred to in section 38 (5) of the

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- (a) vorms van aansoek om as spesiale kiesers te stem;
 - (b) of stembriewe, sonder die naam, adres en beroep van kandidate, die naam van die afdeling waarin 'n stemming gehou gaan word, en die datum van die stemdag, wat op die voorkant daarvan in geen ander opsig verskil nie van die stembriewe wat uitgerek word aan kiesers in afdelings waar daar twee of meer kandidate behoorlik genomineer is, en op die agterkant daarvan van die stembriewe bedoel in paragraaf (1) van artikel 76 verder verskil slegs in die opsig dat aan die linkerhand langs die ruimte vir die offisiële merk die woorde „naamtekening van voorsittende beampte vir stemme van spesiale kiesers“ ingevoeg word, of, na sy goeddunke en na die nominasiedag, ten opsigte van een of meer afdelings, stembriewe wat verskil van die stembriewe bedoel in genoemde paragraaf slegs in die opsig dat genoemde woorde aldus ingevoeg word;
 - (c) koeverte gemerk „Spesiale kieser—deur posbeamptes aangeteken te word—posvry/Special voter—for registration by postal authorities post free“;
 - (d) kleiner koeverte waarop die woorde „stembrief-koevert“ en „ballot paper envelope“ gedruk is; en
 - (e) so gou doenlik na nominasiedag 'n lys bevattende in alfabetiese volgorde die name van die afdelings waarin op dieselfde dag 'n stemming gaan plaasvind, en, onder die naam van elke afdeling, die adres van die kiesbeampte vir daardie afdeling aangestel, en die name van al die behoorlik genomineerde kandidate by die verkiesing in daardie afdeling, in alfabetiese volgorde gerangskik, met hul adresse en beroep en die name van die politieke partye wat hulle verteenwoordig.“; en
- (b) deur die volgende subartikel by te voeg:
- „(3) Wanneer 'n kiesbeampte 'n voorsittende beampte vir stemme van spesiale kiesers aangewys het, voorsien hy sodanige beampte van die verkiesingstukke in subartikel (1) bedoel.“.
- 23. Artikel 71ter van die Hoofwet word hierby gewysig—**
- (a) deur subartikels (1), (2) en (3) deur die volgende subartikels te vervang:
 - „(1) Elke aansoek om as 'n spesiale kieser te stem, moet in tweevoud voltooi word en moet 'n verklaring bevat ten effekte dat die aansoeker rede het om te glo—
 - (a) dat hy weens sy ernstige siekte of liggaamlike swakheid of gebrek, of, in die geval van 'n vrou, haar gevorderde swangerskap of haar bevalling binne vyftien dae voor die stemdag, nie in staat sal wees om 'n stemburo te besoek nie; of
 - (b) dat hy op die stemdag te alle tye gedurende die stem-ure buite die afdeling waarvoor hy geregescreer is, sal wees, en nie binne tien myl volgens die naaste bruikbare roete van die naaste stemburo in daardie afdeling sal wees nie; of
 - (c) dat hy op die stemdag te alle tye gedurende die stem-ure op Bird-eiland of in die Oostelike Caprivi Zipfel waarna in artikel 38 (5) van die Wet op die

Wysiging van
artikel 71ter
van Wet 46 van
1946, soos inge-
voeg deur artikel
17 van Wet 84
van 1965 en
gewysig deur
artikel 2 van
Wet 29 van 1966.

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South-West Africa Constitution Act, 1968 (Act No. 39 of 1968), or in the Prince Edward Islands, or that he is a person referred to in section 13 (4) of this Act and that he will throughout the hours of polling on polling day be outside the Union; or

- (d) that by reason of the fact that he is employed on a public conveyance, or on account of his official duties in connection with the election, he will not be able to attend at a polling station at any time during the hours of polling on polling day,

and shall, in the case of a belief referred to in paragraph (a), set forth the nature of the illness or infirmity, or the duration of the pregnancy, as the case may be, and in the case of a belief referred to in paragraph (b), (c) or (d), the reasons for such belief.

