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KENNISGEWING 144 VAN 1994

ONAFHANKLIKE VERKIESINGS-KOMMISSIE

BEPALING VAN DIE GETAL STREEKSETELS IN DIE NASIONALE VERGADERING

Die Onafhanklike Verkiesingskommissie, handelende ooreenkomstig die bepalings van item 2 (a) van Bylae 2 van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), bepaal hierby met inagneming van beskikbare wetenskaplike gefundeerde data ten opsigte van kiesers, vertoë deur belanghebbende partye en die voorgestelde bepaling in item 2 (a) van Bylae 2, die getal streeksetels ten opsigte van elke streek van die Republiek van Suid-Afrika soos volg:

Wes-Kaap	**21 setels**
Oos-Kaap	**28 setels**
Noord-Kaap	**4 setels**
Natal	**40 setels**
Oranje-Vrystaat	**15 setels**
Noordwes	**15 setels**
Noord-Transvaal	**20 setels**
Oos-Transvaal	**14 setels**
Pretoria–Witwatersrand–Vereeniging	**43 setels**

KENNISGEWING 145 VAN 1994

ONAFHANKLIKE VERKIESINGS-KOMMISSIE

BEPALING VAN DIE GETAL SETELS VIR PROVINSIALE WETGEWENDE LIGGAME

Die Onafhanklike Verkiesingskommissie, handelende ooreenkomstig die bepalings van item 10 van Bylae 2 van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), bepaal hierby

GENERAL NOTICES

NOTICE 144 OF 1994

INDEPENDENT ELECTORAL COMMISSION

DETERMINATION OF THE NUMBER OF REGIONAL SEATS IN THE NATIONAL ASSEMBLY

The Independent Electoral Commission, acting in accordance with the provisions of item 2 (a) of Schedule 2 to the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), having taken into account available scientifically based data in respect of voters, representations received from interested parties and the determination proposed in item 2 (a) of Schedule 2, hereby determines the number of regional seats in respect of each of the regions of the Republic of South Africa as follows:

Western Cape	**21 seats**
Eastern Cape	**28 seats**
Northern Cape	**4 seats**
Natal	**40 seats**
Orange Free State	**15 seats**
North-West	**15 seats**
Northern Transvaal	**20 seats**
Eastern Transvaal	**14 seats**
Pretoria–Witwatersrand–Vereeniging	**43 seats**

NOTICE 145 OF 1994

INDEPENDENT ELECTORAL COMMISSION

DETERMINATION OF THE NUMBER OF SEATS OF PROVINCIAL LEGISLATURES

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HOOFSTUK 1

UITLEG

Woordomskrywing

1. In hierdie regulasies het 'n woord of uitdrukking waaraan 'n betekenis in artikel 1 van die Kommissiewet of artikel 1 van die Kieswet geheg is, daardie betekenis, na gelang van die geval, en, tensy uit die samehang anders blyk, beteken—

"dag" of **"dae"** ook Sondae en openbare vakansiedae;

"die Kieswet" die Kieswet, 1993 (Wet No. 202 van 1993);

"die Kommissiewet" die Wet op die Onafhanklike Verkiesingskommissie, 1993 (Wet No. 150 van 1993);

"regsgebied", met betrekking tot—

(a) 'n Verkiesingstribunaal, die geografiese gebied bedoel in regulasie 75 (1);

(b) 'n Verkiesingsappèltribunaal, die geografiese gebied bedoel in regulasie 83 (1);

"stemdistrik" 'n stemdistrik bedoel in regulasie 2; en

"vredesbeampte" enige persoon wat deur die Kommissie aangewys is om veiligheid by stemburo's en telburo's tydens die verkiesingstydperk te handhaaf.

HOOFSTUK 2

ADMINISTRASIE

Afbakening van stemdistrikte

2. Elke landdrosdistrik in die Republiek is 'n stemdistrik vir die doeleindes van die verkiesing.

Bevoegdhede, pligte en werksaamhede van provinsiale verkiesingsbeamptes en adjunkte

3. (1) 'n Provinsiale verkiesingsbeampte moet die wettige lasgewings, opdragte en bevele uitgereik deur of ten behoewe van die Kommissie en die Hoofdirekteur, nakom.

(2) 'n Adjunk-provinsiale verkiesingsbeampte moet die wettige lasgewings, opdragte en bevele uitgereik deur die provinsiale verkiesingsbeampte en deur of ten behoewe van die Kommissie en die Hoofdirekteur, nakom.

Bevoegdhede, pligte en werksaamhede van distrikverkiesingsbeamptes en adjunkte

4. (1) 'n Distrikverkiesingsbeampte moet die wettige lasgewings, opdragte en bevele uitgereik deur of ten behoewe van die Kommissie, die Hoofdirekteur en die provinsiale verkiesings-beampte, nakom.

(2) 'n Adjunk-distrikverkiesingsbeampte moet die lasgewings, opdragte en bevele uitgereik deur die distrikverkiesingsbeampte en deur of ten behoewe van die Kommissie, die Hoofdirekteur en die provinsiale verkiesingsbeampte, nakom.

CHAPTER 1

INTERPRETATION

Definitions

1. In these regulations, any word or expression to which a meaning has been assigned in section 1 of the Commission Act or section 1 of the Electoral Act, shall have that meaning, as the case may be, and, unless the context otherwise indicates:

"area of jurisdiction", in relation to—

(a) an Electoral Tribunal, means the geographical area referred to in regulation 75 (1);

(b) an Electoral Appeal Tribunal, means the geographical area referred to in regulation 83 (1);

"day" or **"days"** includes Sundays and public holidays;

"electoral district" means an electoral district referred to in regulation 2;

"peace officer" means any person designated by the Commission to maintain security at voting and counting stations during the election period;

"the Commission Act" means the Independent Electoral Commission Act, 1993 (Act No. 150 of 1993); and

"the Electoral Act" means the Electoral Act, 1993 (Act No. 202 of 1993)

CHAPTER 2

ADMINISTRATION

Demarcation of electoral districts

2. For the purposes of the election every magisterial district in the Republic shall be an electoral district.

Powers, duties and functions of provincial electoral officers and deputies

3. (1) A provincial electoral officer shall comply with the lawful directions, instructions and orders issued by or on behalf of the Commission and the Chief Director.

(2) A deputy provincial electoral officer shall comply with the lawful directions, instructions and orders issued by the provincial electoral officer and by or on behalf of the Commission and the Chief Director.

Powers, duties and functions of district electoral officers and deputies

4. (1) A district electoral officer shall comply with the lawful directions, instructions and orders issued by or on behalf of the Commission, the Chief Director and the provincial electoral officer.

(2) A deputy district electoral officer shall comply with the directions, instructions and orders issued by the district electoral officer and by or on behalf of the Commission, the Chief Director and the provincial electoral officer.

(3) Behalwe waar die Kieswet en hierdie regu-lasies anders bepaal, moet die distrikverkiesingsbeampte na die laaste dag van die stemtydperk onverwyld alle pakkette wat deur 'n voorsittende beampte by hom of haar afgelewer is, by die Hoofdirekteur aflewer.

Bevoegdhede, pligte en werksaamhede van voorsittende beamptes

5. (1) 'n Voorsittende beampte moet die wettige opdragte van die betrokke distrikverkie-singsbeampte uitvoer.

(2) 'n Voorsittende beampte moet vir die doeleindes van artikel 10 (1) (b) (v) van die Kieswet nie meer as een kandidaat per geregistreerde party op enige gegewe oomblik in die verkiesingsentrum of binne-perimeter van 'n stemburo toelaat nie.

Bevoegdhede, pligte en werksaamhede van stembeamptes

6. 'n Stembeampte moet die wettige opdragte van die betrokke voorsittende beampte uitvoer.

Bevoegdhede, pligte en werksaamhede van telbeamptes

7. (1) 'n Telbeampte moet die wettige opdragte van die betrokke provinsiale verkiesingsbeampte uitvoer.

(2) 'n Telbeampte moet in oorleg met die provinsiale verkiesingsbeampte die getal tellers wat nodig is vir die tel van die stemme by die betrokke telburo, aanstel.

(3) 'n Telbeampte moet vir die doeleindes van artikel 12 (1) (b) (v) van die Kieswet nie meer as een kandidaat per geregistreerde party op enige gegewe oomblik in die telsentrum van 'n telburo toelaat nie.

Bevoegdhede, pligte en werksaamhede van tellers

8. 'n Teller is onder die beheer van die telbeampte van die betrokke telburo, en moet die wettige opdragte van die telbeampte uitvoer.

Verklaring van geheimhouding

9. (1) Die verklaring van geheimhouding bedoel in artikel 14 van die Kieswet word in die vorm in Aanhangsel 1 uiteengesit, gedoen.

(2) Die verklarings van geheimhouding word in 'n afsonderlike pakket gehou wat geseël, gemerk en by die Hoofdirekteur afgelewer word na die sluiting van die stemming op die laaste dag van die stemtydperk.

Regte en pligte van party-verkiesingsagente en party-stemagente

10. (1)'n Party provinsiale verkiesingsagent moet, na oorleg met die provinsiale verkiesingsbeampte, vir elke stemburo in die provinsie ten opsigte waarvan hy of sy aangestel is, hoogstens vyf party-stemagente aanstel.

(2) 'n Aanstelling bedoel in subregulasie (1) moet skriftelik wees en 'n rekord van sodanige aanstellings word gehou en mee gehandel *mutatis mutandis* op die wyse in artikel 13 (4) van die Kieswet bepaal.

(3) Die verklarings van geheimhouding deur party-verkiesings- en -stemagente afgelê, word by die Hoofdirekteur afgelewer wat dit beskikbaar hou vir openbare insae.

(3) Save as otherwise provided in the Electoral Act and these regulations, the district electoral officer shall, after the final day of the voting period, deliver to the Chief Director forthwith all packets delivered to him or her by a presiding officer.

Powers, duties and functions of presiding officers

5. (1) A presiding officer shall carry out the lawful instructions of the district electoral officer concerned.

(2) A presiding officer shall, for the purposes of section 10 (1) (b) (v) of the Electoral Act, not allow more than one candidate per registered party in the election centre or inner perimeter of a voting station at any given time.

Powers, duties and functions of voting officers

6. A voting officer shall carry out the lawful instructions of the presiding officer concerned.

Powers, duties and functions of counting officers

7. (1) A counting officer shall carry out the lawful instructions of the provincial electoral officer concerned.

(2) A counting officer shall in consultation with the provincial electoral officer appoint such number of enumerators as may be necessary for the counting of the votes at the counting station concerned.

(3) A counting officer shall, for the purposes of section 12 (1) (b) (v) of the Electoral Act, not allow more than one candidate per registered party in the counting centre of a counting station at any given time.

Powers, duties and functions of enumerators

8. An enumerator shall be under the control of the counting officer of the counting station concerned and shall carry out the lawful instructions of the counting officer.

Declaration of secrecy

9. (1) The declaration of secrecy referred to in section 14 of the Electoral Act shall be made in the form set out in Annexure 1.

(2) The declarations of secrecy shall be kept in a separate packet which shall be sealed, marked and delivered to the Chief Director after the closing of the voting on the final day of the voting period.

Rights and duties of party election agents and party voting agents

10. (1) A party election provincial agent shall, after consultation with the provincial electoral officer, appoint for each voting station in the province in respect of which he or she is appointed, not more than five party voting agents.

(2) An appointment referred to in subregulation (1) shall be in writing and a record of such appointments shall be kept and dealt with in the manner *mutatis mutandis* provided for in section 13 (4) of the Electoral Act.

(3) The declarations of secrecy made by party election and voting agents shall be delivered to the Chief Director who shall keep them available for public inspection.

(4) 'n Party-verkiesings- of -stemagent word nie toegelaat om 'n stem- of telburo te betree of daarin te vertoef nie tensy hy of sy die identifikasiedrag, kenteken of onderskeidingsteken wat deur die Hoofdirekteur vir daardie doel goedgekeur is, dra of vertoon.

HOOFSTUK 3

STEMREG

Bewys van 'n persoon se binnekoms en gewone woonplek in die Republiek

11. Enige persoon wat daarop aanspraak maak om iemand bedoel in artikel 15 (3) van die Kieswet te wees, moet aan die Direkteur-generaal: Binnelandse Sake of enige beampte vir daardie doel deur die Kommissie aangestel—

(a) 'n aansoek in die vorm kragtens die Wet op Identifikasie, 1986 (Wet No. 72 van 1986), vir die doeleindes van 'n aansoek om 'n identiteitsdokument voorgeskryf; en

(b) die ander bewys, met inbegrip van die bevestiging van die applikant se identiteit deur 'n kieser, wat tot oortuiging van genoemde Direkteur-generaal of beampte, die korrektheid van die inligting wat in genoemde vorm verstrek is, bewys.

Tydelike kieserskaart

12. (1) 'n Tydelike kieserskaart bedoel in artikel 17 van die Kieswet moet wesenlik in die vorm in Aanhangsel 2 uiteengesit, wees.

(2) 'n Tydelike kieserskaart moet 'n sekerheidsmerk bevat wat by blootstelling aan ultra-voiletlig sigbaar is.

HOOFSTUK 4

STEMBURO'S

Algemeen

13. (1) Die getal stemburo's en hul plasing word deur die Hoofdirekteur bepaal ooreenkomstig die bepalings van artikel 24 van die Kieswet na oorleg met die betrokke party-skakelkomitee soos in artikel 6 van daardie Wet beoog.

(2) By die plasing van stemburo's word behoorlik in ag geneem—

(a) die getal kiesers wat na verwagting deur 'n stemburo bedien moet word;

(b) die toeganklikheid tot die plek waar die stemburo geplaas staan te word, en die gerief van kiesers;

(c) die geskiktheid van die plek met betrekking tot die aanwysing van 'n verkiesingsentrum, binneperimeter en beheerde gebied;

(d) beveiliging en die beskerming van persone en stem- en verkiesingsmateriaal;

(e) beskikbare geriewe soos elektrisiteit, ablusie en telefone; en

(f) die grootte van die plek met die oog op die akkomodering van persone wat goegelaat word om 'n verkiesingsentrum en binne-perimeter te betree en daarin te vertoef.

(4) A party election or voting agent shall not be permitted to enter or remain in a voting or counting station unless he or she wears or displays the identification apparel, badge or insignia approved by the Chief Director for that purpose.

CHAPTER 3

FRANCHISE

Establishment of a person's entry into and place of ordinary residence within the Republic

11. Any person claiming to be a person referred to in section 15 (3) of the Electoral Act, shall submit to the Director-General: Home Affairs or any official appointed by the Commission for that purpose—

(a) an application in the form prescribed under the Identification Act, 1986 (Act No. 72 of 1986), for the purposes of applying for an identity document; and

(b) such other evidence which shall include the confirmation of the applicant's identity by a voter which may, to the satisfaction of the said Director-General or official, establish the correctness of the information furnished on the said form.

Temporary voter's card

12. (1) A temporary voter's card referred to in section 17 of the Electoral Act shall be substantially in the form set out in Annexure 2.

(2) A temporary voter's card shall bear a security mark which shall be visible if the card is exposed to ultra violet light.

CHAPTER 4

VOTING STATIONS

General

13. (1) The number and location of voting stations shall be determined by the Chief Director in accordance with section 24 of the Electoral Act after consultation with the party liaison committee concerned as contemplated in section 6 of that Act.

(2) In the locating of voting stations due regard shall be had to—

(a) the number of voters expected to be served by a voting station;

(b) the accessibility to the venue where a voting station is to be located, and the convenience of voters;

(c) the suitability of the venue in relation to the designation of an election centre, inner perimeter and controlled area;

(d) security and the protection of persons and voting materials and election material;

(e) the facilities available such as electricity, ablution and telephones; and

(f) the size of the venue with the view of accommodating the persons permitted to enter or to remain in the election centre and inner perimeter.

Verkiesingsentrum

14. (1) Die grense van die verkiesingsentrum bedoel in artikel 24 (1) (a) van die Kieswet, word aangewys met behoorlike inagneming van bestaande kenmerke soos heinings en paaie wat die verkiesingsentrum omring.

(2) In die afwesigheid van enige bestaande kenmerke wat die aanwysing van die grense van die verkiesingsentrum kan vergemaklik, moet die provinsiale verkiesingsbeampte, na oorleg met die betrokke distrikverkiesingsbeampte en die party-verkiesingsagente, die grense op so 'n praktiese wyse as wat hy goeddink, aanwys: Met dien verstande dat die grense van die verkiesingsentrum duidelik identifiseerbaar moet wees.

Binne-perimeter

15. Die bepalings van regulasie 14 is *mutatis mutandis* van toepassing op die aanwysing van 'n binne-perimeter bedoel in artikel 24 (1) (b) van die Kieswet.

Beheerde gebied

16. (1) Die bepalings van regulasie 14 is *mutatis mutandis* van toepassing op die aanwysing van 'n beheerde gebied bedoel in artikel 24 (1) (c) van die Kieswet.

(2) Die voorsittende beampte moet al die nodige stappe doen om te verseker dat—

(a) behoorlike orde binne die beheerde gebied gehandhaaf word; en

(b) geen politieke bedrywighede, met inbegrip van die vertoning van plakkate en vaandels van geregistreerde partye, binne die beheerde gebied plaasvind nie.

(3) Die voorsittende beampte kan, indien hy of sy oortuig is dat enige persoon 'n misdryf ingevolge die Kieswet of hierdie regulasies gepleeg het of op die punt staan om so 'n misdryf te pleeg of dat so 'n persoon verantwoordelik is vir enige onbehoorlike gedrag wat die voer van 'n vry en regverdige verkiesing kan strem, so 'n persoon waarsku om op te hou of so 'n persoon beveel om die beheerde gebied onverwyld te verlaat.

(4) Enige persoon wat in gebreke bly om 'n waarskuwing of bevel kragtens subregulasie (3) na te kom, is aan 'n misdryf skuldig en kan op die plek deur 'n vredesbeampte in hegtenis geneem word.

Beveiliging van stemburo's en persone daarbinne

17. (1) Die voorsittende beampte moet ten nouste skakel met die vredesbeampte wat belas is met die beveiliging van die betrokke stemburo.

(2) Indien die voorsittende beampte oortuig is dat daar omstandighede bestaan wat die veiligheid van die stemburo in gevaar stel of in gevaar kan stel, moet hy of sy onverwyld die betrokke distrikverkiesingsbeampte in kennis stel.

Election centre

14. (1) The boundaries of the election centre referred to in section 24 (1) (a) of the Electoral Act, shall be designated with due regard to existing features such as fences and roads surrounding the election centre.

(2) In the absence of any existing features which could facilitate the designation of the boundaries of the election centre, the provincial electoral officer concerned shall, after consultation with the district electoral officer and the party election agents concerned, designate the boundaries in such practical manner as he or she deems fit: Provided that the boundaries of the election centre shall be clearly identifiable.

Inner perimeter

15. The provisions of regulation 14 shall *mutatis mutandis* apply to the designation of the inner perimeter referred to in section 24 (1) (b) of the Electoral Act.

Controlled area

16. (1) The provisions of regulation 14 shall *mutatis mutandis* apply to the designation of the controlled area referred to in section 24 (1) (c) of the Electoral Act.

(2) The presiding officer shall take all reasonable steps to ensure that—

(a) proper order is kept within the controlled area; and

(b) no political activities, including the displaying of placards and banners of registered parties, shall take place within the controlled area.

(3) The presiding officer may, if he or she is satisfied that any person has committed or is about to commit any offence in terms of the Electoral Act or these regulations or that such person is responsible for any undue behaviour that may inhibit the conduct of a free and fair election, warn such person to desist or order such person to leave the controlled area forthwith.

(4) Any person who fails to comply with a warning or an order made under subregulation (3) shall be guilty of an offence and may then and there be arrested by a peace officer.

Security of voting stations and persons therein

17. (1) The presiding shall liaise closely with the peace officer in charge of the security at the voting station concerned.

