



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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[No. 2640.]

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 333.

27 Februarie 1970.

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

No. 12 van 1970: Wysigingswet op die Kieswette, 1970.

DEPARTMENT OF THE PRIME MINISTER.

No. 333.

27th February, 1970.

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

No. 12 of 1970: Electoral Laws Amendment Act, 1970.

Wet No. 12, 1970

WYSIGINGSWET OP DIE KIESWETTE, 1970.

WET

Tot wysiging van die bepalings van die Wet tot Konsolidasie van die Kieswette, 1946, met betrekking tot die opstel en inwerkingtreding van kieserslyste, aansoeke om as afwesige kiesers of spesiale kiesers te stem, die voorsiening van verkiesingstukke aan voorsittende beamptes vir stemme van spesiale kiesers, die diensure van laasgenoemde voorsittende beamptes, spesiale kiesers wat nie voorsittende beamptes kan besoek nie en die oorweging van spesiale stemme deur kies-beamptes; om te bepaal dat die wysiging van artikel 8 van genoemde Wet geag word met terugwerkende krag in werking te getree het; om die intrekking deur die Staatspresident van sy Proklamasie No. 264 van 1969 te bekragtig; en om voorsiening te maak vir bykomstige aangeleenthede.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 27 Februarie 1970.)

Wysiging van
artikel 8 van
Wet 46 van 1946,
soos vervang 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,
artikel 1 van
Wet 2 van 1968 en
artikel 3 van
Wet 99 van 1969.

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

1. Artikel 8 van die Wet tot Konsolidasie van die Kieswette, 1946 (hieronder die Hoofwet genoem), word hierby gewysig—

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

„(1) In 1973 vind 'n algemene registrasie van kiesers plaas dwarsdeur die Republiek en die gebied Suidwes-Afrika vanaf 'n datum wat by proklamasie in die *Staatskoerant* vasgestel word, en daarna vind so 'n algemene registrasie plaas by tussenpose van hoogstens vyf jaar, vanaf 'n datum in die betrokke jaar wat insgelyks by proklamasie in die *Staatskoerant* vasgestel word.”;

(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 eerste dag van Mei, September en Januarie: 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.”.

Wysiging van
artikel 42 van
Wet 46 van 1946,
soos vervang deur
artikel 2 van
Wet 84 van 1965
en gewysig deur
artikel 16 van
Wet 99 van 1969.

2. Artikel 42 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word:

„(2) 'n In artikel 13 (4) bedoelde persoon wat rede het om te glo dat hy op die stemdag te alle tye gedurende die stemure buite die Unie sal wees, kan op die in artikel 71ter voorgeskrewe wyse aansoek doen om as 'n spesiale kieser te stem.”.

ELECTORAL LAWS AMENDMENT ACT, 1970.

Act No. 12, 1970

ACT

To amend the provisions of the Electoral Consolidation Act, 1946, with reference to the preparation and coming into operation of voters' lists, applications to vote as absent voters or special voters, the furnishing of election documents to presiding officers for votes of special voters, the hours of duty of the lastmentioned presiding officers, special voters who are unable to attend before presiding officers, and the consideration of special votes by returning officers; to provide that the amendment of section 8 of the said Act with reference to the preparation and coming into operation of voters' lists shall be deemed to have come into operation with retrospective effect; to confirm the withdrawal by the State President of his Proclamation No. 264 of 1969; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 27th February, 1970.)

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

1. Section 8 of the Electoral Consolidation Act, 1946 (hereinafter referred to as the principal Act), is hereby amended—
 - (a) by the substitution for subsection (1) of the following subsection:

“(1) A general registration of voters shall take place throughout the Republic and the territory of South-West Africa in 1973, as from a date fixed by proclamation in the *Gazette*, and thereafter such general registration shall take place at intervals of not more than five years as from a date in the year concerned, similarly fixed by proclamation in the *Gazette*.”; 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 first day of May, September and January: 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.”.
2. Section 42 of the principal Act is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):
 - “(2) A person referred to in section 13 (4) who has reason to believe that he will throughout the hours of polling on polling day be outside the Union, may make application in the manner prescribed in section 71*ter* to vote as a special voter.”.

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, section 1 of Act 2 of 1968 and section 3 of Act 99 of 1969.

Amendment of section 42 of Act 46 of 1946, as substituted by section 2 of Act 84 of 1965 and amended by section 16 of Act 99 of 1969.

Wet No. 12, 1970

WYSIGINGSWET OP DIE KIESWETTE, 1970.

Wysiging van artikel 71*bis* 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 en artikel 22 van Wet 99 van 1969.

3. Artikel 71*bis* van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Voor die datum sewe dae na die nominasiedag voorsien die hoofverkiesingsbeampte iedere voorsittende beampte vir stemme van spesiale kiesers van—

- (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 stembriewe, wat op die voorkant daarvan in geen ander opsig verskil nie van die stembriewe wat uitgereik 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 linkerkant 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 „stembriefkoevert” en „ballot paper envelope” gedruk is; en
- (e) '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 aangesel, en die name van al die behoorlik genomineerde kandidate by die verkiesing in daardie afdeling, in alfabetiese volgorde gerangskik, met hul adresse en beroepe en die name van die politieke partye wat hul verteenwoordig.”.