(2) Both copies of every such application—

- (a) shall be signed by the applicant with his own hand in the presence of a presiding officer for votes of special voters, who shall also sign each copy of the application;
- (b) shall be endorsed by the presiding officer concerned with the date on which and the time at which he signed that application and shall state the address of the presiding officer and bear his office stamp;
- (c) shall, except in the case of an application by a voter enrolled in a division situated in the territory of South-West Africa, including the Eastern Caprivi Zipfel referred to in section 38 (5) of the South-West Africa Constitution Act, 1968 (Act No. 39 of 1968), state the identity number of the applicant;
- (d) shall contain a declaration to the effect that the applicant has reason to believe that he is the alleged voter whose name appears on the voters' list of the division referred to in the application and that he has not previously voted as an absent voter or a special voter in that division or in any other division during the relevant election;
- (e) shall state the present residential and postal address of the applicant;
- (f) shall immediately after completion by the applicant be delivered to the presiding officer for votes of special voters referred to in paragraph (a) of this subsection:

Provided that if any such application is made by a person who is unable to read or, because of his blindness or physical infirmity, is unable to write, the forms of application may be completed and signed on his behalf by any other adult person in the presence of the applicant and of the presiding officer for votes of special voters, and in that event there shall be endorsed on the forms—

- (i) a statement by the person signing the forms on behalf of the applicant, setting forth the nature of the disability or physical infirmity and that

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Konstitusie van Suidwes-Afrika, 1968 (Wet No. 39 van 1968), verwys word, of in die Prince Edward-eilande sal wees of dat hy 'n in artikel 13 (4) van hierdie Wet bedoelde persoon is en dat hy op die stemdag te alle tye gedurende die stem-ure buite die Unie sal wees; of

- (d) dat hy vanweë die feit dat hy op 'n openbare vervoermiddel diens doen, of uit hoofde van sy ampspligte in verband met die verkiesing nie te eniger tyd op die stemdag gedurende die stem-ure in staat sal wees om 'n stemburo te besoek nie, en moet, in die geval van 'n in paragraaf (a) bedoelde geloof, die aard van die siekte, swakheid of gebrek, of die duur van die swangerskap, na gelang van die geval, en, in die geval van 'n in paragraaf (b), (c) of (d) bedoelde geloof, die redes vir daardie geloof uiteensit.

(2) Albei afskrifte van elke sodanige aansoek—

- (a) moet eiehandig deur die aansoeker onderteken word in die teenwoordigheid van 'n voorsittende beampte vir stemme van spesiale kiesers, wat ook elke afskrif van die aansoek moet onderteken;
 - (b) moet deur die bedoelde voorsittende beampte geëndosseer word met die datum en tydstip waarop hy daardie aansoek onderteken het en moet die voorsittende beampte se adres vermeld en sy kantoorstempel dra;
 - (c) moet, behalwe in die geval van 'n aansoek deur 'n kieser geregistreer in 'n afdeling geleë in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel waarna in artikel 38 (5) van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet No. 39 van 1968), verwys word, die persoonsnommer van die aansoeker vermeld;
 - (d) moet 'n verklaring bevat ten effekte dat die aansoeker rede het om te glo dat hy die beweerde kieser is wie se naam voorkom in die kieserslys van die afdeling waarna in die aansoek verwys word en dat hy nie tevore as 'n afwesige kieser of spesiale kieser in daardie afdeling of in enige ander afdeling gedurende die betrokke verkiesing gestem het nie;
 - (e) moet die huidige woonadres en posadres van die aansoeker vermeld;
 - (f) moet onmiddellik na voltooiing deur die aansoeker oorhandig word aan die voorsittende beampte vir stemme van spesiale kiesers bedoel in paragraaf (a) van hierdie subartikel:
- Met dien verstande dat indien so 'n aansoek deur iemand gedoen word wat nie kan lees nie of, weens sy blindheid of liggaamlike swakheid of gebrek, nie kan skryf nie, die aansoekvorms deur 'n ander volwasse persoon in die teenwoordigheid van die aansoeker en van die voorsittende beampte vir stemme van spesiale kiesers namens hom voltooi en geteken kan word, en in so 'n geval moet daar op die vorms geëndosseer word—
- (i) 'n verklaring deur die persoon wat die vorms namens die aansoeker teken, waarin die aard van die ongesiktheid of liggaamlike swakheid of