(2) If the presiding officer is satisfied that circumstances exist which endanger or may endanger the security at the voting station, he shall forthwith notify the district electoral officer concerned accordingly.

(3) By ontvangs van 'n kennisgewing bedoel in subregulasie (2), moet die distrikverkiesingsbeampte onverwyld in oorleg met die betrokke provinsiale verkiesingsbeampte, al die nodige stappe doen om die persone en eiendom by die betrokke stemburo te beveilig, en die Hoofdirekteur van sodanige stappe in kennis stel.

Mobiele stemburo's

18. (1) Die distrikverkiesingsbeampte moet, by bepaling van die behoefte om een of meer mobiele stemburo's in die betrokke stemdistrik te voorsien, die volgende oorwegings behoorlik in ag neem:

(a) Die afstand tussen die betrokke kiesers en die naaste stemburo;

(b) die getal kiesers wat deur die mobiele stemburo bedien sal word;

(c) die toeganklikheid tot die betrokke omgewing deur die mobiele stemburo; en

(d) heersende omstandighede in die betrokke omgewing wat die veiligheid van persone, die stemmateriaal en verkiesingsmateriaal en die mobiele stemburo nadelig kan beïnvloed.

(2) Die distrikverkiesingsbeampte moet nie later nie as vyf dae voordat 'n mobiele stemburo in 'n bepaalde omgewing moet funksioneer—

(a) al die betrokke party-verkiesingsagente skriftelik in kennis stel; en

(b) openbare kennis gee in die gebied wat besoek staan te word, op die wyse wat hy of sy goeddink,

van die beoogde besoek asook die plek, die datum en die geraamde tyd van aankoms en die sluitingsuur van die stemming.

(3) Die bepalings van regulasies 14, 15, 16 en 17 is *mutatis mutandis* van toepassing op mobiele stemburo's.

(4) 'n Distrikverkiesingsbeampte kan 'n bepaalde mobiele stemburo aanwend om meer as een omgewing op 'n bepaalde stemdag te besoek: Met dien verstande dat 'n mobiele stemburo nie 'n plek verlaat nie voor die sluitingsuur van die stemming ingevolge subregulasie (2) bekend gemaak.

(5) Die getal party-stemagente wat 'n mobiele stemburo kan bywoon, word deur die Hoofdirekteur na oorleg met die betrokke party-skakelkomitee bepaal: Met dien verstande dat die koste van sodanige bywoning vir die rekening van die betrokke geregistreerde party is.

Stemdag en stemure by buitelandse stemburo's

19. Die stemdag en stemure by buitelandse stemburo's is die dag en ure wat ingevolge artikel 21 van die Kieswet bepaal is vir spesiale stemme, met behoorlike inagneming van die plaaslike tydsone wat op die gebied waarin die betrokke buitelandse stemburo geleë is, van toepassing is.

(3) Upon receipt of a notification referred to in subregulation (2), the district electoral officer shall forthwith, in consultation with the provincial electoral officer concerned, take all reasonable steps to protect the persons and property at the voting station concerned, and notify the Chief Director of such steps.

Mobile voting stations

18. (1) The district electoral officer shall, in determining the need for the provision of one or more mobile voting stations in the electoral district concerned, have due regard to the following considerations:

(a) The distance between the voters concerned and the nearest voting station;

(b) the number of voters to be served by the mobile voting station;

(c) the accessibility to the locality concerned by the mobile voting station; and

(d) circumstances prevailing in the locality concerned which could detrimentally affect the safety of persons, the voting materials and election material and the mobile voting station.

(2) The district electoral officer shall not later than five days before a mobile voting station is to function in a particular locality—

(a) notify all the party election agents concerned in writing; and

(b) make publicly known in the area to be visited, in the manner he or she deems fit,

of the intended visit as well as the venue, the date and the estimated time of arrival and the closing hour of the voting.

(3) The provisions of regulations 14, 15, 16 and 17 shall *mutatis mutandis* apply to mobile voting stations.

(4) A district electoral officer may utilize a particular mobile voting station to visit more than one locality on a particular voting day: Provided that a mobile voting station shall not leave a venue before the closing hour of the voting as notified in terms of subregulation (2).

(5) The number of party voting agents who may attend a mobile voting station shall be determined by the Chief Director after consultation with the party liaison committee concerned: Provided that the costs of such attendance shall be for the account of the registered party concerned.

Voting day and hours of voting at foreign voting stations

19. The voting day and hours of voting at foreign voting stations shall be the day and hours determined in terms of section 21 of the Electoral Act for special votes with due regard to the local time zone applicable to the area in which the foreign voting station concerned is situated.

Prosedure van stemming by buitelandse stemburo's

20. Behoudens regulasies 22 en 23 word die stemming by buitelandse stemburo's *mutatis mutandis* ooreenkomstig die bepalings van die Kieswet gevoer: Met dien verstande dat 'n persoon wat aansoek doen om 'n stembrief, sy of haar stemgeregtigheid kan bewys by wyse van 'n stemgeregtigdekieser-dokument, met inbegrip van 'n geldige Suid-Afrikaanse paspoort wat aan hom of haar uitgereik is.

Vereistes vir party-stemagente om buitelandse stemburo's by te woon

21. Die Hoofdirekteur bepaal na oorleg met die betrokke party-skakelkomitee die getal party-stemagente wat elke buitelandse stemburo kan bywoon: Met dien verstande dat die koste van sodanige bywoning vir die rekening van die betrokke geregistreerde party is.

Verklaring deur kieser by 'n buitelandse stemburo betreffende die provinsie ten opsigte waarvan sy of haar stem getel moet word

22. (1) Die verklaring deur 'n kieser by 'n buitelandse stemburo betreffende die provinsie ten opsigte waarvan sy of haar stem in die verkiesing getel moet word, bedoel in artikel 25 (3) van die Kieswet, moet in die vorm in Aanhangsel 3 uiteengesit, wees.

(2) Die voorsittende beampte van 'n buitelandse stemburo hou al sodanige verklarings deur kiesers en versend hulle onverwyld na die sluiting van die stemming in 'n geseëlde en gemerkte pakket aan die Hoofdirekteur.

Stembriefkoevert

23. (1) 'n Stembriefkoevert word aan elke kieser wat by 'n buitelandse stemburo stem, uitgereik, en die naam van die provinsie wat deur die kieser ingevolge artikel 25 (3) van die Kieswet aangedui is en die adres van die betrokke buitelandse stemburo word duidelik daarop aangeteken.

(2) Nadat die kieser die verklaring bedoel in regulasie 22 afgelê het, word die stembriefkoevert waarop ooreenkomstig subregulasie (1) aangeteken is aan die kieser tesame met die stembrief wat uitgereik is, oorhandig.

(3) Die kieser moet aangesê word om sy of haar gemerkte stembrief in die koevert te verseël en die verseëlde koevert in die stembus te plaas.

Hantering en veilige bewaring van stembusse

24. (1) Die stembus by 'n buitelandse stemburo word na die sluiting van die stemming verseël en elke party-stemagent wat teenwoordig is in die stemburo is geregtig om sy of haar seël op die stembus aan te bring.

(2) Na die sluiting van die stemming word al die stembusse, verseël ingevolge subregulasie (1), in veilige bewaring by die betrokke telbeampte in die Republiek afgelewer.

Procedure of voting at foreign voting stations

20. Subject to regulations 22 and 23 the voting at a foreign voting station shall be conducted *mutatis mutandis* in accordance with the provisions of the Electoral Act: Provided that a person applying for a ballot paper may prove his or her eligibility to vote by means of any voter's eligibility document, including a valid South African passport issued to him or her.

Requirements for party voting agents to attend foreign voting stations

21. The Chief Director shall after consultation with the party liaison committee concerned determine the number of party voting agents who may attend each foreign voting station: Provided that the costs of such attendance shall be for the account of the registered party concerned.

Declaration by voter at a foreign voting station regarding province in respect of which his or her vote shall be counted

22. (1) The declaration by a voter at a foreign voting station regarding the province in respect of which his or her vote shall be counted in the election referred to in section 25 (3) of the Electoral Act, shall be in the form set out in Annexure 3.

(2) The presiding officer of a foreign voting station shall retain all such declarations by voters and shall forward them in a sealed and marked packet to the Chief Director forthwith after the closing of the voting.

Ballot paper envelope

23. (1) A ballot paper envelope shall be issued to every voter voting at a foreign voting station and the name of the province indicated by the voter in terms of section 25 (3) of the Electoral Act and the address of the foreign voting station concerned shall be clearly endorsed thereon.

(2) After the voter has made the declaration referred to in regulation 22, the ballot paper envelope endorsed in accordance with subregulation (1) shall be handed to the voter together with the ballot paper issued.

(3) The voter shall be required to seal his or her marked ballot paper in the envelope, and to place the sealed envelope in the ballot box.

Handling and safe-keeping of ballot boxes

24. (1) The ballot box at a foreign voting station shall be sealed after the closing of the voting and every party voting agent present at the voting station shall be entitled to attach his or her seal to the ballot box.

(2) After the closing of the voting all ballot boxes sealed in terms of subregulation (1) shall be delivered into the safe-keeping of the counting officer concerned in the Republic.

Tel van stemme by buitelandse stemburo's uitgebring

25. (1) Al die stembusse bevattende die stemme wat by buitelandse stemburo's uitgebring is, word na ontvangs deur die betrokke telbeampte oopgemaak en die stembriefkoeverte bedoel in regulasie 23 word gesorteer ooreenkomstig die provinsies wat op die koeverte aangeteken is.

(2) (a) Nadat die sortering van die stembriefkoeverte afgehandel is, word die koeverte oopgemaak en die stembriewe verwyder.

(b) Die stemme ten opsigte van die onderskeie provinsies uitgebring, word afsonderlik getel.

Kennisgewing van uitslae van stemme by buitelandse stemburo's uitgebring

26. Die kennisgewing aan die Hoofdirekteur bedoel in artikel 25 (8) (b) van die Kieswet word in die vorm in Aanhangsel 4 uiteengesit, gedoen.

Beveiliging van stem- en verkiesingsmateriaal by buitelandse stemburo's

27. Stem- en verkiesingsmateriaal is, wanneer dit nie vir onmiddellike gebruik benodig word nie, onder die direkte beheer van die voorsittende beampte van 'n buitelandse stemburo, en hy of sy moet vir die veilige bewaring daarvan 'n brandkas, brandkluis of ander veilige stoorkamer aanwend.

Prosedure vir uitbring van stemme deur sekere gevangenes

28. (1) Die distrikverkiesingsbeampte van die stemdistrik waarin 'n betrokke gevangenis of plek van aanhouding geleë is, moet die voorsittende beampte en stembeamptes vir die doeleindes van die neem van stemme bedoel in artikel 39 (7) van die Kieswet aanstel.

(2) Die voorsittende beampte moet, in oorleg met die persoon in bevel van die betrokke gevangenis of plek van aanhouding, die stemburo in sodanige gevangenis of plek van aanhouding aanwys waar 'n kieser die stembrief wat aan hom of haar uitgereik is, moet merk.

(3) Die bepalings van artikel 35 van die Kieswet is *mutatis mutandis* van toepassing op die wyse van stemming by 'n stemburo bedoel in subregulasie (2).

(4) Die Hoofdirekteur moet, na oorleg met die betrokke party-skakelkomitee en die persoon in bevel van die gevangenis of plek van aanhouding, die getal party-stemagente bepaal wat 'n stemburo beoog in hierdie regulasie kan bywoon.

(5) Die stemburo aangewys ingevolge subregulasie (2) is tydens die ure waarin stemme by die betrokke gevangenis of plek van aanhouding geneem word, onder die beheer van die voorsittende beampte: Met dien verstande dat hy of sy, sy of haar beheer op so 'n wyse uitoefen dat dit nie die sekerheid by daardie gevangenis of plek in gevaar stel nie.

Counting of votes cast at foreign voting stations

25. (1) All the ballot boxes containing votes cast at foreign voting stations shall, upon receipt by the counting officer concerned, be opened and the ballot paper envelopes referred to in regulations 23 sorted according to the provinces endorsed on the envelopes.

(2) (a) After the sorting of the ballot paper envelopes has been finalized, the envelopes shall be opened and the ballot papers removed.

(b) The votes cast in respect of the different provinces shall be counted separately.

Notification of results of votes cast at foreign voting stations

26. The notification to the Chief Director referred to in section 25 (8) (b) of the Electoral Act shall be in the form set out in Annexure 4.

Security of voting materials and election material at foreign voting stations

27. Voting materials and election material shall, when not required for immediate use, be under the direct control of the presiding officer of a foreign voting station and he or she shall for the safe-keeping thereof utilize a safe, strongroom or other safe custody receptacle.

Procedure for casting of votes by certain prisoners

28. (1) The district electoral officer of the electoral district in which a prison or place of detention concerned is situated, shall appoint the presiding officer and voting officers for the purposes of the taking of votes referred to in section 39 (7) of the Electoral Act.

(2) The presiding officer shall, in consultation with the person in charge of the prison or place of detention concerned, designate the voting station in such prison or place where a voter shall mark the ballot paper issued to him or her.

(3) The provisions of section 35 of the Electoral Act shall *mutatis mutandis* apply to the manner of voting at the voting station referred to in subregulation (2).

(4) The Chief Director shall, after consultation with the party liaison committee and the person in charge of the prison or place of detention concerned, determine the number of party voting agents who may attend a voting station contemplated in this regulation.

(5) The voting station designated in terms of subregulation (2) shall, during the hours in which votes are taken at the prison or place concerned, be under the control of the presiding officer: Provided that he or she shall exercise his or her control in such a manner that it shall not endanger the security at that prison or place.

(6) Die persoon in bevel van die betrokke gevangenis of plek van aanhouding moet 'n kennisgewing waarin die bepalings van artikel 16 van die Kieswet uiteengesit word, by 'n plek waartoe alle gevangenes of persone in aanhouding, na gelang van die geval, toegang het, vertoon.

(7) Die Kommissie is verantwoordelik vir kieseropvoeding in 'n betrokke gevangenis of plek van aanhouding.

Werwing van stemme van sekere gevangenes deur geregistreerde partye

29. Enige geregistreerde party wat begerig is om stemme van gevangenes en verhoorafwagtendes wat aangehou word en wat nie van stemming uitgesluit is nie te werf, kan dit doen deur veldtogleesstof aan die persoon in bevel van die betrokke gevangenis of plek van aanhouding te voorsien, en daardie persoon hou alle sodanige leesstof by 'n plek wat toeganklik is vir alle kiesers in daardie gevangenis of plek.

HOOFSTUK 5

STEMPROSEDURES

Hantering van kiesers by sluitingsuur van stemming

30. Elke kieser bedoel in artikel 30 van die Kieswet wat by 19:00 van enige stemdag toegelaat is om 'n verkiesingsentrum of binne-perimeter te betree of daarin te vertoef, word toegelaat om sy of haar stem uit te bring.

Merk van stemgeregtigdekieser-dokument

31. Die merk van die stemgeregtigdekieser-dokument in artikel 35 (4) (b) van die Kieswet beoog, word gedoen deur 'n afdruk op die dokument met 'n stempel of stempels wat vir daardie doel deur die Hoofdirekteur goedgekeur is, te maak.

Merk van kieser

32. (1) Indien dit onuitvoerbaar is om 'n kieser te merk deur 'n identifikasiemerk op sy of haar regterhand ingevolge artikel 35 (4) (a) (i) van die Kieswet te plaas, moet die voorsittende beampte of stembeampte die identifikasiemerk op die kieser se linkerhand plaas, en indien dit onuitvoerbaar is om die identifikasiemerk op enige hand van die kieser te plaas, moet die voorsittende beampte die kieser se naam, adres en identiteits- of identifikasienommer en die redes waarom die identifikasiemerk nie op enige van sy of haar hande geplaas kon word nie, op 'n lys wat vir daardie doel gehou word, aanbring.

(2) Die lys bedoel in subregulasie (1) word na die sluitingsuur van die stemming op die laaste dag van die stemtydperk in 'n afsonderlike pakket verseël en gemerk en by die Hoofdirekteur afgelewer.

Bewys van ouderdom deur sekere persone

33. Enige persoon wat nie klaarblyklik ouer as 18 jaar is nie wat voornemens is om 'n kieser wat ingevolge artikel 36 (2) van die Kieswet stem, by te staan, moet sy ouderdom aan die voorsittende beampte bewys deur die voorlegging van sy of haar stemgeregtigdekieser-dokument.

(6) The person in charge of the prison or place of detention concerned shall display a notice at a place accessible to all prisoners or persons in detention, as the case may be, in which the provisions of section 16 of the Electoral Act are set out.

(7) The Commission shall be responsible for voter education in a prison or place of detention concerned.

Canvassing of votes of certain prisoners by registered parties

29. Any registered party wishing to canvass votes of prisoners and persons awaiting trial being detained who are not excluded from voting may do so by providing campaign literature to the person in charge of the prison or place of detention concerned, and such person shall keep all such literature at a place accessible to all voters in that prison or place.

CHAPTER 5

VOTING PROCEDURES

Handling of voters at closing hour of voting

30. Every voter referred to in section 30 of the Electoral Act who, at 19:00 of any voting day was permitted to enter or remain in an election centre or inner perimeter of a voting station, shall be allowed to cast his or her vote.

Marking of voter's eligibility document

31. The marking of the voter's eligibility document contemplated in section 35 (4) (b) of the Electoral Act, shall be effected by making an imprint on the document with a stamp or stamps approved by the Chief Director for that purpose.

Marking of voter

32. (1) If it is impracticable to mark a voter by placing an identification mark on his or her right hand in terms of section 35 (4) (a) (i) of the Electoral Act, the presiding officer or voting officer shall place the identification mark on the voter's left hand, and if it is impracticable to place the identification mark on any of the voter's hands, the presiding officer shall record the voter's name, address, identity or identification number and the reasons why the identification mark could not be placed on any of his or her hands on a list kept for that purpose.

(2) The list referred to in subregulation (1) shall after the closing of the voting on the final day of the voting period be sealed in a separate packet and marked and delivered to the Chief Director.

Proof of age by certain persons

33. Any person who is not obviously over the age of 18 years who intends to assist a voter to vote in terms of section 36 (2) of the Electoral Act, shall prove his or her age to the presiding officer by the submission of his or her voter's eligibility document.

Hantering van besware teen stemming

34. (1) Elke beswaar teen stemming beoog in artikel 37 van die Kieswet, moet in skrif wees en moet die naam, adres en identiteits- of identifikasienommer van die kieser bevat, en moet deur die betrokke party-verkiesings- of -stemagent onderteken word, en word deur die voorsittende beampte in 'n afsonderlike pakket gehou, gemerk "besware teen stemming" nadat hy of sy 'n reeksnommer daarop geplaas het.

(2) Die voorsittende beampte moet—

(a) na ondersoek van die kieser en sy of haar stemgeregtigdekieser-dokument vir die merke bedoel in regulasies 31 en 32; en

(b) na oorleg met die party-verkiesings- of -stemagente wat in die verkiesingsentrum teenwoordig is,

onverwyld elke beswaar bedoel in subregulasie (1) oorweeg, en—

(i) óf die beswaar verwerp en aan die kieser 'n stembrief ooreenkomstig artikel 35 van die Kieswet uitreik;

(ii) óf die beswaar handhaaf en aan die kieser 'n stembrief ooreenkomstig genoemde artikel uitreik tesame met 'n koevert waarin die kieser die stembrief moet verseël wat deur hom of haar ooreenkomstig artikel 35 (7) van genoemde Wet gemerk is, en die koevert aan die voorsittende beampte besorg.

(3) Die koevert bedoel in subregulasie (2) (ii) word deur die voorsittende beampte "betwiste stembrief" gemerk en word, nadat die reeksnommer van die betrokke beswaar op die koevert aangeteken is, in 'n stembus wat spesiaal vir daardie doel gehou word, geplaas.

(4) Die beslissing van die voorsittende beampte word op die beswaar aangeteken.