Wysiging van artikel 71*ter* van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965 en gewysig deur artikel 2 van Wet 29 van 1966 en artikel 23 van Wet 99 van 1969.

4. Artikel 71*ter* van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Geen sodanige aansoek word voor die sewende dag na die nominasiedag, deur 'n aansoeker onderteken nie.”

Wysiging van artikel 71*quat* van Wet 46 van 1946, soos vervang deur artikel 24 van Wet 99 van 1969.

5. Artikel 71*quat* van die Hoofwet word hierby gewysig deur subartikel (3) te skrap.

Wysiging van artikel 71*nov* van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965 en gewysig deur artikel 3 van Wet 29 van 1966.

6. Artikel 71*nov* van die Hoofwet word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

- „(a) enige spesiale kieser wat volgens sy oordeel nie in staat is om 'n voorsittende beampte vir stemme van spesiale kiesers te besoek nie, te eniger tyd gedurende die tydperk vanaf sewe-uur in die voormiddag van die sewende dag na die nominasiedag tot en met nege-uur in die namiddag van die tweede dag onmiddellik voor die stembriewe by enige adres op versoek van daardie kieser besoek om bedoelde kieser in staat te stel om as 'n spesiale kieser te stem;”.

ELECTORAL LAWS AMENDMENT ACT, 1970.

Act No. 12, 1970

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

Amendment of section 71*bis* 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 and section 22 of Act 99 of 1969.

“(1) Prior to the date seven days after the nomination day the chief electoral officer shall furnish every presiding officer for votes of special voters with—

- (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—posvry.’;
- (d) smaller envelopes on which the words ‘ballot paper envelope’ and ‘stembriefkoevert’ are printed; and
- (e) 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.”.

4. Section 71*ter* of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

Amendment of section 71*ter* 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 and section 23 of Act 99 of 1969.

“(3) No such application shall be signed by an applicant prior to the seventh day after the nomination day.”.

5. Section 71*quat* of the principal Act is hereby amended by the deletion of subsection (3).

Amendment of section 71*quat* of Act 46 of 1946, as substituted by section 24 of Act 99 of 1969.

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

Amendment of section 71*nov* of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965 and amended by section 3 of Act 29 of 1966.

“(a) at the request of a special voter who in his opinion is unable to attend before a presiding officer for votes of special voters, call upon that voter at any time during the period from seven o'clock in the forenoon of the seventh day after the nomination day up to and including nine o'clock in the afternoon of the second day immediately preceding polling day, at any address in order to enable that voter to vote as a special voter;”.

Wet No. 12, 1970

WYSIGINGSWET OP DIE KIESWETTE, 1970.

Wysiging van
artikel 71 *duodec*
van Wet 46 van
1946, soos ingevoeg
deur artikel 17 van
Wet 84 van 1965,
en gewysig deur
artikel 28 van
Wet 99 van 1969.

7. Artikel 71 *duodec* van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Die kiesbeamppte maak op die datum ag dae na die nominasiedag elke spesiale omslagkoevert wat deur hom voor daardie datum ontvang is, afsonderlik oop, en maak voorts elke spesiale omslagkoevert wat na daardie datum deur hom ontvang word, afsonderlik oop nie later as die dag van ontvangs daarvan nie.”.

Bekräftiging
van intrekking
van Proklamasie
No. 264 van 1969.

8. Die intrekking deur die Staatspresident van sy Proklamasie No. 264 van 1969, afgekondig in *Staatskoerant* No. 2531 van 3 Oktober 1969, deur sy Proklamasie No. 316 van 1969, afgekondig in *Staatskoerant* No. 2569 van 28 November 1969, word hierby bekräftig.

Kort titel en
inwerkingtreding.

9. (1) Hierdie Wet heet die Wysigingswet op die Kieswette, 1970.

(2) Artikel 1 (a) word geag op die sesde dag van Maart 1968 en artikel 1 (b) word geag op die eerste dag van September 1969 in werking te getree het.

ELECTORAL LAWS AMENDMENT ACT, 1970.

Act No. 12, 1970

7. Section 71*duodec* of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The returning officer shall on the date eight days after the nomination day open separately every special covering envelope received by him prior to that date, and shall further, not later than the day after the day of receipt thereof, open separately every special covering envelope received by him after that date.”.

Amendment of section 71*duodec* of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965 and amended by section 28 of Act 99 of 1969.

8. The withdrawal by the State President of his Proclamation No. 264 of 1969, published in *Gazette* No. 2531 of 3rd October, 1969, by his Proclamation No. 316 of 1969, published in *Gazette* No. 2569 of 28th November, 1969, is hereby confirmed.

Confirmation of withdrawal of Proclamation No. 264 of 1969.

9. (1) This Act shall be called the Electoral Laws Amendment Act, 1970.

Short title and commencement.

(2) Section 1 (a) shall be deemed to have come into operation on the sixth day of March, 1968, and section 1 (b) shall be deemed to have come into operation on the first day of September, 1969.