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he has been authorized by the applicant to sign the application on his behalf; and

(ii) a statement by the presiding officer for votes of special voters that the application has been completed and signed on behalf of the applicant in the presence of the applicant and himself and that the contents have been explained to the applicant and that the applicant has confirmed that he understood and approved such contents.

(3) No such application shall be signed by an applicant prior to the day immediately following the nomination day.”; and

(b) by the insertion of the following subsection after subsection (4):

“(4A) If a ballot paper issued in respect of an absent voter has not been returned completed to the returning officer and that voter submits to him in person during his working hours, not later than four o'clock in the afternoon of the day immediately preceding the polling day, an application to vote as a special voter in which that returning officer is indicated as the presiding officer for votes of special voters to whom the ballot paper shall be sent or delivered, such returning officer shall in respect of that application act as if no previous application to vote as an absent voter had been received from the voter concerned, and take the necessary steps to enable such voter to vote forthwith as a special voter.”.

Substitution of
section 71^{quat} of
Act 46 of 1946,
as inserted by
section 17 of
Act 84 of 1965
and amended by
section 3 of
Act 2 of 1968.

24. The following section is hereby substituted for section 71^{quat} of the principal Act:

“Hours of duty of presiding officers for votes of special voters.

71^{quat}. (1) (a) Any presiding officer for votes of special voters shall at all times during—
 (i) his ordinary hours of duty;
 (ii) such other hours during such period as the chief electoral officer may after consultation, through the electoral officer concerned, with the authorized representatives of every political party, or the electoral officer concerned may after consultation with such representatives determine, take the necessary steps to enable voters who are entitled thereto to vote forthwith as special voters.

(b) When the chief electoral officer or an electoral officer has made a determination in terms of paragraph (a) (ii), he shall notify the presiding officer for votes of special voters concerned and the authorized representatives of every political party simultaneously thereof.

(2) In addition to the presiding officer for votes of special voters and his assistants, there may be present at the proceedings in connection with the issue of ballot papers to special voters, an authorized representative of every political party, and no other person.

(3) For the purpose referred to in subsection (1) at least one presiding officer for votes of special voters shall be on duty in every division and in every magisterial district on every day of the week, except Sundays and public holidays, from 8 a.m. to 8 p.m., but on any such day he need not

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gebrek vermeld word, asook dat hy deur die aansoeker gemagtig is om die aansoek namens hom te teken; en

- (ii) 'n verklaring deur die voorsittende beamppte vir stemme van spesiale kiesers dat die aansoek in die teenwoordigheid van die aansoeker voltooi en geteken is en dat die inhoud aan die aansoeker verduidelik is en dat die aansoeker bevestig het dat hy die bedoelde inhoud verstaan en daarvan instem.

(3) Geen sodanige aansoek word voor die dag wat onmiddellik op die nominasiedag volg, deur 'n aansoeker onderteken nie.''; en

- (b) deur na subartikel (4) die volgende subartikel in te voeg:
 „(4A) Indien 'n stembrief wat ten opsigte van 'n afwesige kieser uitgereik is, nog nie voltooid deur die kiesbeamppte terug ontvang is nie en die kieser nie later nie as vieruur in die namiddag van die dag wat stemdag onmiddellik voorafgaan, persoonlik 'n aansoek om as 'n spesiale kieser te stem by die kiesbeamppte gedurende sy diensure inlewer waarin laasgenoemde aangedui word as die voorsittende beamppte vir stemme van spesiale kiesers aan wie die stembrief gestuur of oorhandig moet word, moet die kiesbeamppte met betrekking tot so 'n aansoek handel asof geen vorige aansoek om as 'n afwesige kieser te stem van die betrokke kieser ontvang is nie, en die nodige stappe doen om daardie kieser in staat te stel om onverwyld as 'n spesiale kieser sy stem uit te bring.”.