(5) Die pakket bevattende die besware word verseël, gemerk en by die distrikverkiesingsbeampte afgelewer na die sluiting van die stemming op elke stemdag.

(6) Die distrikverkiesingsbeampte moet in die teenwoordigheid van enige party-verkiesingsagente, monitors en waarnemers wat vir daardie doel teenwoordig is, die besware ondersoek en na oorleg met die party-verkiesingsagente wat teenwoordig is, óf die beslissing van die betrokke voorsittende beampte handhaaf óf verwerp.

(7) In die geval waar die beslissing van die voorsittende beampte deur die distrikverkiesingsbeampte verwerp is, moet hy of sy die koevert met die reeksnommer wat ooreenstem met die betrokke beswaar, uit die stembus verwyder en sodanige koevert by die telbeampte aflewer wat die stembrief uit die koevert verwyder en verder daarmee ingevolge artikel 44 van die Kieswet handel.

(8) Die pakket bevattende die besware moet herseël en by die Hoofdirekteur afgelewer word.

Handling of objections to voting

34. (1) Every objection to voting contemplated in section 37 of the Electoral Act, shall be in writing and shall contain the name, address and identity or identification number of the voter, and be signed by the party election or voting agent concerned, and shall be kept by the presiding officer in a separate packet marked "objections to voting" after he or she has placed a serial number thereon.

(2) The presiding officer shall—

(a) after examination of the voter and his or her voter's eligibility document for the marks referred to in regulations 31 and 32; and

(b) after consultation with the party election or voting agents present in the election centre,

forthwith consider every objection referred to in subregulation (1) and either—

(i) reject the objection and issue to the voter a ballot paper in accordance with section 35 of the Electoral Act; or

(ii) uphold the objection and issue to the voter a ballot paper in accordance with the said section together with an envelope in which the voter shall seal the ballot paper after it was marked by him or her in accordance with section 35 (7) of the said Act and return the envelope to the presiding officer.

(3) The envelope referred to in subregulation (2) (ii) shall be marked by the presiding officer "disputed ballot paper" and shall, after the serial number of the objection concerned has been endorsed on the envelope, be placed in the ballot box specially kept for that purpose.

(4) The decision of the presiding officer shall be endorsed on the objection.

(5) The packet containing the objections shall be sealed, marked and delivered to the district electoral officer after the closing of the voting on every voting day.

(6) The district electoral officer shall in the presence of any party election agents, monitors and observers who are present for that purpose, examine the objections and after consultation with the party election agents who are present, either uphold or reject the decision of the presiding officer concerned.

(7) In the event of the decision of the presiding officer being rejected by the district electoral officer, he shall remove from the ballot box the envelope with the serial number which corresponds with the serial number of the objection concerned and deliver such envelope to the counting officer who shall remove the ballot paper from the envelope and further deal with it in terms of section 44 of the Electoral Act.

(8) The packet containing the objections shall be resealed and delivered to the Chief Director.

Hantering van sekere verkiesingsmateriaal en die lewering van verkiesingsmateriaal aan telbeampte

35. (1) 'n Voorsittende beampte handelende ingevolge artikel 38 (1) van die Kieswet moet saam met die verseëlde pakkette 'n verklaring in die vorm in Aanhangsel 5 uiteengesit aan die distrikverkiesingsbeampte aflewer.

(2) Die verseëlde pakkette bedoel in artikel 38 (1) (b) van die Kieswet word aan die voorsittende beampte terugbesorg voordat die stemming op die tweede dag van algemene stemming 'n aanvang neem.

(3) Die verklaring bedoel in artikel 38 (4) van die Kieswet word in die vorm in Aanhangsel 6 uiteengesit, gedoen.

(4) Die distrikverkiesingsbeampte moet so gou moontlik nadat daar aan die bepalings van artikel 38 (3) van die Kieswet voldoen is na die laaste stemdag van die stemtydperk, persoonlik die pakkette wat deur hom of haar ingevolge artikel 38 (1) ontang is, in veilige bewaring by die betrokke telbeampte aflewer.

HOOFSTUK 6

SPESIALE STEMME EN SPESIALE KIESERS

Spesiale stemme in die algemeen

36. (1) Een of meer stemburo's vir die neem van spesiale stemme ingevolge artikels 39 en 40 van die Kieswet, word in elke stemdistrik ingestel.

(2) Die bepalings van regulasies 14, 15, 16 en 17 is, vir sover hulle toegepas kan word, *mutatis mutandis* van toepassing op so 'n stemburo.

(3) Die distrikverkiesingsbeampte moet in oorleg met die provinsiale verkiesingsbeampte, en ooreenkomstig die lasgewings deur die Hoofdirekteur in daardie verband uitgereik, een of meer voorsittende beamptes vir spesiale stemme en die getal stembeamptes deur die Hoofdirekteur bepaal, aanstel.

(4) So gou doenlik na die publisering van die kennisgewing ingevolge artikel 39 (6) van die Kieswet, moet die distrikverkiesingsbeampte deur middel van 'n kennisgewing wat op 'n opvallende wyse aan die voordeur van sy of haar kantoor vertoon word, volle besonderhede van die plek waar die stemburo vir spesiale stemme geplaas is, verskaf.

(5) Die bepalings van artikel 38 van die Kieswet is, vir sover hulle toegepas kan word, *mutatis mutandis* van toepassing op stembusse en ander verkiesingsmateriaal vir spesiale kiesers.

Verklaring deur spesiale kieser

37. (1) Die verklaring bedoel in artikel 40 (1) van die Kieswet, word in die vorm in Aanhangsel 7 uiteengesit, gedoen.

(2) Die voorsittende beampte plaas al die verklarings bedoel in subregulasie (1) in 'n afsonderlike pakket wat geseël, gemerk en by die distrikverkiesingsbeampte afgelewer word by dieselfde geleentheid wanneer die stembus bedoel in regulasie 38 by hom of haar afgelewer word.

Handling of certain election material and delivery of election material to counting officer

35. (1) A presiding officer acting in terms of section 38 (1) of the Electoral Act shall, together with the sealed packets, deliver to the district electoral officer a statement in the form set out in Annexure 5.

(2) The sealed packets referred to in section 38 (1) (b) of the Electoral Act shall be returned to the presiding officer before the voting commences on the second day of general voting.

(3) The statement referred to in section 38 (4) of the Electoral Act, shall be in the form set out in Annexure 6.

(4) The district electoral officer shall, as soon as possible after the provisions of section 38 (3) of the Electoral Act have been complied with after the final voting day of the voting period, personally deliver into safe-keeping the packets received by him or her in terms of section 38 (1) of the Electoral Act, to the counting officer concerned.

CHAPTER 6

SPECIAL VOTES AND SPECIAL VOTERS

Special votes in general

36. (1) One or more voting stations for the taking of special votes in terms of sections 39 and 40 of the Electoral Act shall be established in each electoral district.

(2) The provisions of regulations 14, 15, 16 and 17 shall, in so far as they are capable of being applied, *mutatis mutandis* apply to such voting station.

(3) The district electoral officer shall, in consultation with the provincial electoral officer, and in accordance with the directions which the Chief Director may issue in that regard, appoint one or more presiding officers for special votes and such number of voting officers as may be determined by the Chief Director.

(4) As soon as possible after the publication of the notice in terms of section 39 (6) of the Electoral Act, the district electoral officer shall by means of a notice prominently displayed on the front door of his or her office, give full particulars of the venue where the voting station for special votes is located.

(5) The provisions of section 38 of the Electoral Act shall, in so far as they are capable of being applied, *mutatis mutandis* apply in respect of ballot boxes and other election material for special voters.

Declaration by special voter

37. (1) The declaration referred to in section 40 (1) of the Electoral Act shall be in the form set out in Annexure 7.

(2) The presiding officer shall place all declarations referred to in subregulation (1) in a separate packet which shall be sealed, marked and delivered to the district electoral officer at the same time that the ballot box referred to in regulation 38 is delivered to him or her.

Hantering van stembusse vir spesiale stemme

38. (1) Die stembus bevattende die stembriewe wat deur spesiale kiesers gemerk is moet so gou doenlik na die sluitingsuur vir spesiale stemme deur die betrokke voorsittende beampte persoonlik by die distrikverkiesingsbeampte afgelewer word.

(2) Die betrokke voorsittende beampte moet al die redelike stappe doen om die veilige vervoer van die stembus na die distrikverkiesingsbeampte te verseker.

Tel van stemme deur spesiale kiesers uitgebring

39. Nadat daar aan die bepalings van artikel 38 van die Kieswet voldoen is, moet die telbeampte die stembriewe deur spesiale kiesers gemerk uit die koeverte bedoel in artikel 40 (4) van die Kieswet verwyder, en nadat aan die bepalings van artikel 43 van daardie Wet voldoen is, moet hy of sy voortgaan met die tel van stemme *mutatis mutandis* ooreenkomstig die bepalings van artikel 44 van daardie Wet.

Beveiliging van stem- en verkiesingsmateriaal ten opsigte van spesiale stemme en spesiale kiesers

40. Die bepalings van regulasie 27 is *mutatis mutandis* van toepassing op stemmateriaal en verkiesingsmateriaal ten opsigte van spesiale stemme en spesiale kiesers.

HOOFSTUK 7

TELBURO EN TEL VAN STEMME

Telburo's in die algemeen

41. (1) Die telbeampte moet vir die doeleindes van artikel 12 (2) van die Kieswet te alle tye ten nouste skakel met die vredesbeampte wat belas is met die beveiliging van die betrokke telburo.

(2) Indien die telbeampte oortuig is dat daar omstandighede bestaan wat die veiligheid van die telburo in gevaar stel of in gevaar kan stel, moet hy of sy onverwyld die provinsiale verkiesingsbeampte in kennis stel wat al die redelike stappe moet doen om die persone en eiendom by die telburo te beveilig en die Hoofdirekteur van sodanige stappe in kennis stel.

Telsentrum

42. Die provinsiale verkiesingsbeampte moet op die wyse *mutatis mutandis* in regulasie 14 bepaal, die grense van die telsentrum in artikel 42 (1) (a) van die Kieswet bedoel, aanwys.

Binne-perimeter

43. (1) Die grense van die binne-perimeter van die telburo bedoel in artikel 42 (1) (b) van die Kieswet, word op die wyse *mutatis mutandis* in regulasie 15 bepaal vir die aanwysing van die grense van die binne-perimeter van 'n stemburo, aangewys.

(2) Behoudens die persone genoem in artikel 12 (1) van die Kieswet, word geen ander persoon toegelaat om 'n binne-perimeter te betree en daarin te vertoef nie.

(3) Geen politieke bedrywighede, met inbegrip van die vertoning van plakkate en vaandels van geregistreerde partye, word binne die binne-perimeter toegelaat nie.

Handling of ballot boxes for special votes

38. (1) The ballot box containing the ballot papers marked by special voters shall as soon as possible after the closing hour for special votes be delivered to the district electoral officer by the presiding officer concerned personally.

(2) The presiding officer concerned shall take all reasonable steps to ensure the safe transportation of the ballot box to the district electoral officer.

Counting of votes cast by special voters

39. After the provisions of section 38 of the Electoral Act have been complied with, the counting officer shall remove the ballot papers marked by special voters from the envelopes referred to in section 40 (4) of that Act, and after the provisions of section 43 of that Act have been complied with, he or she shall proceed with the counting of the votes *mutatis mutandis* in accordance with the provisions of section 44 of that Act.

Security of voting materials and election material in respect of special votes and special voters

40. The provisions of regulation 27 shall *mutatis mutandis* apply to voting materials and election material in respect of special votes and special voters.

CHAPTER 7

COUNTING STATIONS AND COUNTING OF VOTES

Counting stations in general

41. (1) The counting officer shall for the purposes of section 12 (2) of the Electoral Act at all times liaise closely with the peace officer in charge of the security at the counting station concerned.

(2) If the counting officer is satisfied that circumstances exist which endanger or may endanger the security at the counting station, he or she shall forthwith notify the provincial electoral officer, who shall take all reasonable steps to protect the persons and property at that counting station and notify the Chief Director of such steps.

Counting centre

42. The provincial electoral officer shall, in the manner *mutatis mutandis* provided for in regulation 14, designate the boundaries of the counting centre referred to in section 42 (1) (a) of the Electoral Act.

Inner perimeter

43. (1) The boundaries of the inner perimeter of the counting station referred to in section 42 (1) (b) of the Electoral Act, shall be designated in the manner *mutatis mutandis* provided for in regulation 15 for the designation of the inner perimeter of a voting station.

(2) Except for the persons mentioned in section 12 (1) of the Electoral Act no other person shall be permitted to enter or remain in the inner perimeter.

(3) No political activities, including the displaying of placards and banners of registered parties, shall be allowed within the inner perimeter of a counting station.

Beheerde gebied

44. (1) Die bepalings van regulasie 16 is *mutatis mutandis* van toepassing op die aanwysing van die beheerde gebied van die telburo bedoel in artikel 42 (1) (c) van die Kieswet.

(2) Die telbeampte moet al die redelike stappe doen om te verseker dat—

(a) behoorlike orde binne die beheerde gebied gehandhaaf word; en

(b) geen politieke bedrywighede, met inbegrip van die vertoning van plakkate en vaandels van geregistreerde partye, binne die beheerde gebied plaasvind nie.

(3) Die telbeampte kan, indien hy of sy oortuig is dat enige persoon 'n oortreding ingevolge die Kieswet of hierdie regulasies gepleeg het of dat hy of sy 'n handeling verrig wat die telproses hinder of dwarsboom, so 'n persoon beveel om die beheerde gebied onverwyld te verlaat.

(4) Enige persoon wat in gebreke bly om 'n bevel kragtens subregulasie (3) na te kom, is aan 'n misdryf skuldig en kan op die plek deur 'n vredesbeampte in hegtenis geneem word.

Telprosedure en hantering van verkiesingsmateriaal

45. Die pakkette bedoel in artikel 44 (7) van die Kieswet word aan die Hoofdirekteur per pad, spoor of lug onder bewaking van een of meer vredesbeamptes, vervoer.

Hantering van onreëlmatighede deur telbeamptes

46. (1) Die kennisgewing aan die Hoofdirekteur van die aangeleenthede bedoel in artikel 43 (4) van die Kieswet word in die vorm in Aanhangsel 8 uiteengesit, gedoen.

(2) Die telbeampte moet ten opsigte van 'n onreëlmatigheid bedoel in artikel 43 (4) (a) van die Kieswet, die inhoud van die betrokke pakkette ondersoek en indien hy of sy na oorleg met die betrokke party-stemagente oortuig is dat—

(a) die onreëlmatigheid nie van 'n wesenlike aard is nie, voortgaan met die telproses; of

(b) die onreëlmatigheid van 'n wesenlike aard is, onverwyld met die Hoofdirekteur oorleg pleeg en die opdragte van die Hoofdirekteur in daardie verband nakom.

(3) Indien die telbeampte na oorleg met die betrokke party-stemagente oortuig is dat 'n afwyking bedoel in artikel 43 (4) (b) van die Kieswet—

(a) nie van 'n wesenlike aard is nie, moet hy of sy voortgaan met die telproses; of

(b) van 'n wesenlike aard is, moet hy of sy onverwyld met die Hoofdirekteur oorleg pleeg en die opdragte van die Hoofdirekteur in daardie verband nakom.

(4) Al die stembriewe bedoel in artikel 43 (4) (c) van die Kieswet moet afsonderlik gehou word nadat die party-stemagente 'n geleentheid gekry het om dit te ondersoek.

Controlled area

44. (1) The provisions of regulation 16 shall *mutatis mutandis* apply to the designation of the controlled area of the counting station referred to in section 42 (1) (c) of the Electoral Act.

(2) The counting officer shall take all reasonable steps to ensure that—

(a) proper order is kept within the controlled area; and

(b) no political activities, including the displaying of placards and banners of registered parties, take place within the controlled area.

(3) The counting officer may, if he or she is satisfied that any person has committed an offence under the Electoral Act or these regulations or that he or she is performing any act which hinders or obstructs the counting procedure, order such person to leave the controlled area forthwith.

(4) Any person who fails to comply with an order made under subregulation (3) shall be guilty of an offence and may then and there be arrested by a peace officer.

Counting procedure and handling of election material

45. The packets referred to in section 44 (7) of the Electoral Act shall be delivered to the Chief Director by road, rail or air transportation under guard of one or more peace officers.

Handling of irregularities by counting officers

46. (1) The notification to the Chief Director of the matters referred to in section 43 (4) of the Electoral Act, shall be done in the form set out in Annexure 8.

(2) The counting officer shall in respect of an irregularity referred to in section 43 (4) (a) of the Electoral Act, examine the contents of the packets concerned, and if after consultation with the party voting agents concerned he or she is satisfied that—

(a) the irregularity is not of a material nature, continue with the counting process; or

(b) the irregularity is of a material nature, forthwith consult with the Chief Director and comply with the instructions of the Chief Director in that regard.

(3) If the counting officer after consultation with the party voting agents concerned is satisfied that a discrepancy referred to in section 43 (4) (b) of the Electoral Act is—

(a) not of a material nature, he or she shall continue with the counting process; or

(b) of a material nature, he or she shall forthwith consult with the Chief Director and comply with the instructions of the Chief Director in that regard.

(4) All the ballot papers referred to in section 43 (4) (c) of the Electoral Act shall be kept separately after the party voting agents have been afforded an opportunity to examine them.

Kennisgewing aan Hoofdirekteur van getal stemme uitgebring ten gunste van elke geregistreerde party

47. Die kennisgewing aan die Hoofdirekteur bedoel in artikel 44 (2) van die Kieswet van die getal stemme wat ten gunste van elke geregistreerde party bepaal is uitgebring te wees, word in die vorm in Aanhangsel 9 uiteengesit, gedoen.

Verslagdoening van onreëlmatighede of onjuisthede deur party-stemagente

48. (1) Enige bewering van 'n onreëlmatigheid of onjuistheid deur 'n party-stemagent ingevolge artikel 45 (1) van die Kieswet, word deur die telbeampte op skrif gestel, welke verslag volle besonderhede van genoemde bewering moet bevat.

(2) Die telbeampte moet, nadat hy of sy paslike maatreëls vir die hantering van die bewering bepaal het, sy of haar bepaling op die verslag aanteken.

(3) Alle sodanige verslae word in 'n afsonderlike pakket gemerk "verslae van onreëlmatighede of onjuisthede" gehou wat geseël en by die Hoofdirekteur afgelewer word saam met die pakkette bedoel in artikel 44 (7) van die Kieswet.

Formele besware deur belanghebbende partye

49. 'n Formele beswaar in artikel 46 (1) van die Kieswet bedoel, moet op skrif wees en moet die volle besonderhede van die beswaar en die gronde daarvoor uiteensit, en moet die naam, adres en ander toepaslike inligting van die betrokke belanghebbende party bevat.

HOOFSTUK 8

STAATSVERKIESINGSFONDS

Vereistes vir aanvaarding van meningspeiling

50. (1) 'n Meningspeiling word vir die doeleindes van artikel 74 (4) van die Kieswet slegs aanvaar indien dit nie vroeër as 4 September 1993 gehou is nie, en indien die Kommissie deur die dokumentêre getuienis wat voorgelê is deur die persoon of liggaam wat die peiling gehou het, oortuig is dat die peiling gebaseer is op wetenskaplike metodes en beoordeling.

(2) 'n Geregistreerde party moet die volgende inligting ten opsigte van die meningspeiling waarop daardie party voornemens is om sy aansoek om 'n toekenning te baseer, verskaf:

(a) Die naam, adres, kwalifikasies, ervaring en professionele lidmaatskap, as daar is, van die persoon of liggaam wat die peiling gehou het;

(b) die tydperk waartydens die peiling gehou is;

(c) hoe die data ingewin is;

(d) die tye van die dag waartydens die peiling gehou is;

(e) die eienskappe en kwalifikasies van die veldwerkers wat in die peiling gebruik is;

(f) die instrumente wat in die peiling gebruik is;

Notification to Chief Director of number of votes cast in favour of each registered party

47. The notification referred to in section 44 (2) of the Electoral Act to the Chief Director of the number of votes determined to have been cast in favour of each registered party shall be done in the form set out in Annexure 9.