24. Artikel 71^{quat} van die Hoofwet word hierby deur die volgende artikel vervang:

„Diensure
van voor-
sittende
beamptes vir
stemme van
spesiale
kiesers.

71^{quat}. (1) (a) 'n Voorsittende beamppte vir stemme van spesiale kiesers moet te alle tye gedurende—

- (i) sy gewone diensure;
- (ii) die ander ure gedurende die tydperk wat die hoofverkiesingsbeamppte na oorlegpleging, deur middel van die betrokke verkiesingsbeamppte, met die gemagtigde verteenwoordigers van elke politieke party, of die betrokke verkiesingsbeamppte na oorlegpleging met sodanige verteenwoordigers, bepaal,

die nodige stappe doen om kiesers wat daarop geregty is, in staat te stel om onverwyld as spesiale kiesers hul stemme uit te bring.

- (b) Wanneer die hoofverkiesingsbeamppte of 'n verkiesingsbeamppte 'n bepaling ingevolge paraaf (a) (ii) gedoen het, stel hy die betrokke voorsittende beamppte vir stemme van spesiale kiesers en die gemagtigde verteenwoordigers van elke politieke party gelyktydig daarvan in kennis.

(2) Benewens die voorsittende beamppte vir stemme van spesiale kiesers en sy assistente, kan 'n gemagtigde verteenwoordiger van elke politieke party aanwesig wees by die verrigtings in verband met die uitreiking van stembriewe aan spesiale kiesers, en niemand anders nie.

(3) Vir die in subartikel (1) genoemde doel moet daar in elke kiesafdeling en in elke magistraatsdistrik op elke dag van die week, behalwe Sondae en openbare vakansiedae, vanaf 8 vm. tot 8 nm. minstens een voorsittende beamppte vir stemme van

Vervanging van
artikel 71^{quat}
van Wet 46
van 1946, soos
ingevoeg deur
artikel 17 van
Wet 84 van 1965
en gewysig deur
artikel 3 van
Wet 2 van 1968.

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necessarily be the same presiding officer or at the same place.

(4) The returning officer shall forthwith give public notice of the name and address of every presiding officer for votes of special voters designated as such by such returning officer in terms of the provisions of the definition of presiding officer for votes of special voters in section 1.”.

Amendment of
section 71^{sept} of
Act 46 of 1946,
as inserted by
section 17 of
Act 84 of 1965
and amended by
section 4 of
Act 2 of 1968.

25. Section 71^{sept} of the principal Act is hereby amended—

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

“(a) on the front of any ballot paper referred to in paragraph (b) of that subsection (on which there are as many spaces for the purpose as there are candidates nominated in the division in which the applicant has reason to believe that he is registered as a voter) the surnames, arranged in alphabetical order, and in the case of a division in respect of which two or more candidates with the same surname have been nominated, the initials of all the duly nominated candidates;”; and

(b) by the addition thereto of the following subsection:

“(3) When delivering the ballot paper to the voter, the presiding officer may, if requested thereto by the voter and if he has the required information at his disposal, advise such voter of the party affiliation of the candidates concerned.”.

Amendment of
section 71^{oct} of
Act 46 of 1946,
as inserted by
section 17 of
Act 84 of 1965.

26. Section 71^{oct} of the principal Act is hereby amended—

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

“(1) The presiding officer for votes of special voters shall render to a special voter all possible assistance not in conflict with this Act, and shall inform the voter that he must vote in secret and may not allow any person to see how he has voted, and ensure that suitable facilities are available where the voter can record his vote in secret: Provided that in the case of a person referred to in section 13 (4), the presiding officer for votes of special voters shall be the senior officer stationed at the place outside the Union, where the voter concerned is employed or resident, and, for the purpose of enabling the said senior officer to record his vote, the presiding officer shall be such other officer stationed at such place as the said senior officer shall nominate for the purpose;”; and

(b) by the substitution for subsection (4) of the following subsection:

“(4) Immediately after voting the special voter shall in the presence of the presiding officer for votes of special voters, but without disclosing how he has voted, place the marked ballot paper in the ballot paper envelope and fasten it up, and shall then place the ballot paper envelope, together with the copy of his application to vote as a special voter delivered to him by such officer, in the special covering envelope addressed to the returning officer, and shall after he has fastened that covering envelope deliver it to the presiding officer for votes of special voters who shall, unless it is addressed to himself as returning officer, without delay either despatch it by registered post or

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spesiale kiesers aan diens wees, maar op enige sodanige dag hoef hy nie noodwendig dieselfde voorstittende beampete of by dieselfde plek te wees nie.

(4) Die naam en adres van elke voorsittende beampete vir stemme van spesiale kiesers deur die kiesbeampete ingevolge die bepalings van die omstrywing van voorsittende beampete vir stemme van spesiale kiesers in artikel 1 aangewys, word onverwyld deur die kiesbeampete publiek bekend gemaak.”.

25. Artikel 71^{sept} van die Hoofwet word hierby gewysig

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

„(a) op die voorkant van 'n stembrief bedoel in paragraaf (b) van daardie subartikel (waarop daar soveel ruimtes vir die doel is as wat daar kandidate genomineer is in die afdeling waarin die aansoeker rede het om te glo dat hy as kieser geregistreer is) die vanne, in alfabetiese orde gerangskik, en in die geval van 'n afdeling ten opsigte waarvan twee of meer kandidate met dieselfde van genomineer is, die voorletters in van al die behoorlik genomineerde kandidate;”; en

(b) deur die volgende subartikel by te voeg:

„(3) By die oorhandiging van die stembrief mag die voorsittende beampete, indien die kieser hom daarom versoek en indien hy oor die verlangde inligting beskik, aan sodanige kieser die partyverband van die betrokke kandidate mededeel.”.

Wysiging van artikel 71^{sept} van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965 en gewysig deur artikel 4 van Wet 2 van 1968.

26. Artikel 71^{oct} van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Die voorsittende beampete vir stemme van spesiale kiesers verleen aan 'n spesiale kieser alle moontlike hulp wat nie in stryd met hierdie Wet is nie, en deel die kieser mee dat hy in die geheim moet stem en niemand mag toelaat om te sien hoe hy gestem het nie, en verseker dat daar geskikte fasiliteite beskikbaar is waar die kieser sy stem in die geheim kan uitbring: Met dien verstande dat, in die geval van 'n persoon in artikel 13 (4) bedoel, die senior beampete gestasioneer op die plek buite die Unie waar die betrokke kieser in diens of woonagtig is, die voorsittende beampete vir stemme van spesiale kiesers is, en, om genoemde senior beampete in staat te stel om sy stem uit te bring, 'n ander beampete wat op daardie plek gestasioneer is en wat genoemde senior beampete vir die doel aanwys, die voorsittende beampete is;”; en

(b) deur subartikel (4) deur die volgende subartikel te vervang:

„(4) Onmiddellik nadat hy gestem het, plaas die spesiale kieser in die teenwoordigheid van die voorsittende beampete vir stemme van spesiale kiesers maar sonder om te laat blyk hoe hy gestem het, die gemerkte stembrief in die stembriefkoevert en maak hy dit toe, en plaas hy dan die stembriefkoevert, tesame met die afskrif van sy aansoek om as 'n spesiale kieser te stem deur die bedoelde beampete aan hom oorhandig, in die spesiale omslagkoevert wat aan die kiesbeampete geadresseer is, en oorhandig hy daardie omslagkoevert, nadat hy dit toegemaak het, aan die voorsittende beampete vir stemme van spesiale kiesers wat dit, tensy dit aan hom as kiesbeampete geadresseer is, onverwyld of as aangetekende brief per pos afstuur

Wysiging van artikel 71^{oct} van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965.