Reporting of irregularities or inaccuracies by party voting agents

48. (1) Any allegation of an irregularity or inaccuracy made by a party voting agent in terms of section 45 (1) of the Electoral Act, shall be recorded by the counting officer in writing, which report shall contain full particulars of the said allegation.

(2) The counting officer shall, after he or she has determined appropriate measures to deal with the allegation, record his or her determination on the report.

(3) All such reports shall be kept in a separate packet marked "reports of irregularities or inaccuracies" and shall be sealed and delivered to the Chief Director together with the packets referred to in section 44 (7) of the Electoral Act.

Formal objections by interested parties

49. A formal objection referred to in section 46 (1) of the Electoral Act, shall be in writing and shall set out full particulars of the objection and the grounds therefor, and shall contain the name, address and other relevant information of the interested party concerned.

CHAPTER 8

STATE ELECTORAL FUND

Requirements for acceptance of opinion poll

50. (1) An opinion poll shall for the purposes of section 74 (4) of the Electoral Act only be accepted if it has been conducted not earlier than 4 September 1993, and if the Commission is satisfied from documentary evidence submitted by the person or body who or which has conducted the poll that the poll was based on scientific methods and evaluation.

(2) A registered party shall furnish the following information in respect of the opinion poll on which that party intends to base its application for a grant:

(a) The name, address, qualifications, experience and professional membership, if any, of the person or body who or which conducted the poll;

(b) the period during which the poll was conducted;

(c) how the data were collected;

(d) times of the day when the poll was conducted;

(e) the characteristics and qualifications of the field workers used in conducting the poll;

(f) the instruments used in the poll;

(g) probleme wat tydens die hou van die peiling ondervind is en hoe dit opgelos is, met spesifieke verwysing na gebrek aan reaksie;

(h) 'n opsomming van die uitslae en soveel moontlik gedetailleerde tabelle;

(i) 'n verspreiding van die toetsfoute vir al die veranderlikes wat in die uitslae gerapporteer is;

(j) 'n vraelys bevattende die vrae wat in die uitslae gerapporteer is, en indien die peiling in meer as een taal uitgevoer is, die vraelys wat in alle tale gebruik is;

(k) die toetsmetodes wat aangewend is;

(l) die geografiese gebiede wat deur die meningspeiling gedek is; en

(m) die ander inligting wat die Kommissie vereis.

Prosedures vir die insameling van ondersteunende handtekeninge

51. Die lys bevattende die handtekeninge bedoel in artikel 74 (4) (d) van die Kieswet moet wesenlik in die vorm in Aanhangsel 10 uiteengesit, wees.

Omstandighede waaronder 'n party gediskwalifiseer kan word om 'n toekenning te ontvang

52. 'n Party kan gediskwalifiseer word om 'n toekenning ingevolge artikel 74 (4) (e) van die Kieswet te ontvang indien—

(a) 'n party 'n lys van handtekeninge kragtens artikel 74 (4) (d) van die Kieswet voorgelê het ten opsigte waarvan die Kommissie oortuig is dat al of sommige van die handtekeninge vervals is of deur een of ander bedrieglike handeling deur 'n verteenwoordiger van die betrokke party gepleeg, verkry is;

(b) 'n ouditeur of die Ouditeur-generaal sertifiseer dat die betrokke party in gebreke gebly het om aan die bepalings van artikel 74 (6) (a) van die Kieswet te voldoen, of dat 'n inspeksie van die boeke, rekeninge, finansiële state en bewysstukke wat op die spesiale rekening betrekking het, wesenlike afwykings in die hou van die rekords openbaar het, of dat geen rekenskap van sekere betalings uit die rekening gegee kan word nie.

Vereistes vir die ouditering van spesiale rekeninge van geregistreerde partye

53. Die rekening bedoel in artikel 74 (6) (a) van die Kieswet moet deur 'n ouditeur wat deur die Ouditeur-generaal benoem is, geouditeer word voordat die betaling van die toekenning bedoel in artikel 74 (3) (b) van daardie Wet gedoen word.

(g) problems experienced during the conducting of the poll and how they were resolved, with particular reference to non-response;

(h) a summary of the results and as many detailed tables as possible;

(i) a distribution of the sample errors for all the variables reported in the results;

(j) a questionnaire containing the questions reported in the results, and if the poll was carried out in more than one language, the questionnaire used in all the languages;

(k) the sampling methods employed;

(l) the geographical areas covered by the opinion poll; and

(m) such other information as the Commission may require.

Procedures for the collection of supporting signatures

51. The list containing signatures referred to in section 74 (4) (d) of the Electoral Act shall be substantially in the form set out in Annexure 10.

Circumstances under which a party may be disqualified from receiving a grant

52. A party may be disqualified from receiving a grant in terms of section 74 (4) (e) of the Electoral Act—

(a) if a party submitted a list of signatures under section 74 (4) (d) of the Electoral Act in respect of which the Commission is satisfied that all or some of the signatures were forged or obtained by means of one or other fraudulent act committed by a representative of the party concerned;

(b) if an auditor or the Auditor-General certifies that the party concerned has failed to comply with the provisions of section 74 (6) (a) of the Electoral Act, or that an inspection of the books, accounts, financial statements and vouchers relating to the special account has revealed material discrepancies in the keeping of the records, or that certain payments from the account cannot be accounted for.

Requirements for auditing special accounts of registered parties

53. The account referred to in section 74 (6) (a) of the Electoral Act shall be audited by an auditor nominated by the Auditor-General before the payment of the grant referred to in section 74 (3) (b) of that Act.

HOOFSTUK 9

STEM- EN VERKIESINGSMATERIAAL

Veilige bewaring en vervoer van stem- en verkiesingsmateriaal

54. (1) Enige persoon verantwoordelik vir die vervoer van stem- en verkiesingsmateriaal kragtens die Kieswet en hierdie regulasies moet alle redelike stappe doen en voorsorgmaatreëls tref tydens die vervoer daarvan, en moet enige lasgewing, opdrag en bevel in daardie verband deur die Hoofdirekteur uitgereik, nakom.

(2) Enige persoon wat opsetlik of weens nalatigheid in gebreke bly om aan die bepalings van subregulasie (1) te voldoen, is aan 'n misdryf skuldig.

Beveiliging gedurende vervaardiging van stemmateriaal

55. (1) Enige persoon verantwoordelik vir die vervaardiging van stemmateriaal moet alle redelike stappe doen en voorsorgmaatreëls tref vir die beveiliging van daarvan, en moet enige lasgewing, opdrag en bevel in daardie verband deur die Hoofdirekteur uitgereik, nakom.

(2) Enige persoon wat opsetlik of weens nalatigheid in gebreke bly om aan die bepalings van subregulasie (1) te voldoen, is aan 'n misdryf skuldig.

Veilige bewaring van stemmateriaal na druk of vervaardiging en gedurende verspreiding daarvan na stemburo's

56. (1) Enige persoon verantwoordelik vir die veilige bewaring van stemmateriaal na die druk of vervaardiging en tydens die verspreiding daarvan na stemburo's moet alle redelike stappe doen en voorsorgmaatreëls tref vir die veilige bewaring daarvan en moet enige lasgewing, opdrag en bevel in daardie verband deur die Hoofdirekteur uitgereik, nakom.

(2) Enige persoon wat opsetlik of weens nalatigheid in gebreke bly om aan die bepalings van subregulasie (1) te voldoen, is aan 'n misdryf skuldig.

Veilige bewaring van stemmateriaal na verspreiding na stemburo's

57. (1) Elke voorsittende beampte is verantwoordelik vir die veilige bewaring van stemmateriaal by die betrokke stemburo of by so 'n ander plek wat deur hom of haar in oorleg met die distrikverkiesingsbeampte waar van toepassing, en die vredesbeampte wat belas is met die beveiliging van die betrokke stemburo bepaal is, en moet enige lasgewing, opdrag en bevel in daardie verband deur die Hoofdirekteur uitgereik, nakom.

(2) Regulasie 27 is *mutatis mutandis* van toepassing op stemburo's binne die Republiek.

Veilige bewaring gedurende die loop van die stemtydperk, met inbegrip van die veilige bewaring van verkiesingsmateriaal hangende die tel van stemme

58. (1) Die bepalings van regulasie 57 is *mutatis mutandis* van toepassing op die veilige bewaring van verkiesingsmateriaal tydens die loop van die stemtydperk.

CHAPTER 9

VOTING MATERIALS AND ELECTION MATERIAL

Safe-keeping and transportation of voting materials and election material

54. (1) Any person responsible for the transportation of voting materials and election material under the Electoral Act and these regulations shall take all reasonable steps and precautions for the safe-keeping of the voting materials and election material during the transportation thereof, and shall comply with any order, direction and instruction issued by the Chief Director in that regard.

(2) Any person who wilfully or negligently fails to comply with any provision of subregulation (1) shall be guilty of an offence.

Security during production of voting materials

55. (1) Any person responsible for the production of voting materials shall take all reasonable steps and precautions for the security thereof, and shall comply with any order, direction and instruction issued by the Chief Director in that regard.

(2) Any person who wilfully or negligently fails to comply with any provision of subregulation (1) shall be guilty of an offence.

Safe-keeping of voting materials after printing or manufacturing and during distribution thereof to voting stations

56. (1) Any person responsible for the safe-keeping of voting materials after printing or manufacturing and during distribution thereof to voting stations shall take all reasonable steps and precautions for the safe-keeping thereof, and shall comply with any order, direction and instruction issued by the Chief Director in that regard.

(2) Any person who wilfully or negligently fails to comply with any provision of subregulation (1) shall be guilty of an offence.

Safe-keeping of voting materials after distribution to voting stations

57. (1) Every presiding officer shall be responsible for the safe-keeping of the voting materials at the voting station concerned or such other place determined by him or her in consultation with the district electoral officer, where applicable, and the peace officer in charge of the security at the voting station concerned, and shall comply with any order, direction and instruction issued by the Chief Director in that regard.

(2) Regulation 27 shall apply *mutatis mutandis* in respect of voting stations in the Republic.

Safe-keeping during the course of the voting period, including the safe-keeping of election material pending the counting of votes

58. (1) The provisions of regulation 57 shall *mutatis mutandis* apply to the safe-keeping of election material during the course of the voting period.

(2) Die distrikverkiesingsbeampte is verantwoordelik vir die veilige bewaring van verkiesingsmateriaal wat by hom of haar ingevolge artikel 38 van die Kieswet afgelewer is, totdat dit by die telbeampte ingevolge regulasie 35 (4) afgelewer is.

Veilige bewaring van stem- en verkiesingsmateriaal na stemtydperk, met inbegrip van die vervoer na telburo's en die voorsiening van beveiliging gedurende die teltydperk

59. By die nakoming van die bepalings van regulasie 35 (4), en tydens die vervoer na telburo's van stem- en verkiesingsmateriaal, moet die betrokke distrikverkiesingsbeampte en die vredesbeampte belas met die beveiliging van genoemde stem- en verkiesingsmateriaal, alle redelike stappe doen en voorsorgmaatreëls tref vir die veilige bewaring daarvan.

Beveiliging van stem- en verkiesingsmateriaal by buitelandse stemburo's

60. 'n Voorsittende beampte van 'n buitelandse stemburo is verantwoordelik vir die veiligheid van die stem- en verkiesingsmateriaal by die betrokke stemburo of by die ander plek deur die Hoofdirekteur bepaal.

Beveiliging van stem- en verkiesingsmateriaal ten opsigte van spesiale stemme en spesiale kiesers

61. Die bepalings van regulasie 57 is *mutatis mutandis* van toepassing op die veiligheid en veilige bewaring van stem- en verkiesingsmateriaal ten opsigte van stemburo's vir spesiale stemme.

HOOFSTUK 10

WAARNEMERS

Bevoegdhede, pligte en werksaamhede van Hoofdirekteur: Monitering betreffende waarnemers

62. Die Hoofdirekteur: Monitering het ten aansien van waarnemers, die bevoegdhede, pligte en werksaamhede wat aan hom of haar verleen of opgelê is by artikel 24 van die Kommissiewet en hierdie regulasies.

Akkreditering van organisasies wat voornemens is om deur waarnemers verteenwoordig te word

63. (1) Slegs persone benoem deur organisasies wat kragtens hierdie regulasie geakkrediteer is, kan as waarnemers geregistreer word.

(2) Enige organisasie wat begerig is om verteenwoordig te word deur waarnemers tydens die verkiesingstydperk, moet by die Hoofdirekteur: Monitering aansoek doen om akkreditasie op die wyse in hierdie regulasies bepaal.

(3) 'n Aansoek om akkreditasie moet skriftelik wees en moet die volgende besonderhede van die betrokke organisasie bevat:

(a) Die naam;

(b) die sakeadres waar die hoofkantoor geleë is, met inbegrip van die telefoon- en faksimileenommers;

(2) The district electoral officer shall be responsible for the safe-keeping of election material delivered to him or her in terms of section 38 of the Electoral Act, until it is delivered to the counting officer in terms of regulation 35 (4).

Safe-keeping of voting materials and election material after voting period, including transportation to counting stations and the provision of security during the counting period

59. In complying with the provisions of regulation 35 (4), and during the transportation to counting stations of voting materials and election material, the district electoral officer concerned shall, in consultation with the peace officer in charge of the security of the said voting materials and election material, take all reasonable steps and precautions for the safe-keeping thereof.

Security of voting materials and election material at foreign voting stations

60. A presiding officer of a foreign voting station shall be responsible for the security of the voting materials and election material at the voting station concerned or such other place determined by the Chief Director.

Security of voting materials and election material in respect of special votes and special voters

61. The provisions of regulation 57 shall *mutatis mutandis* apply to the security and safe-keeping of voting materials and election material in respect of voting stations for special votes.

CHAPTER 10

OBSERVERS

Powers, duties and functions of Chief Director: Monitoring regarding observers

62. The Chief Director: Monitoring shall, with regard to observers, have the powers, duties and functions conferred or imposed upon him or her by section 24 of the Commission Act and these regulations.

Accreditation of organizations intending to be represented by observers

63. (1) Only persons nominated by organizations accredited under this regulation may be registered as observers.

(2) Any organization wishing to be represented by observers during the election period, shall apply to the Chief Director: Monitoring for accreditation in the manner provided for in these regulations.

(3) An application for accreditation shall be in writing and shall contain the following particulars of the organization concerned:

(a) The name;

(b) the business address where the head office is situated, including the telephone and facsimile numbers;

(c) die stigtingsdatum;

(d) die naam en adres van die hoof- uitvoerende verteenwoordiger, byvoorbeeld hoof- uitvoerende beampte, sekretaris-generaal, ensovoorts; en

(e) die hoofoogmerke,

asook die volgende inligting:

(i) 'n Verklaring bevattende die redes waarom die organisasie geskik is vir akkreditasie om die verkiesingsproses waar te neem;

(ii) die getal en name van die waarnemers wat benoem is vir registrasie;

(iii) die name en kontakgegewens van die persoon wat regstreeks verantwoordelik is vir die koördinering van die waarnemers van die organisasie; en

(iv) in die geval van 'n organisasie wie se hoofkantoor buite die Republiek geleë is, die voornemende datums van aankoms en vertrek van die waarnemers bevat.

(4) Die aansoek om akkreditasie moet vergesel gaan van—

(a) die akte van oprigting of die grondwet van die organisasie of 'n afskrif daarvan; en

(b) 'n bevestiging dat die organisasie homself verbind om met die Hoofdirekteur: Monitering saam te werk met betrekking tot die opleiding, die optrede en ontplooiing van sy geregistreerde waarnemers.

(5) By ontvangs van 'n aansoek om akkreditasie moet die Hoofdirekteur: Monitering, indien hy of sy oortuig is dat die betrokke organisasie in staat en gewillig is om te verseker dat sy waarnemers die Gedragskode vir Waarnemers, die Kieswet, die Kommissiewet en die regulasies daarkragtens uitgevaardig, sal nakom, en dat hy onderneem het dat sy waarnemers opleiding sal ontvang wat deur die Kommissie goedgekeur is, die organisasie akkrediteer en die organisasie dienooreenkomstig skriftelik in kennis stel.

(6) Die Hoofdirekteur: Monitering hou 'n rekord van al die organisasies wat ingevolge hierdie regulasie geakkrediteer is.

(7) Geen aansoek om akkreditasie word oorweeg nie tensy dit deur die Hoofdirekteur: Monitering ten minste 30 dae voor die eerste dag van die stemtydperk van die verkiesing ontvang is, behoudens genoemde Hoofdirekteur se diskresie om af te sien van daardie tydsbeperking.

Registrasie van waarnemers

64. (1) Enige persoon wat deur 'n organisasie kragtens regulasie 63 benoem is as 'n waarnemer en wat begerig is om as sodanig geregistreer te word, moet by die Hoofdirekteur: Monitering aansoek doen om registrasie deur die volgende besonderhede skriftelik te verstrek:

(a) Volle name;

(b) volle woonadres, telefoonnommer of ander wyse van kontak;

(c) the date of founding;

(d) the name and address of the primary executive representative, e.g. chief executive officer, secretary-general, etc.; and

(e) the primary objects,

as well as the following information:

(i) A statement of the reasons why the organization is suitable for accreditation to observe the election process;

(ii) the number and names of the observers it nominates to be registered;

(iii) the name and contact information of the person directly responsible for co-ordinating the organization's observers; and

(iv) in the case of an organization with it's headquarters outside the Republic, the intended dates of arrival and departure of the observers.

(4) The application for accreditation shall be accompanied by—

(a) the deed of foundation or constitution of the organization or a copy thereof; and

(b) an affirmation that the organization commits itself to co-operate with the Chief Director: Monitoring in relation to the training, conduct and deployment of its registered observers.

(5) Upon receipt of an application for accreditation, the Chief Director: Monitoring shall, if he or she is satisfied that the organization concerned is able and willing to ensure that its observers shall comply with the Code of Conduct for Observers, the Electoral Act, the Commission Act and the regulations promulgated thereunder, and that it has undertaken that its observers receive training approved by the Commission, accredit that organization and notify the oganization in writing accordingly.

(6) The Chief Director: Monitoring shall keep a record of all organizations accredited in terms of this regulation.

(7) No application for accreditation shall be considered unless it is received by the Chief Director: Monitoring at least 30 days before the first day of the voting period of the election, subject to the discretion of the said Chief Director to dispense with that time limit.

Registration of observers

64. (1) Any person nominated by an organization under regulation 63 as an observer who wishes to register as such, shall apply for registration to the Chief Director: Monitoring by submitting the following particulars in writing:

(a) Full names;

(b) full residential address, telephone number or other means of contact;

(c) identiteits- of paspoortnommer, as daar is;

(d) beroep, as daar is;

(e) 'n ondertekende bevestiging tot verbintenis aan die Gedragskode vir Waarnemers;

(f) twee paspoortgrootte foto's;

(g) die naam van die organisasie in regulasie 63 bedoel.

(2) Die Hoofdirekteur: Monitering hou 'n rekord van al die waarnemers deur hom of haar geregistreer.

Werksaamhede en pligte van waarnemers

65. (1) Behoudens die bepalings van hierdie regulasie en artikels 10 (1) (b) (iv) en 12 (1) (b) (iv) van die Kieswet, het 'n waarnemer die reg om enige stem- en telburo, of 'n perseel waar enige politieke vergadering gehou word of waar kieseropvoeding plaasvind, te betree om die verkiesings- of telproses of politieke vergadering of kieseropvoeding, na gelang van die geval, waar te neem.

(2) Toegang tot stem- of telburo's deur waarnemers word beperk tot drie waarnemers op enige gegewe tydstip per buro, onderworpe aan die voorsittende of telbeampte se diskresie om daardie getal ten opsigte van 'n besondere buro te vermeerder.