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Amendment of section 71dec of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965 and amended by section 4 of Act 29 of 1966.

deliver it personally to the returning officer, and if it is addressed to him as returning officer, keep it in his custody and deal with it in accordance with the provisions of this Act: Provided that the presiding officer for votes of special voters may deliver such covering envelope to the presiding officer at any polling station in the division concerned or cause it to be so delivered by a presiding officer for absent votes or any other presiding officer for votes of special voters instead of dealing with it in the manner prescribed in the preceding provisions.”.

27. Section 71dec of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) In the case of a special voter who has recorded his vote before a presiding officer for votes of special voters on or after the fifth day before polling day, such officer shall as soon as possible after that voter has recorded his vote, but not later than nine o'clock in the forenoon of the day immediately following the day on which that voter recorded his vote, by telegraph or by letter delivered personally advise the returning officer for the division in respect of which a ballot paper has been issued to that voter of the relevant facts relating to that voter.”.

Amendment of section 71duodec of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965.

28. Section 71duodec of the principal Act is hereby amended by the substitution for paragraph (e) of subsection (3) of the following paragraph:

“(e) if he is satisfied that the application was properly completed and signed and that the name of the applicant appears on the voters' list of the division for which he is the returning officer, he shall accept that application if it is the only application received by him in respect of the same voter or if it is the only application which in terms of section 66 (4) shall be considered by him, and place the ballot paper envelope concerned in the ballot box for special voters.”.

Amendment of section 83 of Act 46 of 1946, as substituted by section 24 of Act 84 of 1965.

29. Section 83 of the principal Act is hereby amended by the substitution for paragraph (b) of subsection (2) of the following paragraph:

“(b) any ballot paper marked by a special voter on which the surnames and initials of the candidates have not been fully inscribed, provided it is clearly evident for which candidate the voter has voted.”.

Substitution of section 175 of Act 46 of 1946 as amended by section 50 of Act 72 of 1962.

30. The following section is hereby substituted for section 175 of the principal Act:

Vacation of seats through resignation. **175.** (1) Any member of the House of Assembly or of a provincial council may by writing under his hand or by telegraphic message addressed to the Secretary to the House of Assembly or the clerk of the provincial council concerned, resign as a member with effect from a date specified in such writing or message: Provided that if no date is so specified, he shall be deemed to have resigned as a member with effect from the day immediately following the date on which the said Secretary or clerk received such writing or message.

(2) After the receipt by the Secretary to the House of Assembly or the said clerk of the provincial council of any such writing or message in-

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of persoonlik aflewer aan die kiesbeampte, en, as dit aan hom as kiesbeampte geadresseer is, dit bewaar en ooreenkomsdig die bepalings van hierdie Wet daarmee handel: Met dien verstande dat die voorsittende beampte vir stemme van spesiale kiesers bedoelde omslagkoevert aan die voorsittende beampte by enige stemburo in die betrokke afdeling kan aflewer of deur 'n voorsittende beampte vir stemme van awesiges of 'n ander voorsittende beampte vir stemme van spesiale kiesers kan laat aflewer in plaas van volgens voorskrif van voorgaande bepalings in verband daarmee te handel.”.

27. Artikel 71dec van die Hoofwet word hierby gewysig Wysiging van artikel 71dec van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965 en gewysig deur artikel 4 van Wet 29 van 1966.

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

„(a) In die geval van 'n spesiale kieser wat op of na die vyfde dag voor stemdag sy stem voor 'n voorsittende beampte vir stemme van spesiale kiesers uitgebring het, stel bedoelde beampte so gou moontlik nadat daardie kieser gestem het, maar nie later nie as negeuur in die voormiddag van die dag wat onmiddellik volg op die dag waarop daardie kieser gestem het, die kiesbeampte vir die afdeling ten opsigte waarvan 'n stembrief aan daardie kieser uitgereik is telegrafies of per brief persoonlik aangelever in kennis van die ter sake dienende feite met betrekking tot daardie kieser.”.

28. Artikel 71duodec van die Hoofwet word hierby gewysig Wysiging van artikel 71duodec van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965.

deur paragraaf (e) van subartikel (3) deur die volgende paragraaf te vervang:

„(e) as hy bevind dat die aansoek behoorlik voltooi en onderteken is en dat die naam van die aansoeker voorkom op die kieserslys van die afdeling waarvoor hy kiesbeampte is, aanvaar hy daardie aansoek as dit die enigste aansoek is wat deur hom ten opsigte van die selfde kieser ontvang is of as dit die enigste aansoek is wat hy ingevolge artikel 66 (4) in aanmerking moet neem, en plaas hy die betrokke stembriefkoevert in die stembus vir spesiale kiesers.”.

29. Artikel 83 van die Hoofwet word hierby gewysig deur Wysiging van artikel 83 van Wet 46 van 1946, soos vervang deur artikel 24 van Wet 84 van 1965.

paragraaf (b) van subartikel (2) deur die volgende paragraaf te vervang:

„(b) 'n stembrief deur 'n spesiale kieser gemerk as die vanne en voorletters van die kandidate nie volledig ingevul is nie, mits dit duidelik blyk vir watter kandidaat die kieser gestem het.”.

30. Artikel 175 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 175 van Wet 46 van 1946, soos gewysig deur artikel 50 van Wet 72 van 1962.

„Ont-ruiming van setels deur bedanking. 175. (1) 'n Lid van die Volksraad of van 'n provinsiale raad kan by geskrif deur hom onderteken of by telegrafiese berig aan die Sekretaris van die Volksraad of die klerk van die betrokke provinsiale raad, as lid bedank met ingang van 'n datum in sodanige geskrif of berig vermeld: Met dien verstande dat indien geen datum aldus vermeld word nie, hy geag word as lid te bedank het met ingang van die dag onmiddellik na die datum waarop genoemde Sekretaris of klerk die geskrif of berig ontvang het.

(2) Na ontvangs van so 'n geskrif of berig deur die Sekretaris van die Volksraad of genoemde klerk van die provinsiale raad waarby die bedanking

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timating the resignation of the member concerned, the said Secretary or clerk, as the case may be, shall—

- (a) forthwith, if such member has resigned with effect from the date of, or a date prior to, the receipt of such writing or message; or
- (b) upon the resignation becoming effective, if such member has resigned or is deemed to have resigned with effect from a date subsequent to the date of the receipt of such writing or message,

declare by notice in the *Gazette* or the *Official Gazette* of the province concerned (as the case may be) that a vacancy has occurred, the date with effect from which it has occurred, the cause of such vacancy and the division in which such vacancy has occurred: Provided that in the case of a resignation by telegraphic message, the authenticity of such message shall be established to the satisfaction of the said Secretary or clerk (as the case may be) before action is taken by him as aforesaid.”.

Short title.

31. This Act shall be called the Electoral Laws Amendment Act, 1969.

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van die betrokke lid te kenne gegee word, verklaar die genoemde Sekretaris of klerk, na gelang van die geval—

- (a) onverwyld, indien sodanige lid bedank het met ingang van die datum van, of 'n datum voor, die ontvangs van sodanige geskrif of berig; of
- (b) by die inwerkingtreding van die bedanking, indien sodanige lid bedank het of geag word te bedank het met ingang van 'n datum later as die datum van die ontvangs van sodanige geskrif of berig,

by kennisgewing in die *Staatskoerant* of die *Offisiële Koerant* van die betrokke provinsie (na gelang van die geval) dat 'n vakature ontstaan het, wat die datum is met ingang waarvan dit ontstaan het, wat die oorsaak van die vakature is en in welke afdeling dit ontstaan het: Met dien verstande dat in die geval van 'n bedanking by telegrafiese berig, die betroubaarheid van bedoelde berig ten genoeë van die genoemde Sekretaris of klerk, (na gelang van die geval) vasgestel word alvorens hy voormalde stappe doen.”.

31. Hierdie Wet heet die Wysigingswet op die Kieswette, 1969. Kort titel.