(3) Geen waarnemer word in daardie hoedanigheid toegelaat tot 'n stem- of telburo of perseel waar 'n politieke vergadering gehou word of kieseropvoeding plaasvind nie—

(a) tensy hy of sy die identifikasiedrag deur die Hoofdirekteur: Monitering, uitgereik dra;

(b) indien hy of sy 'n kenteken, kaart of ander identifikasie van enige organisasie, liggaam of party dra of op enige wyse vertoon.

(4) 'n Waarnemer moet alle identifikasiedrag en enige ander uitrusting wat aan hom of haar deur die Hoofdirekteur: Monitering uitgereik is, binne twee dae na die verkiesingstydperk aan genoemde Hoofdirekteur terugbesorg.

(5) Indien die Hoofdirekteur: Monitering oortuig is dat 'n waarnemer—

(a) in gebreke gebly het om 'n wettige lasgewing, opdrag of bevel deur of ten behoewe van die Kommissie, genoemde Hoofdirekteur of 'n verkiesingsbeampte uitgereik, na te kom; of

(b) in die openbaar partydig is ten gunste van 'n besondere geregistreerde party; of

(c) enige verkiesingsbeampte of kieser gehinder of gedwarsboom het; of

(d) die Gedragskode vir Waarnemers geskend het,

kan hy of sy 'n waarskuwing aan daardie waarnemer uitreik, of sy of haar registrasie intrek nadat die waarnemer 'n geleentheid gebied is om aangehoor te word.

(6) Indien 'n waarnemer bedank of indien sy of haar registrasie ingetrek is, moet—

(a) genoemde waarnemer die identifikasiedrag en enige ander uitrusting wat deur die Hoofdirekteur: Monitering aan hom of haar uitgereik is onverwyld aan genoemde Hoofdirekteur terugbesorg; en

(c) identity or passport number, if any;

(d) occupation, if any;

(e) a signed affirmation of commitment to the Code of Conduct for Observers;

(f) two passport size photographs;

(g) the name of the organization referred to in regulation 63.

(2) The Chief Director: Monitoring shall keep a record of all observers registered by him or her.

Functions and duties of observers

65. (1) Subject to the provisions of this regulation and sections 10 (1) (b) (iv) and 12 (1) (b) (iv) of the Electoral Act, an observer shall have the right to enter upon any voting or counting station or the premises where any political meeting is being held or voter education is taking place to observe the election or counting process or political meeting or voter education, as the case may be.

(2) Access to voting or counting stations by observers shall be limited to a total of three observers at any given time per station, subject to the discretion of the presiding or counting officer to increase that number in respect of a particular station.

(3) No observer in his or her capacity as such, shall be allowed access to a voting or counting station or premises where a political meeting is being held or voter education is taking place—

(a) unless he or she wears the identification apparel issued by the Chief Director: Monitoring;

(b) if he or she carries, wears or in any manner displays any badge, card or other identification of any organization, body or party.

(4) An observer shall return to the Chief Director: Monitoring all identification apparel and any other equipment issued to him or her by the said Chief Director within two days after the election period.

(5) If the Chief Director: Monitoring is satisfied that an observer—

(a) has failed to comply with a lawful direction, instruction or order issued by or on behalf of the Commission, the said Chief Director or an electoral officer; or

(b) is publicly biased in favour of a particular registered party; or

(c) has hindered or obstructed any electoral officer or voter; or

(d) has infringed the Code of Conduct for Observers,

he or she may issue a warning to that observer , or cancel his or her registration after the observer has been afforded an opportunity to be heard.

(6) If an observer resigns or if his or her registration is cancelled—

(a) the said observer shall return to the Chief Director: Monitoring all identification apparel and any other equipment issued to him or her by the said Chief Director forthwith; and

(b) genoemde Hoofdirekteur die betrokke provinsiale verkiesingsbeampte en die geakkrediteerde organisasie skriftelik van die bedanking of intrekking, na gelang van die geval, in kennis stel.

HOOFSTUK 11

MONITORS

Bevoegdhede, pligte en werksaamhede van Hoofdirekteur: Monitering betreffende monitors

66. (1) Die Hoofdirekteur: Monitering het ten aansien van monitors, die bevoegdhede, pligte en werksaamhede aan hom of haar verleen of opgelê by artikel 24 van die Kommissiewet en hierdie regulasies.

(2) Die Hoofdirekteur: Monitering kan lasgewings uitreik om die optrede van monitors te reël, hul bedrywighede te koördineer en hul funksies te spesifiseer.

Aanstelling van monitors

67. (1) Enige organisasie wat begerig is om enige persoon te benoem om as monitor te dien tydens die verkiesingstydperk, kan, nie later nie as 30 dae voor die eerste dag van die stemtydperk, 'n aansoek aan die Hoofdirekteur: Monitering voorlê in die vorm deur genoemde Hoofdirekteur voorgeskryf, wat die volgende besonderhede moet bevat:

(a) Die volle name, ouderdom, woonadres, identiteitsnommer, beroep en beskikbaarheid van eie vervoer van die benoemde;

(b) die naam en adres van die benoemer en 'n getekende verklaring deur die benoemer dat die benoemde 18 jaar of ouer, onbevooroordeeld en objektief is en enige ander hoedanigheid wat die benoemde kan aanbeveel;

(c) 'n getekende verklaring deur die benoemde dat hy of sy onderneem om die werksaamhede van 'n monitor tot die beste van sy of haar vermoë te verrig en om die taak op 'n onbevooroordeelde en objektiewe wyse uit te voer;

(d) twee paspoortgrootte foto's van die benoemde; en

(e) enige ander besonderhede wat genoemde Hoofdirekteur vereis.

(2) Enige persoon wat begerig is om as 'n monitor tydens die verkiesingstydperk te dien moet, nie later nie as 30 dae voor die eerste dag van die stemtydperk, by die Hoofdirekteur: Monitering aansoek doen om aanstelling as 'n monitor.

(3) Die aansoek bedoel in subregulasie (2) moet skriftelik wees en moet—

(a) die aansoeker se volle name, woonadres, ouderdom, identiteitsnommer, beskikbaarheid van eie vervoer, as daar is, en sy of haar beroep, as daar is;

(b) the said Chief Director shall notify the provincial electoral officer and the accredited organization concerned in writing of the resignation or cancellation, as the case may be.

CHAPTER 11

MONITORS

Powers, duties and functions of Chief Director: Monitoring regarding monitors

66. (1) The Chief Director: Monitoring shall, with regard to monitors, have the powers, duties and functions conferred or imposed upon him or her by section 24 of the Commission Act and these regulations.

(2) The Chief Director: Monitoring may issue directions to regulate the conduct of monitors, to co-ordinate their activities and to specify their functions.

Appointment of monitors

67. (1) Any organization wishing to nominate any person to serve as a monitor during the election period, may submit an application to the Chief Director: Monitoring not later than 30 days prior to the first day of the voting period in the form prescribed by the said Chief Director, which shall contain the following particulars:

(a) The full names, age, residential address, identity number, occupation and availability of own transport, if any, of the nominee;

(b) the name and address of the nominator and a signed declaration by the nominator that the nominee is 18 years of age or older, unbiased and objective and any other attribute that may recommend the nominee;

(c) a signed declaration by the nominee that he or she undertakes to perform the functions of a monitor to the best of his or her ability and carry out the task in an unbiased and objective manner;

(d) two passport size photographs of the nominee; and

(e) any other particulars which the said Chief Director may require.

(2) Any person wishing to serve as a monitor during the election period shall, not later than 30 days prior to the first day of the voting period, apply to the Chief Director: Monitoring for appointment as a monitor.

(3) The application referred to in subregulation (2) shall be in writing and shall contain—

(a) the applicant's full name, residential address, age, identity number, availability of own transport, if any, and his or her occupation, if any;

(b) 'n getekende verklaring deur die aansoeker waarin hy of sy onderneem om die werksaamhede van 'n monitor tot die beste van sy of haar vermoë te verrig en om die taak op 'n onbevooroordeelde en objektiewe wyse uit te voer;

(c) twee paspoortgrootte foto's van die aansoeker; en

(d) enige ander besonderhede wat genoemde Hoofdirekteur vereis,

bevat.

(4) By ontvangs van die benoeming of aansoek kan die Hoofdirekteur: Monitering die benoemde of aansoeker ten opsigte van enige gebied, of vir enige spesifieke taak wat genoemde Hoofdirekteur goeddink, aanstel.

(5) Die aanstelling van persone as monitors en die getal monitors wat aangestel moet word, berus uitsluitlik in die diskresie van die Hoofdirekteur: Monitering.

(6) Die Hoofdirekteur: Monitering moet 'n rekord hou van al die monitors aangestel kragtens subregulasie (4) en moet die provinsiale verkiesingsbeampte van die provinsie ten opsigte waarvan die monitor aangestel is van sodanige aanstelling verwittig.

Werksaamhede en pligte van monitors

68. (1) Die werksaamhede van 'n monitor is—

(a) om die verkiesingsproses, met inbegrip van politieke vergaderings, werwing, advertering en ander veldtogte op die tye en plekke wat die Hoofdirekteur: Monitering bepaal, en ooreenkomstig sy of haar lasgewings en opdragte, waar te neem en aan genoemde Hoofdirekteur daaroor verslag te doen;

(b) om klagtes aangaande optrede wat nadelig is vir vry en regverdige verkiesings of beweerde skendings van die Verkiesingsgedragskode en ander aangeleenthede waarvoor in die Kieswet en die Kommissiewet voorsiening gemaak is, te ondersoek en daaroor aan genoemde Hoofdirekteur verslag te doen;

(c) om die bepalings van die Kieswet en die Kommissiewet, hierdie regulasies en die Gedragskode vir Monitors na te kom;

(d) om te voldoen aan en te hou by enige wettige lasgewing en opdrag van genoemde Hoofdirekteur; en

(e) om alle beweerde onreëlmatighede deur hom of haar waargeneem of deur partye of waarnemers oor gerapporteer, volledig aan te teken en te verseker dat sodanige verslae onverwyld by genoemde Hoofdirekteur ingedien word.

(2) Behoudens die bepalings van hierdie regulasie en artikels 10 (1) (b) (iv) en 12 (1) (b) (iv) van die Kieswet, het 'n monitor die reg om enige stem- of telburo deur die Hoofdirekteur: Monitering aangewys en die perseel waar enige politieke vergadering gehou word of enige perseel vir die doeleindes van die verkiesingsproses geokkupeer ten opsigte waarvan hy of sy opdrag van genoemde Hoofdirekteur ontvang het om dit te betree vir die doeleindes om moniteringswerk te verrig, te betree.

(b) a signed declaration by the applicant in which he or she undertakes to perform the functions of a monitor to the best of his or her ability and to carry out the task in an unbiased and objective manner;

(c) two passport size photographs of the applicant; and

(d) any other particulars which the said Chief Director may require.

(4) Upon receipt of the nomination or application, the Chief Director: Monitoring may appoint the nominee or applicant as a monitor in respect of any area, or for any such specific task as the said Chief Director deems fit.

(5) The appointment of persons as monitors and the number of monitors to be appointed shall be in the sole discretion of the Chief Director: Monitoring.

(6) The Chief Director: Monitoring shall keep a record of all the monitors appointed under subregulation (4) and shall notify the provincial electoral officer of the province in respect of which the monitor is appointed of such appointment in writing.

Functions and duties of monitors

68. (1) The functions of a monitor shall be—

(a) to observe and report to the Chief Director: Monitoring upon the electoral process, including political meetings, canvassing, advertising and other campaigns at such times and such places as the said Chief Director may determine and in accordance with his or her directions and instructions;

(b) to investigate complaints concerning conduct prejudicial to free and fair elections or alleged infringements of the Electoral Code of Conduct and other matters provided for in the Electoral Act and the Commission Act, and to report to the said Chief Director thereon;

(c) to comply with the provisions of the Electoral Act and the Commission Act, these regulations and the Code of Conduct for Monitors;

(d) to comply with and adhere to any lawful direction or instruction by the said Chief Director; and

(e) to record in full all alleged irregularities observed by him or her or reported on by parties or observers and to ensure that such reports are lodged with the said Chief Director forthwith.

(2) Subject to the provisions of this regulation and sections 10 (1) (b) (iv) and 12 (1) (b) (iv) of the Electoral Act, a monitor shall have the right to enter upon any voting or counting station designated by the Chief Director: Monitoring and any premises where any political meeting is being held or any premises occupied for the purposes of the electoral process in respect of which he or she has received instructions from the said Chief Director to enter upon for the purposes of performing monitoring functions.

(3) Geen monitor word toegang verleen tot 'n stem- of telburo of perseel waar 'n politieke vergadering gehou word nie—

(a) tensy hy of sy die identifikasiedrag deur die Hoofdirekteur: Monitering uitgereik, dra;

(b) indien hy of sy die kenteken, kaart of identifikasie van enige organisasie, liggaam of party dra of op enige wyse vertoon.

(4) Die Hoofdirekteur: Monitering kan die aanstelling van 'n monitor beëindig en 'n monitor kan met 24 uur skriftelike kennisgewing bedank: Met dien verstande dat so 'n aanstelling summier beëindig kan word of dat die monitor summier kan bedank by aanvoering van goeie gronde.

(5) Indien 'n monitor bedank of indien sy of haar aanstelling beëindig is—

(a) moet genoemde monitor onverwyld die identifikasiedrag en enige ander uitrusting wat aan hom of haar deur die Hoofdirekteur: Monitering uitgereik is aan genoemde Hoofdirekteur terugbesorg; en

(b) moet genoemde Hoofdirekteur die betrokke provinsiale verkiesingsbeampte en die organisasie wat die monitor benoem het, as daar is, skriftelik in kennis stel van die bedanking of beëindiging, na gelang van die geval.

(6) Die bepalings van regulasie 65 (4) is *mutatis mutandis* op 'n monitor van toepassing.

HOOFSTUK 12

VERKIESINGSBEREGTINGSEKRETARIAAT

Bevoegdhede, pligte en werksaamhede van Sekretaris

69. (1) Die Sekretaris het die bevoegdhede, pligte en werksaamhede aan hom of haar by die Kommissiewet en hierdie regulasies verleen of opgelê.

(2) (a) Die bevoegdhede en die pligte en werksaamhede aan die Sekretaris by die bepalings van hierdie regulasies verleen of opgelê, kan deur die Sekretaris persoonlik of deur—

(i) enige ander beampte in die Verkiesingsberegtingsekretariaat; of

(ii) enige ander beampte in die staatsdiens vir die doeleindes van die administrasie van hierdie regulasies beskikbaar gestel,

skriftelik daartoe deur die Sekretaris gemagtig, uitgeoefen of verrig word.

(b) Enige beampte bedoel in paragraaf (a) kan sodanige bevoegdhede en moet sodanige pligte en werksaamhede onder die beheer, voorskrifte en toesig van die Sekretaris uitoefen of verrig.

(3) No monitor shall be allowed access to a voting or counting station or premises where a political meeting is being held—

(a) unless he or she wears the identification apparel issued by the Chief Director: Monitoring;

(b) if he or she carries, wears or in any manner displays any badge, card or other identification of any organization, body or party.

(4) The Chief Director: Monitoring may terminate the appointment of a monitor and a monitor may resign on 24 hours' written notice: Provided that such appointment may be terminated summarily or the monitor may resign summarily on good cause shown.

(5) If a monitor resigns or if his or her appointment is terminated—

(a) the said monitor shall return to the Chief Director: Monitoring forthwith all identification apparel and any other equipment issued to him or her by the said Chief Director; and

(b) the said Chief Director shall notify the provincial electoral officer concerned and the organization which nominated the monitor, if any, of the resignation or termination, as the case may be, in writing.

(6) The provisions of regulation 65 (4) shall apply *mutatis mutandis* to a monitor.

CHAPTER 12

ELECTION ADJUDICATION SECRETARIAT

Powers, duties and functions of Secretary

69. (1) The Secretary shall have the powers, duties and functions conferred or imposed upon him or her by the Commission Act and these regulations.

(2) (a) The powers conferred and the duties and functions imposed upon the Secretary by the provisions of these regulations may be exercised or performed by the Secretary personally, or by—

(i) any other official in the Election Adjudication Secretariat; or

(ii) any other officer in the public service made available for the purposes of the administration of any provision of these regulations,

authorized thereto in writing by the Secretary.

(b) Any official or officer referred to in paragraph (a) may exercise any such powers and shall perform any such duties and functions under the control, directions and supervision of the Secretary.

Aard van Verkiesingstribunale en Verkiesingsappèltribunale, en oorkondes van hulle verrigtinge en regskrag van hulle prosesstukke

70. (1) Elke Verkiesingstribunaal en Verkiesingsappèltribunaal is 'n notulerende Tribunaal.

(2) Die verrigtinge in elke Tribunaal is toeganklik vir die publiek, behalwe vir sover enige Tribunaal in die belang van goeie orde of die veiligheid van enige persoon en onderworpe aan die voorwaardes wat hy bepaal, as daar is, anders gelas.

(3) (a) Die mondelinge getuienis in die loop van sodanige verrigtinge afgelê en die bevindinge van die Tribunaal en, indien deur die voorsittende beampte of voorsitter, na gelang van die geval, vereis, die beredeneringe deur of namens die partye in die verrigtinge aangevoer, word óf skriftelik óf op meganiese wyse genotuleer.

(b) Die oorkonde van die verrigtinge van 'n Tribunaal sluit in—

(i) enige beëdigde verklarings en gepaardgaande stukke ingedien ter ondersteuning van die bevel, straf of sanksie geëis;

(ii) enige mondelinge getuienis afgelê;

(iii) enige beswaar gemaak teen enige getuienis afgelê of aangebied;

(iv) die verrigtinge van die Tribunaal in die algemeen, met inbegrip van die oorkonde van enige inspeksie ter plaatse;

(v) enige stuk, toepaslik in alfabetiese volgorde gemerk, ter ondersteuning van enige mondelinge getuienis ingedien; en

(vi) enige bevindinge en die redes daarvoor deur sodanige Tribunaal gemaak.

(4) Elke prosesstuk uitgereik uit, of in verband met enige verrigtinge ingestel of wat ingestel staan te word in, enige Tribunaal, en enige bevel van, en enige straf of sanksie opgelê deur enige Tribunaal, is deur die hele Republiek van krag.

Verteenwoordiging van partye in verrigtinge in Verkiesingstribunale en Verkiesingsappèltribunale

71. Enige party in enige verrigtinge in 'n Tribunaal moet, in die geval van 'n natuurlike persoon, persoonlik in sodanige Tribunaal verskyn, en enige sodanige persoon of party kan deur sy of haar regsverteenwoodiger wat ingevolge enige toepaslike wet van die Republiek toegelaat is om as 'n advokaat of 'n prokureur te praktiseer, verteenwoordig word.

Aanstelling van tolke vir doeleindes van verrigtinge in Verkiesingstribunale en Verkiesingsappèltribunale

72. (1) Indien enige persoon wat getuienis in enige verrigtinge in 'n Tribunaal aflê, verkies om sodanige getuienis in enige ander taal as in een van die amptelike tale af te lê, laat die Sekretaris 'n persoon as 'n tolk aanstel op die voorwaardes deur die Sekretaris bepaal om sodanige getuienis in een van die amptelike tale of omgekeerd te vertaal.

Nature of Electoral Tribunals and Electoral Appeal Tribunals, and records of their proceedings and force of their process

70. (1) Every Electoral Tribunal and Electoral Appeal Tribunal shall be a Tribunal of record.

(2) The proceedings in any Tribunal shall be open to the public, except in so far as any such Tribunal, in the interests of good order or the safety of any person and subject to such conditions as it may determine, if any, directs otherwise.

(3) (a) The oral evidence given in the course of such proceedings and the findings of the Tribunal and, if required by the presiding officer or chairperson, as the case may be, the arguments adduced by or on behalf of the parties to the proceedings shall be recorded either in writing or by mechanical means.

(b) The record of the proceedings of a Tribunal shall contain—

(i) any affidavits and accompanying documents filed in support of the order, penalty or sanction claimed;

(ii) any oral evidence given;

(iii) any objection made to any evidence given or tendered;

(iv) the proceedings of the Tribunal in general, including the record of any inspection *in loco;*

(v) any document, appropriately marked in order of the alphabet, handed in in support of any oral evidence; and

(vi) any findings and the reasons therefor made by such Tribunal.

(4) Every process issued out of, or in connection with any proceedings instituted or to be instituted in, any Tribunal, and any order of, and any penalty or sanction imposed by, any Tribunal, shall be of force throughout the Republic.

Representation of parties to proceedings in Electoral Tribunals and Electoral Appeal Tribunals

71. Any party to any proceedings in a Tribunal shall, in the case of a natural person, appear in person in such Tribunal, and any such person or party may be represented by his, her or its legal representative admitted to practise as an advocate or an attorney in terms of any applicable law of the Republic.

Appointment of interpreters for the purposes of proceedings in Electoral Tribunals and Electoral Appeal Tribunals

72. (1) If any person giving evidence in any proceedings before a Tribunal desires to give such evidence in any language other than one of the official languages, the Secretary shall cause a person to be appointed, on such conditions as may be determined by the Secretary, as interpreter to translate such evidence into one of the official languages and *vice versa.*

(2) (a) Voordat enige persoon ingevolge subregulasie (1) aangestel, vir die eerste keer met sy of haar werksaamhede begin, lê hy of sy 'n eed af of doen 'n bevestiging wat deur hom of haar onderteken is in die vorm hieronder uiteengesit:

Ek, AB, sweer hiermee/bevestig plegtig en opreg dat ek eerlik en korrek na die beste van my vermoë sal tolk uit die taal waaruit ek versoek word om te tolk, in die Verkiesingstribunaal/Verkiesingsappèltribunaal, in enige van die amptelike tale of omgekeerd.

(in die geval van 'n eed)

So help my God

(b) 'n Eed of bevestiging bedoel in paragraaf (a) word voor die Sekretaris of die voorsittende beampte of voorsitter van die betrokke Tribunaal, na gelang van die geval, afgelê of gedoen.

Vermoedens met betrekking tot sekere handelinge deur nasionale leiers, kandidate, ampsbekleërs, werknemers en agente van partye verrig of versuime deur sodanige nasionale leiers, kandidate, ampsbekleërs, werknemers en agente van partye om sekere handelinge te verrig

73. Indien dit in enige verrigtinge ingevolge hierdie regulasies bewys word—

(a) dat enige handeling in regulasie 76 beoog, deur 'n nasionale leier, kandidaat, ampsbekleër, werknemer of agent van 'n party verrig is of dat 'n nasionale leier, kandidaat, ampsbekleër, werknemer of agent van 'n party versuim het om so 'n handeling te verrig, in die uitoefening van sy of haar bevoegdhede of in die verrigting van sy of haar pligte as so 'n nasionale leier, kandidaat, ampsbekleër, werknemer of agent, word so 'n handeling geag deur die party verrig te gewees het of dat sodanige party versuim het om sodanige handeling te verrig;

(b) dat die nasionale leier of 'n kandidaat, ampsbekleër, werknemer of agent van 'n party, in die uitvoering van die besigheid of in die bevordering van of poging tot bevordering van die belange van sodanige party, enige handeling in regulasie 76 beoog, verrig het of versuim het om enige aldus beoogde handeling te verrig, word sodanige party en elke ander persoon wat ten tyde van die verrigting van so 'n handeling of die versuim om so 'n handeling te verrig, die nasionale leier of 'n kandidaat of 'n ampsbekleër van daardie party was, geag die handeling te verrig het, of te versuim het om die handeling te verrig, tensy dit bewys word dat so 'n party of persoon, na gelang van die geval, nie deelgeneem het aan die verrigting van, of die versuim om sodanige handeling te verrig en dat sodanige party of persoon, na gelang van die geval, dit nie kon voorkom het nie.

(2) (a) Any person appointed in terms of subregulation (1) shall before commencing with his or her functions for the first time, take an oath or make an affirmation subscribed by him or her in the form set out below:

I, AB, do hereby swear/solemnly and sincerely affirm that I shall truly and correctly to the best of my ability interpret from the language I am called to interpret in the Electoral Tribunal/Electoral Appeal Tribunal into either of the official languages and vice versa.

(in case of an oath)

So help me God

(b) An oath or affirmation referred to in paragraph (a) shall be taken or made before the Secretary or the presiding officer or chairperson of the Tribunal in question, as the case may be.

Presumptions in relation to acts performed by national leaders, candidates, office-bearers, employees and agents of parties or failures by such national leaders, candidates, office-bearers, employees and agents of parties to perform certain acts

73. If in any proceedings in terms of these regulations it is proved—

(a) that any act contemplated in regulation 76 has been performed by a national leader, candidate, office-bearer, employee or agent of a party or that any such national leader, candidate, office-bearer, employee or agent of a party has failed to perform any such act, in the exercise of his or her powers or in the performance of his or her duties or functions as such national leader, candidate, office-bearer, employee or agent, such act shall be deemed to have been performed by that party or that such party has failed to perform such act;

(b) that the national leader or a candidate, office-bearer, employee or agent of a party has, in carrying on the business of or furthering or endeavouring to further the interests of such party, performed any act contemplated in regulation 76 or has failed to perform any act so contemplated, such party and every other person who was, at the time of the performance of such act or the failure to perform such act, the national leader or a candidate or office-bearer of that party, shall be deemed to have performed, or to have failed to perform, such act, unless it is proved that such party or person, as the case may be, did not take part in the performance of, or the failure to perform, such act and that such party or person, as the case may be, could not have prevented it.

Kostebevele in verrigtinge in Verkiesingstribunale en Verkiesingsappèltribunale

74. 'n Tribunaal kan 'n bevel maak ingevolge waarvan die redelike uitgawes werklik en noodwendig deur enige party by die verrigtinge aangegaan en deur die voorsittende beampte of voorsitter, na gelang van die geval, goedgekeur, deur enige ander party by sodanige verrigtinge, hetsy in geheel of gedeeltelik, betaal moet word.

HOOFSTUK 13

VERKIESINGSTRIBUNALE

Instelling, regsgebiede en setels van Verkiesingstribunale

75. (1) Daar word hierby 'n Verkiesingstribunaal ingestel vir elk van die geografiese gebiede wat by regulasie 2 as stemdistrikte afgebaken is, wat as die Verkiesingstribunaal vir die betrokke stemdistrik bekend sal staan.

(2) (a) Die plek deur die Sekretaris aangewys en by kennisgewing in die *Staatskoerant* bekend gemaak, is die setel van 'n Verkiesingstribunaal.

(b) Ondanks die bepalings van paragraaf (a) kan 'n Verkiesingstribunaal, soos omstandighede dit vereis, op enige ander plek of plekke binne sy regsgebied, soos van tyd tot tyd deur die Verkiesingstribunaal of die Sekretaris bepaal, sitting hou.

Aangeleenthede wat deur Verkiesingstribunale bereg en beslis word

76. (1) Behoudens die bepalings van subregulasie (2) het 'n Verkiesingstribunaal regsbevoegdheid om reg te spreek en te beslis oor enige bewering met betrekking tot enige handeling of versuim deur—

(a) enige party of persoon, wat 'n skending van die Verkiesingsgedragskode uitmaak, vir sover sodanige party of persoon uit hoofde van die bepalings van artikel 69 (1) van die Kieswet aan die Verkiesingsgedragskode gebonde is;

(b) enige party of persoon—

(i) wat 'n poging, voorneme of dreigement om enige handeling beoog in paragraaf (a) te verrig, of 'n versuim om sodanige handeling te verrig; of

(ii) wat 'n sameswering met enige ander persoon om enige handeling aldus beoog, te verrig of 'n versuim om sodanige handeling te verrig; of

(iii) wat 'n aanstigting, opstoking, bevel of oorhaling van sodanige ander persoon om enige handeling aldus beoog, te verrig of 'n versuim om sodanige handeling te verrig,

uitmaak;

(c) enige party of persoon—

(i) wat 'n verkiesingsonreëlmatigheid uitmaak wat nie 'n misdryf of 'n skending van die Verkiesingsgedragskode is nie; of

Orders as to costs in proceedings in Electoral Tribunals and Electoral Appeal Tribunals

74. A Tribunal may make an order in terms of which the reasonable expenses actually and necessarily incurred by any party to the proceedings and approved by the presiding officer or chairperson, as the case may be, are to be paid, whether wholly or partly, by any other party to such proceedings.

CHAPTER 13

ELECTORAL TRIBUNALS

Establishment, areas of jurisdiction and seats of Electoral Tribunals

75. (1) There is hereby established an Electoral Tribunal for each of the geographical areas demarcated as electoral districts by regulation 2, which shall be known as the Electoral Tribunal for the electoral district concerned.

(2) (a) The place designated by the Secretary and made known by notice in the *Gazette* shall be the seat of an Electoral Tribunal.

(b) Notwithstanding the provisions of paragraph (a), an Electoral Tribunal may, as circumstances may require, sit at such other place or places within its area of jurisdiction as may from time to time be determined by the Electoral Tribunal or the Secretary.

Matters to be adjudicated and decided upon by Electoral Tribunals

76. (1) Subject to the provisions of subregulation (2), an Electoral Tribunal shall have jurisdiction to adjudicate and decide upon any allegation in relation to any act or failure by—

(a) any party or person, which constitutes an infringement of the Electoral Code of Conduct in so far as such party or person is, by virtue of the provisions of section 69 (1) of the Electoral Act, bound by the Electoral Code of Conduct;

(b) any party or person which constitutes—

(i) an attempt, intention or threat to perform any act or failure to perform any act contemplated in paragraph (a); or

(ii) a conspiracy with any other person to perform any act or failure to perform any act so contemplated; or

(iii) an incitement, instigation, command or procurement of any such other person to perform any act or failure to perform any act so contemplated;

(c) any party or person which constitutes—

(i) any electoral irregularity not constituting any offence or infringement of the Electoral Code of Conduct; or

(ii) wat enige oortreding van, of versuim om te voldoen aan, enige bepaling van die Kieswet of hierdie regulasies uitmaak wat nie 'n misdryf of 'n skending van die Verkiesingsgedragskode is nie.

(2) 'n Verkiesingstribunaal het nie regsbevoegdheid om reg te spreek en te beslis oor enige aangeleentheid in subregulasie (1) bedoel nie, tensy—

(a) die handeling in subregulasie (1) beoog, na bewering verrig is of sodanige handeling vereis was verrig te wees, hetsy geheel of gedeeltelik, binne die regsgebied van sodanige Verkiesingstribunaal of, in die geval van meer as een sodanige handeling of versuim, ten minste een so 'n handeling verrig is of vereis was verrig te wees, hetsy geheel of gedeeltelik, binne sodanige regsgebied; of

(b) die party of persoon teen wie die verrigtinge in die Verkiesingstribunaal ingestel is—

(i) in die geval van enige party, sodanige party binne die regsgebied van die Verkiesingstribunaal 'n kantoor het, hetsy so 'n kantoor die hoofkantoor van so 'n party is al dan nie, waarin enige bedrywigheid van sodanige party verrig word, of enige ampsbekleër of party-verkiesingsagent, as daar is, van so 'n party binne sodanige regsgebied woon;

(ii) in die geval van enige persoon, so 'n persoon in die regsgebied van die Verkiesingstribunaal woon of besigheid bedryf of in diens is,

of indien sodanige party of persoon in die verrigtinge verskyn en geen bewering maak dat die Verkiesingstribunaal geen regsbevoegdheid het om reg te spreek en te beslis oor die aangeleentheid ingevolge hierdie subregulasie nie.

(3) Indien gedurende die verrigtinge in enige aangeleentheid voor 'n Verkiesingstribunaal—

(a) dit vir die voorsittende beampte blyk dat so 'n Verkiesingstribunaal ingevolge subregulasie (2) geen regsbevoegdheid het om oor sodanige aangeleentheid reg te spreek en te beslis nie, moet die voorsittende beampte—

(i) met die toestemming van al die partye in die verrigtinge, voortgaan met die aangeleentheid asof daardie Verkiesingstribunaal regsbevoegdheid gehad het om oor sodanige aangeleentheid reg te spreek en te beslis; of

(ii) indien sodanige toestemming nie gegee word nie, 'n aantekening met daardie strekking in die oorkonde van die verrigtinge maak en sodanige oorkonde na die Verkiesingstribunaal wat ingevolge subregulasie (2) regsbevoegdheid het om oor sodanige aangeleentheid reg te spreek en te beslis, stuur waarop die aangeleentheid voortgesit word in sodanige laasgenoemde Verkiesingstribunaal asof sodanige verrigtinge daarin ingestel is;

(ii) any contravention of, or failure to comply with, any provision of the Electoral Act or these regulations not constituting any offence or infringement of the Electoral Code of Conduct.

(2) An Electoral Tribunal shall not have jurisdiction to adjudicate and decide upon any matter referred to in subregulation (1), unless—

(a) the act contemplated in subregulation (1), was allegedly performed or any such act was required to be performed, whether wholly or partly, within the area of jurisdiction of such Electoral Tribunal or, in the case of more than one such act or failure, at least one such act was performed or required to be performed, whether wholly or partly, within such area of jurisdiction; or

(b) the party or person against whom the proceedings in the Electoral Tribunal have been instituted—

(i) in the case of any party, such party has within the area of jurisdiction of such Electoral Tribunal an office, whether or not such office is the head office of such party, in which any activity of such party is performed, or any office-bearer or party election agent, if any, of such party resides within such area of jurisdiction;

(ii) in the case of any person, such person resides, carries on business or is employed within the area of jurisdiction of such Electoral Tribunal,

or if such party or person appears in such proceedings and makes no allegation that the Electoral Tribunal has no jurisdiction to adjudicate and decide upon the matter in terms of this subregulation.

(3) If during the proceedings in any matter before an Electoral Tribunal—

(a) it appears to the presiding officer that such Electoral Tribunal has, in terms of subregulation (2), no jurisdiction to adjudicate and decide upon such matter, the presiding officer shall—

(i) with the consent of all the parties to such proceedings, proceed with such matter as if that Electoral Tribunal had jurisdiction to adjudicate and decide upon such matter; or

(ii) if such consent is not given, make an endorsement to that effect in the record of the proceedings and transmit such record to the Electoral Tribunal which has in terms of subregulation (2) jurisdiction to adjudicate and decide upon such matter, whereupon such matter shall be continued in such last-mentioned Electoral Tribunal as if such proceedings had been instituted therein;

(b) sodanige Tribunaal van oordeel is dat die aangeleentheid 'n straf of sanksie kan regverdig wat buite sy jurisdiksie val, die voorsittende beampte 'n aantekening met daardie strekking in die oorkonde van die verrigtinge maak en sodanige oorkonde na die Verkiesingsappèltribunaal stuur wat regsbevoegdheid het om oor sodanige aangeleentheid reg te spreek en te beslis, waarop sodanige aangeleentheid deur sodanige Verkiesingsappèltribunaal ingevolge artikel 70 (2) en (3) van die Kieswet oorweeg en mee gehandel word.

Instelling van verrigtinge in Verkiesingstribunale

77. (1) Enige belanghebbende party of persoon (hieronder die *klaer* genoem) wat begerig is dat enige verrigtinge ingevolge hierdie regulasies in 'n Verkiesingstribunaal teen enige party of persoon (hieronder die *respondent* genoem) ingestel moet word met betrekking tot enige aangeleentheid in regulasie 76 bedoel, moet by die Hoofdirekteur: Monitering of sy of haar verteenwoordiger in die betrokke regsgebied 'n beëdigde verklaring indien waarin die feitelike beweringe en betoë wat die klagte steun, uiteengesit word.

(2) Die Hoofdirekteur: Monitering moet, waar moontlik, streef om enige geskil of dispuut met betrekking tot 'n klagte wat by hom of haar ingevolge subregulasie (1) ingedien is deur middel van bemiddelling by te lê: Met dien verstande dat enige feit tydens sodanige bemiddeling blootgelê, geprivilegieerd is.

(3) Indien die Hoofdirekteur: Monitering of sy of haar verteenwoordiger weier om verrigtinge met betrekking tot 'n klagte by hom of haar ingevolge subregulasie (1) ingedien, in te stel, moet hy of sy op versoek van die betrokke belanghebbende party of persoon sy of haar redes vir sodanige weiering skriftelik verstrek.

(4) Die Hoofdirekteur: Monitering (handelende soos in artikel 70 van die Kieswet bepaal) wat beoog om enige verrigtinge ingevolge hierdie regulasies in 'n Verkiesingstribunaal in te stel teen enige respondent met betrekking tot enige aangeleentheid in regulasie 76 bedoel, stel sodanige verrigtinge in by wyse van 'n dagvaarding (wat deur 'n toepaslike ondersteunende beëdigde verklaring vergesel is) so na as moontlik in ooreenstemming met die vorm in Aanhangsel 11 uiteengesit—

(a) wat die oplegging van die straf of sanksie of die bepalings van 'n bevel uiteensit wat teen die respondent geëis word oor die feitelike beweringe en betoë in voorgenoemde ondersteunende beëdigde verklaring;

(b) wat die tyd en datum deur die Sekretaris bepaal, uiteensit wat 'n datum nie minder nie as vyf dae na die datum waarop die dagvaarding aan die respondent bestel is, moet wees en die plek waar die aangeleentheid vir beregting en beslissing op die rol geplaas is;

(c) wat die respondent oproep, indien hy of sy die aangeleentheid wil verdedig—

(b) such Tribunal is of the opinion that the matter may warrant a penalty or sanction in excess of its jurisdiction, the presiding officer shall make an endorsement to that effect in the record of the proceedings and transmit such record to the Electoral Appeal Tribunal which has jurisdiction to adjudicate and decide upon such matter, whereupon such matter shall be considered and dealt with by such Electoral Appeal Tribunal in terms of section 70 (2) and (3) of the Electoral Act.

Institution of proceedings in Electoral Tribunals

77. (1) Any interested party or person (hereinafter referred to as the *complainant*) who wishes any proceedings to be instituted in an Electoral Tribunal in terms of these regulations against any party or person (hereinafter referred to as the *respondent*) in relation to any matter referred to in regulation 76, shall lodge with the Chief Director: Monitoring or his or her representative in the area of jurisdiction concerned an affidavit setting forth the factual allegations and submissions supporting the complaint.

(2) The Chief Director: Monitoring shall, where possible, endeavour to resolve any issue or dispute in relation to a complaint lodged with him or her in terms of subregulation (1) by means of mediation: Provided that any fact disclosed during such mediation shall be privileged.

(3) If the Chief Director: Monitoring or his or her representative refuses to institute proceedings in relation to a complaint lodged with him or her in terms of subregulation (1) he or she shall, upon the request of the interested party or person concerned, furnish his or her reasons for such refusal in writing.

(4) The Chief Director: Monitoring (acting as provided in section 70 of the Electoral Act) who intends to institute any proceedings in an Electoral Tribunal in terms of these regulations against any respondent in relation to any matter referred to in regulation 76 shall institute any such proceedings by way of a summons (accompanied by an appropriate supporting affidavit) as near as may be in accordance with the form set out in Annexure 11—

(a) setting forth the imposition of the penalty or sanction, or the terms of an order, claimed against the respondent on the factual allegations and submissions set out in the aforesaid supporting affidavit;

(b) setting forth the time and date as may be determined by the Secretary, which shall be a date not less than five days after the date upon which the summons was served on the respondent, on which, and the place at which, the matter is set down for adjudication and decision;

(c) calling upon the respondent, if he or she wishes to defend the matter—

(i) om nie minder nie as twee dae voor die datum waarop die saak vir beregting en beslissing op die rol geplaas is, 'n beëdigde verklaring by die Sekretaris in te dien waarin die respondent op die beweringe vervat in die beëdigde verklaring wat by die dagvaarding aangeheg is, antwoord; of

(ii) indien die respondent van voornemens is om slegs 'n regsvraag te opper, 'n skriftelike kennisgewing van sy of haar voorneme waarin sodanige vraag uiteengesit word voor of op die datum in item (i) bedoel, by die Sekretaris in te dien.

(5) In elke dagvaarding word die klaer as die eiser gesiteer en die eis word, na die instelling van die verrigtinge deur die Hoofdirekteur: Monitering, deur sodanige klaer voortgesit: Met dien verstande dat genoemde Hoofdirekteur indien dit vir hom of haar blyk dat dit in die belang van geregtigheid is—

(a) as eiser gesiteer kan word en die eis kan voortsit; of

(b) op enige stadium van die verrigtinge in die verrigtinge kan tussenbeide tree ten behoewe van die eiser of die respondent.

(6) (a) Die Sekretaris—

(i) reik die dagvaarding bedoel in subregulasie (4) uit deur die oorspronklike daarvan te teken en sy of haar amptelike stempel of seël daarop te plaas;

(ii) ken 'n volgnommer toe aan elke dagvaarding aldus deur hom of haar uitgereik.

(b) Enige ander beëdigde verklaring of stuk ingedien as deel van die oorkonde in enige verrigtinge in 'n Verkiesingstribunaal word met sodanige nommer gemerk deur die party wat die verklaring of stuk indien.

(7) 'n Party tot die verrigtinge in 'n Verkiesingstribunaal is nie daarop geregtig om enige ander beëdigde verklarings as die verklarings in subregulasie (4) bedoel, in te dien nie, behalwe met die spesiale toestemming van die Verkiesingstribunaal verleen by aanvoring van goeie gronde en onderworpe aan die voorwaardes, as daar is, deur die Verkiesingstribunaal bepaal ten einde sodanige verrigtinge tot 'n spoedige einde te bring met behoorlike inagneming van billikheid en geregtigheid aan al die partye in die verrigtinge.

(8) Die respondent moet in sy of haar beëdigde verklaring in subregulasie (4) (c) (i) beoog, al die wesenlike feite wat in die ondersteunende beëdigde verklaring by die dagvaarding aangeheg, beweer word, erken of ontken of met teenwerping erken, of meld welke van genoemde feite nie erken word nie en in watter mate, en duidelik en bondig alle wesenlike feite aangee waarop hy of sy steun.

(i) to file with the Secretary, not less than two days before the date upon which the matter is set down for adjudication and decision, an affidavit in which the respondent answers to the allegations contained in the affidavit annexed to the summons; or

(ii) if the respondent intends to raise any question of law only, file with the secretary notice in writing of his or her intention to do so before or on the date referred to in item (i) setting forth such question.

(5) In every summons the complainant shall be cited as the claimant and the claim shall, after the institution of the proceedings by the Chief Director: Monitoring, be prosecuted by such claimant: Provided that the said Chief Director may, if it appears to him or her to be in the interests of justice—

(a) be cited as the claimant and prosecute the claim; or

(b) at any stage of the proceedings intervene in the proceedings on behalf of the claimant or the respondent.

(6) (a) The Secretary shall—

(i) issue the summons referred to in subregulation (4) by signing the original thereof and placing his or her official stamp or seal thereon;

(ii) allot a consecutive number to each summons so issued by him or her.

(b) Any other affidavit or document filed of record in any proceedings in an Electoral Tribunal shall be marked with such number by the party filing such affidavit or document.

(7) A party to the proceedings in an Electoral Tribunal shall not be entitled to file any affidavits other than the affidavits referred to in subregulation (4), except with the special permission of the Electoral Tribunal granted on good cause shown and subject to such conditions, if any, as may be determined by the Electoral Tribunal in order to bring such proceedings to an expeditious conclusion, due regard being had to fairness and justice to all parties to the proceedings.

(8) The respondent shall in his, her or its affidavit contemplated in subregulation (4) (c) (i) either admit or deny or confess and avoid all the material facts alleged in the supporting affidavit annexed to the summons or state which of the said facts are not admitted and to what extent, and shall clearly and concisely state all material facts upon which he, she or it relies.

Wyse van sitasie van partye as respondente

78. In enige verrigtinge teen 'n party in 'n Verkiesingstribunaal—

(a) word 'n ampsbekleër of werknemer van daardie party, as verteenwoordiger van daardie party, as die respondent gesiteer, en daarop kan met die persoon aldus gesiteer, as sodanige verteenwoordiger, gehandel word asof hy of sy die party was teen wie die verrigtinge ingestel is: Met dien verstande dat—

(i) indien op enige stadium van die verrigtinge genoemde persoon ophou om 'n ampsbekleër of werknemer van daardie party te wees of vlug of nie in staat is om teenwoordig te wees nie, kan die betrokke Tribunaal, op versoek van die eiser van tyd tot tyd genoemde persoon vervang deur enige ander persoon wat 'n ampsbekleër of werknemer van genoemde party ten tyde van genoemde vervanging is, en daarop gaan die verrigtinge voort asof geen vervanging geskied het nie;

(ii) die sitasie van 'n ampsbekleër of werknemer van 'n party soos voormeld, om daardie party in enige verrigtinge teen hom ingestel, te verteenwoordig, stel nie daardie ampsbekleër of werknemer vry van die instelling van verrigtinge teen hom of haar in sy of haar persoonlike hoedanigheid nie;

(b) word sodanige party—

(i) in die geval van enige geregistreerde party, in die naam van die party in artikel 19 (3) (a) van die Kieswet, bedoel;

(ii) in die geval van enige ander party, in die naam waarby die ander party in die algemeen bekend staan,

gesiteer.

Bestelling van dagvaardings

79. (1) 'n Eiser, wat nie die Hoofdirekteur: Monitering is nie, kan—

(a) enige dagvaarding op sy of haar versoek ingevolge regulasie 77 (1) uitgereik, aan die betrokke respondent persoonlik bestel; of

(b) met die voorafverkreë toestemming van die respondent die dagvaarding aan die respondent se regsverteenwoordiger bestel; of

(c) sodanige dagvaarding aan die Hoofdirekteur: Monitering aflewer vir bestelling aan die betrokke respondent op die wyse in subregulasie (2) bepaal.

(2) (a) Die eiser wat bestelling van enige dagvaarding deur die Hoofdirekteur: Monitering vereis, lewer aan genoemde Hoofdirekteur of sy of haar verteenwoordiger in die betrokke regsgebied die oorspronklike van daardie dagvaarding tesame met soveel kopieë daarvan as wat daar respondente is.

Manner of citation of parties as respondents

78. In any proceedings in an Electoral Tribunal against a party—

(a) an office-bearer or employee of that party shall be cited, as representative of that party, as the respondent, and thereupon the person so cited may, as such representative, be dealt with as if he or she were the party against which the proceedings are instituted: Provided that—

(i) if at any stage of the proceedings the said person ceased to be an office-bearer or employee of that party or absconds or is unable to attend, the Tribunal in question may, at the request of the claimant, from time to time substitute for the said person any other person who is an office-bearer or employee of the said party at the time of the said substitution, and thereupon the proceedings shall continue as if no substitution has taken place;

(ii) the citation of an office-bearer or employee of a party as aforesaid, to represent that party in any proceedings instituted against it, shall not exempt that office-bearer or employee from proceedings being instituted against him or her in his or her personal capacity;

(b) such party shall be cited—

(i) in the case of any registered party, by the name of such party referred to in section 19 (3) (a) of the Electoral Act;

(ii) in the case of any other party, by the name by which such other party is generally known.

Service of summonses

79. (1) A claimant, not being the Chief Director: Monitoring, may—

(a) serve any summons issued at his or her or its instance in terms of regulation 77 (1) on the respondent concerned personally; or

(b) with the permission of the respondent previously obtained, serve such summons upon the respondent's legal representative; or

(c) deliver such summons to the Chief Director: Monitoring for service on the respondent concerned in the manner as provided in subregulation (2).

(2) (a) The claimant requiring service of any summons to be effected by the Chief Director: Monitoring shall deliver to the said Chief Director or his or her representative in the area of jurisdiction concerned the original of that summons, together with as many copies thereof as there are respondents.

(b) Behoudens die bepalings van hierdie regulasie word enige dagvaarding deur die Hoofdirekteur: Monitering of sy of haar verteenwoordiger aan die betrokke respondent bestel deur 'n afskrif daarvan op een van die volgende wyses te bestel:

(i) Aan die respondent persoonlik of aan sy of haar behoorlik gemagtigde agent;

(ii) by sy of haar woning of besigheidsplek aan 'n persoon klaarblyklik nie jonger as 16 jaar nie en wat klaarblyklik daar woon of daar in diens is;

(iii) by sy of haar werkplek aan 'n persoon klaarblyklik nie jonger as 16 jaar nie en klaarblyklik in 'n gesagsposisie oor hom of haar of, in die afwesigheid van so 'n persoon in 'n gesagsposisie, aan 'n persoon klaarblyklik nie jonger as 16 jaar nie en klaarblyklik in beheer by sy of haar werkplek;

(iv) in die geval van 'n regspersoon, 'n vennootskap of vereniging van persone, hetsy geïnkorporeer of nie geïnkorporeer nie, by sy kantoor aan 'n ampsbekleër of werknemer daarvan of aan enige van sy lede of ampsbekleërs by sy of haar woonplek of sakeadres;

(v) in die geval van 'n geregistreerde party of kandidaat of ampsbekleër van sodanige party in sy of haar hoedanigheid as sodanige kandidaat of ampsbekleër, by die sakeadres van die betrokke party-verkiesingsagent van die party ingevolge artikel 13 (1) of (3) (c) van die Kieswet, aangestel;

(vi) in die geval van 'n Staats- of Adjunk-Staatsminister, in sy of haar amptelike hoedanigheid, of die Staat, by die kantoor van die Staatsprokureur in Pretoria, of 'n tak van daardie Kantoor of die kantoor van enige ander staatsprokureur wat ten opsigte van die regsgebied van die Verkiesingstribunaal dien:

Met dien verstande dat waar sodanige bestelling uitgevoer is op die wyse in item (ii), (iii), (iv), (v) of (vi) voorgeskryf, genoemde Hoofdirekteur of verteenwoordiger in die relaas van bestelling van die dagvaarding, die naam van die persoon aan wie dit bestel is en die hoedanigheid waarin daardie persoon in verhouding tot die respondent staan, aandui, en waar sodanige bestelling uitgevoer is op die wyse in item (ii), (iii) of (iv) voorgeskryf, kan die Verkiesingstribunaal, indien daar rede is om te twyfel of die dagvaarding wat bestel is tot die werklike kennis van die respondent op wie dit bestel moes word, gekom het, en in die afwesigheid van bevredigende bewys, die bestelling as ongeldig behandel.

(3) Waar die persoon op wie so 'n dagvaarding bestel moet of kan word sy of haar woning of besigheidsplek gesluit hou en daardeur verhoed dat die dagvaarding aan hom of haar bestel word, is dit voldoende bestelling om 'n afskrif daarvan aan die buite- of hoofdeur van sodanige woning of besigheidsplek te heg.

(b) Subject to the provisions of this regulation, any summons shall be served by the Chief Director: Monitoring or his or her representative on the respondent concerned by serving a copy thereof in one of the following manners:

(i) On the respondent personally or on his or her duly authorized agent;

(ii) at his or her residence or place of business on some person apparently not less than 16 years of age and apparently residing or employed there;

(iii) at his or her place of employment on some person apparently not less than 16 years of age and apparently in authority over him or her or, in the absence of such person in authority, on a person apparently not less than 16 years of age and apparently in charge at his or her place of employment;

(iv) in the case of a juristic person, partnership or association of persons, whether incorporated or unincorporated, at its office on an office-bearer or employee thereof or on any of its members or office-bearers at his or her place of residence or business address;

(v) in the case of a registered party or candidate or office-bearer of such party in his or her capacity as such candidate or office-bearer, at the business address of the party election agent concerned of such party appointed in terms of section 13 (1) or (3) (c) of the Electoral Act;

(vi) in the case of a Minister or Deputy Minister of State, in his or her official capacity, or the State, at the Office of the State Attorney in Pretoria, or a branch of that Office or the office of any other state attorney which serves in respect of the area of jurisdiction of the Electoral Tribunal:

Provided that where such service has been effected in the manner prescribed by item (ii), (iii), (iv), (v) or (vi), the said Chief Director or representative shall indicate in the return of service of the summons the name of the person to whom it has been served and the capacity in which that person stands in relation to the respondent, and where such service has been effected in the manner prescribed by item (ii), (iii) or (iv), the Electoral Tribunal may, if there is reason to doubt whether the summons served has come to the actual knowledge of the respondent to be served, and in the absence of satisfactory evidence, treat such service as invalid.

(3) Where the person on which a summons is to be or may be served keeps his or her residence or place of business closed and in so doing prevents the summons to be serviced upon him or her, it shall be sufficient service to affix a copy thereof to the outer or principal door of such residence or place of business.

(4) Die eiser of die Hoofdirekteur: Monitering of sy of haar verteenwoordiger kan, in 'n geval waar weerstand teen die behoorlike bestelling van die betrokke dagvaarding ondervind word of redelikerwys verwag word, 'n vredesbeampte oproep om aan hom of haar die hulp te verleen wat nodig mag wees om die bestelling te doen.

(5) Indien 'n dagvaarding deur 'n eiser aan 'n respondent persoonlik of aan sy of haar regsverteenwoordiger bestel is soos in subregulasie (1) (a) of (b) bepaal, verkry die eiser 'n kwitansie ooreenkomstig die volgende vorm, en dien die oorspronklike dagvaarding en die kwitansie so gou as moontlik by die Sekretaris in:

Ek, CD, synde die respondent/regsverteenwoordiger van die respondent in die aangeleentheid tussen eiser en myself/respondent, erken hiermee dat 'n afskrif van die dagvaarding in sodanige aangeleentheid op my persoonlik bestel is en dat die oorspronklike van die dagvaarding aan my getoon is.

Geteken te..... op hierdie ..... dag van 1994

.....

HANDTEKENING

(6) Die Hoofdirekteur: Monitering of sy of haar verteenwoordiger stel die Sekretaris sonder verwyl skriftelik in kennis—

(a) dat die bestelling behoorlik uitgevoer is, met vermelding van die datum en wyse van bestelling; of

(b) dat hy of sy nie die bestelling kon uitvoer nie en die rede daarvoor,

en besorg die oorspronklike van sodanige dagvaarding aan die Sekretaris terug.

(7) Die relaas van bestelling van die Hoofdirekteur: Monitering of sy of haar verteenwoordiger en die kwitansie waarna verwys word in subregulasie (5), is *prima facie*-bewys van die aangeleenthede daarin vermeld.

Wyse waarop aangeleenthede in Verkiesingstribunale bereg en beslis moet word

80. (1) Indien, op die datum waarop die aangeleentheid ter rolle geplaas is vir beregting en beslissing—

(a) al die partye in die verrigtinge voor die Verkiesingstribunaal verskyn, word elke sodanige party, hetsy persoonlik of by wyse van 'n regsverteenwoordiger, een geleentheid gegun om die Verkiesingstribunaal toe te spreek, en geen ander geleentheid word aan enige sodanige party verleen nie, behalwe met die spesiale verlof van die Verkiesingstribunaal verleen by aanvoering van goeie gronde en op die voorwaardes, as daar is, wat die Verkiesingstribunaal bepaal;

(4) The claimant or the Chief Director: Monitoring or his or her representative may, in any case where resistance to the due service of the summons in question has been met with or is reasonably anticipated, call upon any peace officer to render him or her such assistance as may be necessary to effect such service.

(5) If a summons is served by a claimant on a respondent personally or on his or her legal representative as provided in subregulation (1) (a) or (b), the claimant shall obtain a receipt in the following form, and file the original summons and the receipt with the Secretary as soon as possible:

I, CD, being the respondent/legal representative of the respondent in the matter between claimant and myself/respondent, do hereby acknowledge that a copy of the summons in such matter has been served on me personally and that the original of the summons has been exhibited to me.

Signed at..... on this the day of..... 1994

.....

SIGNATURE

(6) The Chief Director: Monitoring or his or her representative shall without delay notify the Secretary in writing—

(a) that service has been duly effected, stating the date and manner of service; or

(b) that he or she has been unable to effect service and of the reason for such inability,

and return the original of the said summons to the Secretary.

(7) The return of service of the Chief Director: Monitoring or his or her representative and the receipt referred to in subregulation (5) shall be *prima facie* evidence of the matters therein stated.

Manner in which matters are to be adjudicated and decided upon in Electoral Tribunals

80. (1) If, on the date on which the matter has been set down for adjudication and decision—

(a) all the parties to the proceedings appear before the Electoral Tribunal, each such party, either personally or by way of a legal representative, shall be afforded one opportunity to address the Electoral Tribunal, and no other opportunity shall be granted to any such party, except with the special permission of the Electoral Tribunal granted on good grounds shown and on such conditions, if any, as may be determined by the Electoral Tribunal;

(b) die eiser versuim om op die tyd vir beregting en beslissing van die aangeleentheid bepaal, te verskyn, kan die Verkiesingstribunaal die aangeleentheid afwys of die ander bevel maak wat hy in die omstandighede wenslik of paslik ag;

(c) die respondent versuim om aldus te verskyn, kan die Verkiesingstribunaal, behoudens die bepalings van subregulasie (2), die aangeleentheid oorweeg en, indien oortuig dat 'n bevel in die dagvaarding geëis, geregverdig is, so 'n bevel uitreik of die ander bevel maak wat hy in die omstandighede wenslik of paslik ag.

(2) 'n Respondent teen wie 'n bevel kragtens subregulasie (1) (c) uitgereik is, kan so gou doenlik nadat die bevel tot sy of haar kennis gekom het, aansoek doen by die Verkiesingstribunaal na skriftelike kennisgewing aan die eiser, om die bevel tersyde te stel en die Verkiesingstribunaal kan, by aanvoering van goeie gronde sodanige bevel tersyde stel en die bevel maak wat hy geskik ag ten einde die verrigtinge tot 'n spoedige einde te bring.

(3) Indien die aangeleentheid nie op die beëdigde verklarings wat ingevolge regulasie 77 ingedien is, beslis kan word nie, kan die Verkiesingstribunaal—

(a) beveel dat mondelinge getuienis aangehoor word oor die geskilpunte in sodanige bevel aangedui, met die doel om enige feitegeskil by te lê;

(b) enige persoon teenwoordig by die verrigtinge, of enige ander persoon by wyse van 'n getuiedagvaarding so na moontlik in ooreenstemming met die vorm in Aanhangsel 12 uiteengesit en deur die Sekretaris uitgereik, beveel om voor hom te verskyn op 'n datum of datums deur hom bepaal, om as 'n getuie ondervra en kruisondervra te word of, indien nodig, enige stuk of voorwerp vir ondersoek voor te lê;

(c) die Hoofdirekteur: Monitering beveel om enige plek of voertuig in sodanige bevel vermeld, te betree ten einde daar te soek vir en beslag te lê op enige stuk of voorwerp aldus vermeld, vir voorlegging en ondersoek in die verrigtinge in sodanige Verkiesingstribunaal;

(d) die ander bevel maak wat hy nodig ag ten einde 'n billike en spoedige beslissing oor die aangeleentheid te verseker.

(4) 'n Party in die verrigtinge, waarin soos in subregulasie (3) (a) bepaal, beveel is dat mondelinge getuienis aangehoor word en wat verkies, vir die doeleindes om die geskilpunte in sodanige bevel vermeld, te beslis, dat enige persoon in sodanige verrigtinge moet verskyn ten einde as 'n getuie ondervra en kruisondervra te word of, indien nodig, enige stuk of voorwerp vir ondersoek voor te lê—

(a) kan sodanige persoon by wyse van 'n getuiedagvaarding so na as moontlik in ooreenstemming met die vorm in Aanhangsel 12 uiteengesit

(b) the claimant fails to appear at the time determined for adjudication and decision of the matter, the Electoral Tribunal may dismiss the matter or make such other order as it may deem expedient or appropriate in the circumstances;

(c) the respondent fails to so appear, the Electoral Tribunal may, subject to the provisions of subregulation (2), consider the matter and, if satisfied that an order claimed in the summons is justified, issue such an order or make such other order as it may deem expedient or appropriate in the circumstances.

(2) A respondent against whom an order has been issued under subregulation (1) (c), may as soon as practicable after the order has come to his or her knowledge apply to the Electoral Tribunal upon written notice to the claimant to set aside such order and the Electoral Tribunal may, upon good cause shown, set aside such order and make such order as it may deem fit in order to bring the proceedings to an expeditious conclusion.

(3) If the matter cannot be decided on the affidavits filed in terms of regulation 77, the Electoral Tribunal may—

(a) order that oral evidence be heard on issues specified in such order with a view to resolving any dispute of fact;

(b) order any person present at the proceedings, or any other person by way of a subpoena as near as may be in accordance with the form set out in Annexure 12 and issued by the Secretary, to appear before it on a date or dates determined by it, to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination;

(c) order the Chief Director: Monitoring to enter upon any place or vehicle specified in such order in order there to search for and seize any document or article so specified for production and examination in the proceedings in such Electoral Tribunal;

(d) make such other order as it may deem necessary in order to ensure a fair and expeditious decision on the matter.

(4) A party to the proceedings in which it has been ordered as provided in subregulation (3) (a) that oral evidence be heard who wishes, for the purposes of determining the issues specified in such order, any person to appear in such proceedings in order to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination—

(a) may cause such person to be ordered by way of a subpoena as near as may be in accordance with the form set out in Annexure 12 and issued

en deur die Sekretaris uitgereik, laat beveel om voor die betrokke Verkiesingstribunaal te verskyn op die datum daarin vermeld of, indien nodig, om enige sodanige stuk of voorwerp vir ondersoek voor te lê;

(b) moet—

(i) sodanige getuiedagvaarding *mutatis mutandis* in ooreenstemming met die bepalings van regulasie 79 laat bestel asof sodanige getuiedagvaarding 'n dagvaarding was;

(ii) aan sodanige persoon die bedrag geld wat nodig is om sodanige persoon se redelike vervoeruitgawes na en van sy of haar woonplek te betaal, oorhandig of laat oorhandig.

(5) Indien enige persoon wat ingevolge subregulasie (3) of (4) beveel is om voor 'n Verkiesingstribunaal te verskyn om as 'n getuie ondervra en kruisondervra te word of om enige stuk of voorwerp vir ondersoek aan sodanige Verkiesingstribunaal voor te lê, versuim om te verskyn of om getuienis af te lê of om sodanige stuk of voorwerp voor te lê of, tensy verskoon, versuim om deurgaans by die verrigtinge teenwoordig te bly, kan die Verkiesingstribunaal, indien sodanige Verkiesingstribunaal oortuig is—

(a) dat die getuiedagvaarding in subregulasie (3) of (4) bedoel, behoorlik aan sodanige persoon soos daarin bepaal, bestel is; en

(b) dat die vervoeruitgawes in subregulasie (4) (b) (ii) bedoel, aan hom of haar betaal of aangebied is,

die Hoofdirekteur: Monitering skriftelik in die vorm deur hom bepaal, beveel om so 'n persoon te arresteer en aan te hou en hom of haar voor die Verkiesingstribunaal te bring ten einde hom of haar as 'n getuie te laat ondervra en kruisondervra of, indien nodig, om enige stuk of voorwerp vir ondersoek voor te lê.

(6) 'n Persoon wat ingevolge hierdie regulasie vereis word in 'n Verkiesingstribunaal te verskyn ten einde ondervra en kruisondervra te word as 'n getuie of, indien nodig, enige stuk of voorwerp voor te lê vir ondersoek, is daarop geregtig om deur die party wat sy of haar bywoning by sodanige verrigtinge verkry het, die redelike reis- en verblyfuitgawes betaal te word wat so 'n persoon aangegaan het ten einde die verrigtinge by te woon en die ander fooie en toelaes wat aan hom of haar betaalbaar sou wees indien hy of sy 'n getuie in 'n siviele saak in 'n landdroshof was.

Bevele wat deur Verkiesingstribunale uitgereik kan word

81. (1) 'n Verkiesingstribunaal is bevoeg, by bevinding dat 'n eiser nie geregtig is op die bevel geëis nie, om sodanige eis van die hand te wys, of, by bevinding dat dit op 'n oorwig van waarskynlikhede bewys is dat die betrokke respondent enige handeling bedoel in regulasie 76 verrig het of vereis was om sodanige handeling te verrig, om—

(a) in die geval van enige handeling of versuim bedoel in paragraaf (a) van subregulasie (1) van regulasie 76, 'n bevel uit te reik ingevolge waar-

by the Secretary to appear before the Electoral Tribunal in question on such date as may be specified therein or, if necessary, to produce any such document or article for examination;

(b) shall—

(i) cause such notice to be served *mutatis mutandis* in accordance with the provisions of regulation 79 as if such notice were a summons;

(ii) hand or cause to be handed to such person such sum of money as may be necessary to pay such person's reasonable transport expenses to and from his or her place of residence.

(5) If any person ordered in terms of subregulation (3) or (4) to appear before an Electoral Tribunal to be examined and cross-examined as a witness or to produce any document or article for examination in such Electoral Tribunal fails to attend or to give evidence or to produce any such document or article or, unless excused, fails to remain in attendance throughout the proceedings, the Electoral Tribunal may, if such Electoral Tribunal is satisfied—

(a) that the notice referred to in subregulation (3) or (4) has been duly served as provided therein on such person; and

(b) that the transport expenses referred to in subregulation (4) (b) (ii) have been paid or offered to him or her,

order the Chief Director: Monitoring in writing in such form as may be determined by it to arrest and detain such person and to bring him or her before such Electoral Tribunal in order to cause him or her to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination.

(6) A person required in terms of this regulation to appear in an Electoral Tribunal in order to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination shall be entitled to be paid by the party who procured his or her attendance in such proceedings, such reasonable travelling and subsistence expenses as such person has incurred in attending the proceedings and such other fees and allowances as would have been payable to him or her had he or she been a witness in a civil case in a magistrate's court.

Orders which may be issued by Electoral Tribunals

81. (1) An Electoral Tribunal shall be empowered, on having found that the claimant is not entitled to the order claimed, to dismiss such claim, or, on having found that it has been proved on a balance of probabilities that the respondent concerned has performed any act referred to in regulation 76 or was required to perform such act, to issue—

(a) in the case of any act or failure contemplated in paragraph (a) of subregulation (1) of regulation 76, an order in terms of which any one or more

van enige een of meer van die strawwe of sanksies bedoel in artikel 69 (2) (a) (i), (ii) of (iii) of (c) (i) van die Kieswet aan die betrokke respondent opgelê word;

(b) 'n bevel ingevolge waarvan die betrokke respondent—

(i) beveel word om 'n boete van hoogstens R100 000 te betaal, uit te reik;

(ii) by wyse van 'n verbiedende interdik beveel word om op te hou om enige sodanige handeling te verrig of om dit nie te doen nie of om sodanige handeling uit te voer, uit te reik, in die mate in sodanige bevel vermeld;

(iii) by wyse van 'n gebiedende interdik beveel word om die handeling in die bevel vermeld in die mate aldus vermeld te verrig, of om op die wyse in sodanige bevel vermeld, enige gevolge reg te stel wat ontstaan het as gevolg van sodanige handeling of versuim, uit te reik;

(iv) by wyse van 'n vergoedende bevel beveel word om aan enige party of persoon wat vermoënskade gely het as gevolg van sodanige handeling of versuim, die bedrag te betaal wat na die goeddunke van die Verkiesingstribunaal nodig is om sodanige party of persoon vir sodanige skade te vergoed, uit te reik;

(c) in die geval van 'n handeling verrig of 'n versuim om sodanige handeling te verrig deur enige ampsbekleër of agent van 'n party wat 'n party is tot die verrigtinge, teenstrydig met die opdragte of doelwitte van so 'n party, 'n bevel ingevolge waarvan die betrokke party by wyse van 'n gebiedende interdik beveel word om sodanige ampsbekleër of agent van sy of haar amp as sodanige ampsbekleër of agent te onthef, of om hom of haar in die ander hoedanigheid in die bevel vermeld, aan te wend, uit te reik;

(d) enige ander bevel as 'n bevel bedoel in artikel 69 (2) (a) (iv), (v) en (vi), (b) en (c) (ii) van die Kieswet soos wat die omstandighede mag vereis, met inbegrip van 'n kostebevel teen enige van die partye in die verrigtinge, uit te reik.

(2) Die bepalings van subregulasie (1) word nie so uitgelê as sou dit 'n Verkiesingstribunaal verhoed, vir sover dit toepaslik mag wees, om twee of meer bevele in daardie subregulasie bedoel, uit te reik nie.

(3) Enige boete opgelê aan enige party of persoon ingevolge subregulasie (1) word aan die Sekretaris betaal wat die bedrag wat so betaal is ten opsigte van enige sodanige boete onverwyld in die Staatsinkomstefonds inbetaal.

of the penalties or sanctions referred to in section 69 (2) (a) (i), (ii) or (iii) or (c) (i) of the Electoral Act are imposed upon the respondent concerned;

(b) an order in terms of which the respondent concerned is ordered—

(i) to pay a fine not exceeding R100 000;

(ii) by way of a prohibitory interdict to discontinue, or to refrain from performing, any such act, or to perform such act, to the extent specified in such order;

(iii) by way of a mandatory interdict to perform such act as may be specified in such order to the extent so specified, or to rectify in such manner as may be specified in such order any consequences which have arisen in consequence of such act or failure;

(iv) by way of a compensatory order to pay any party or person who suffered patrimonial damages in consequence of such act or failure, such an amount as may in the discretion of the Electoral Tribunal be necessary to compensate such party or person for such damages;

(c) in the case of an act performed or a failure to perform any such act by any office-bearer or agent of a party which is a party to the proceedings contrary to the instructions or aims of such party, an order in terms of which the party concerned is ordered by way of a mandatory interdict to remove such office-bearer or agent from his or her office as such office-bearer or agent or to employ him or her in such other capacity as may be specified in such order;

(d) any order other than an order referred to in section 69 (2) (a) (iv), (v) and (vi), (b) and (c) (ii) of the Electoral Act as the circumstances may require, including an order as to costs against any of the parties.

(2) The provisions of subregulation (1) shall not be construed as preventing an Electoral Tribunal to issue, in so far as it may be appropriate, two or more of the orders referred to in that subregulation.

(3) Any fine imposed upon any party or person in terms of subregulation (1) shall be paid to the Secretary who shall forthwith pay the amount so paid in respect of any such fine into the State Revenue Fund.

(4) Enige bedrag wat deur enige party in enige verrigtinge in 'n Verkiesingstribunaal by wyse van 'n boete of vergoedende bevel betaal moet word, word deur die Sekretaris of, in die geval van 'n vergoedende bevel, deur die betrokke party ingevorder asof sodanige bedrag 'n bedrag was wat betaalbaar is ingevolge 'n uitspraak wat deur die landdroshof wat regsbevoegdheid het in die gebied waarin sodanige Verkiesingstribunaal geleë is, gelewer is.

(5) Enige ander bevel as 'n bevel bedoel in subregulasie (4) deur 'n Verkiesingstribunaal uitgereik, word vir die doeleindes van die tenuitvoerlegging daarvan geag 'n bevel van daardie aard uitgereik deur die afdeling van die Hooggeregshof te wees wat regsbevoegdheid het in die gebied waarin sodanige Verkiesingstribunaal geleë is.

(6) 'n Verkiesingstribunaal maak sy bevinding, beslissing en bevel, tesame met sy redes vir sodanige bevinding, beslissing en bevel, in die openbaar bekend op 'n datum deur die Verkiesingstribunaal bepaal en maak dit aan al die partye in die verrigtinge bekend.

Tussentydse bevele in dringende aangeleenthede geëis

82. (1) Behoudens die bepalings van subregulasie (2) kan 'n Verkiesingstribunaal te eniger tyd—

(a) 'n bevel uitreik wat afsien van die tydsbeperkinge in regulasie 77 bedoel;

(b) 'n verbiedende interdik bedoel in regulasie 81 (1) (b) (ii) uitreik as 'n tussentydse maatreël, totdat die aangeleentheid finaal oor bereg en beslis is of tot die vroeëre datum wat deur die betrokke eiser voorsien word.

(2) 'n Verkiesingstribunaal reik nie 'n bevel in subregulasie (1) bedoel uit nie tensy hy op getuienis voor hom aangevoer, hetsy mondeling of by wyse van beëdigde verklaring, oortuig is—

(a) dat die betrokke dagvaarding aan die betrokke respondent ooreenkomstig die wyse bepaal in regulasie 79 bestel is of, indien die vertraging om sodanige bestelling uit te voer die oogmerke van die bevel verlang, sou verydel, op die ander wyse wat na goeddunke van die Verkiesingstribunaal in die omstandighede redelik is;

(b) dat die eiser bewys het—

(i) dat enige reg waarop hy of sy of enige klaer geregtig is, geskend is, geskend word of geskend gaan word as gevolg van 'n handeling in regulasie 76 bedoel, wat deur die respondent verrig is of 'n versuim deur die respondent om so 'n handeling te verrig;

(ii) dat daar 'n redelike vrees bestaan dat hy of sy of enige klaer onherstelbare skade sal ly as die bevel wat versoek word nie as 'n tussentydse maatreël verleen word nie en 'n permanente bevel van daardie aard uiteindelik verleen word; en

(iii) dat die oorwig van gerief die verlening van sodanige bevel steun.

(4) Any amount to be paid by any party in any proceedings in an Electoral Tribunal by way of a fine or compensatory order shall be recovered by the Secretary or, in the case of a compensatory order, by the party concerned as if such amount were an amount payable in terms of a judgment delivered by the magistrate's court which has jurisdiction in the area in which such Electoral Tribunal is situated.

(5) Any order other than an order referred to in subregulation (4) issued by an Electoral Tribunal shall for the purposes of the execution thereof be deemed to be an order of that nature issued by the Division of the Supreme Court of South Africa which has jurisdiction in the area in which such Electoral Tribunal is situated.

(6) An Electoral Tribunal shall make known its finding, decision and order, together with its reasons for such finding, decision and order, in public on a date determined by it and make it known to all the parties to the proceedings.

Interim orders claimed as matters of urgency

82. (1) Subject to the provisions of subregulation (2), an Electoral Tribunal may at any time issue—

(a) an order dispensing with the time limits as provided in regulation 77;

(b) a prohibitory interdict referred to in regulation 81 (1) (b) (ii), as an interim measure, until such time as the matter is finally adjudicated and decided upon or until such earlier date as may be anticipated by the claimant concerned.

(2) An Electoral Tribunal shall not grant an order referred to in subregulation (1), unless it is satisifed on evidence adduced, either orally or by way of affidavit, before it—

(a) that the summons in question has been served upon the respondent concerned in accordance with the manner as provided in regulation 79 or, if the delay to effect such service will defeat the aims of the order sought, in such other manner as is in the discretion of the Electoral Tribunal reasonable in the circumstances;

(b) that the claimant has established—

(i) that any right to which he, she or it or any complainant is entitled has been, is being or is about to be infringed in consequence of an act contemplated in regulation 76 which has been performed by the respondent or of a failure by the respondent to perform any such act;

(ii) that there is a reasonable apprehension that he, she or it will suffer irreparable harm if the order sought is not granted as an interim measure and a permanent order of that nature is ultimately granted; and

(iii) that the balance of convenience favours the granting of such an order.

HOOFSTUK 14

VERKIESINGSAPPÈLTRIBUNALE

Instelling, regsgebiede en setels van Verkiesingsappèltribunale

83. (1) Daar word hierby 'n Verkiesingsappèltribunaal ingestel vir elk van die geografiese gebiede bestaande uit die regsgebiede van die provinsiale en plaaslike en enige ander afdelings van die Hooggeregshof, en staan bekend as die Verkiesingsappèltribunaal vir die betrokke afdeling.

(2) Die plek waar die setel van die betrokke afdeling van die Hooggeregshof gesetel is, is die setel van die betrokke Verkiesingsappèltribunaal.

Appèlle teen beslissings en bevele van Verkiesingstribunale

84. (1) Kennis van 'n appèl bedoel in artikel 36 (4) van die Kommissiewet word deur die betrokke belanghebbende persoon, party of kandidaat aangeteken deur, nie later as vyf dae vanaf die datum waarop die betrokke beslissing, bevel, straf of sanksie ingevolge regulasie 81 (6) deur die betrokke Verkiesingstribunaal bekend gemaak is, by die Sekretaris of sy of haar verteenwoordiger by die setel van die betrokke Verkiesingstribunaal 'n kennisgewing van appèl in te dien waarin die redes vir appèl volledig uiteengesit word, met vermelding van die feite- en regsbevindings waarteen kennis van appèl gegee word, en sodanige belanghebbende persoon, party of kandidaat lê onverwyld 'n afskrif van so 'n kennisgewing van appèl voor aan enige ander persoon, party of kandidaat wat 'n party in die verrigtinge in die Verkiesingstribunaal was.

(2) Die Sekretaris moet—

(a) by ontvangs van 'n kennisgewing van appèl, in oorleg met die voorsitter van die Verkiesingsappèltribunaal wat regsbevoegdheid het ten opsigte van die regsgebied van die betrokke Verkiesingstribunaal, onverwyld 'n datum bepaal wat 'n datum moet wees nie later nie as sewe dae vanaf die datum van sodanige ontvangs of sodanige later datum wat deur die betrokke voorsitter bepaal word, waarop die appèl aangehoor moet word;

(b) die partye in die verrigtinge onverwyld verwittig van die datum aldus bepaal; en

(c) afskrifte van die oorkonde van die verrigtinge aan die Verkiesingsappèltribunaal beskikbaar stel, nie later nie as vyf dae voor die datum aldus bepaal, en, op versoek van enige van die partye in die verrigtinge en by betaling van die bedrag deur die Sekretaris bepaal, aan enige sodanige party.

(3) 'n Appèl na enige Verkiesingsappèltribunaal teen enige beslissing, bevel, straf of sanksie gemaak, gegee of opgelê deur 'n Verkiesingstribunaal het nie tot gevolg dat sodanige beslissing, bevel, straf of sanksie opgeskort word nie, tensy die Verkiesingsappèltribunaal op aansoek aan hom gedoen na skriftelike kennisgewing aan al die ander partye in die verrigtinge, te eniger tyd voordat sodanige appèl aangehoor is of 'n finale beslissing daaroor gegee is, anders bepaal.

CHAPTER 14

ELECTORAL APPEAL TRIBUNALS

Establishment, areas of jurisdiction and seats of Electoral Appeal Tribunals

83. (1) There is hereby established an Electoral Appeal Tribunal for each of the geographical areas consisting of the areas of jurisdiction of the provincial and local and any other divisions of the Supreme Court, and shall be known as the Electoral Appeal Tribunal for the division concerned.

(2) The place where the seat of the division of the Supreme Court in question is situated shall be the seat of the Electoral Appeal Tribunal in question.

Appeals against decisions and orders of Electoral Tribunals

84. (1) An appeal referred to in section 36 (4) of the Commission Act shall be noted by the interested person, party or candidate concerned by lodging, not later than five days as from the date on which the decision, order, penalty or sanction in question has in terms of regulation 81 (6), been made known by the Electoral Tribunal concerned, with the Secretary or his or her representative at the seat of the Electoral Tribunal concerned a notice of appeal setting out fully the grounds of appeal, specifying the findings of fact and law against which the appeal is noted, and such interested person, party or candidate shall forthwith submit a copy of such notice of appeal to any other person, party or candidate who was a party to the proceedings in the Electoral Tribunal.

(2) The Secretary shall—

(a) upon the receipt of a notice of appeal, in consultation with the chairperson of the Electoral Appeal Tribunal having jurisdiction in respect of the area of jurisdiction of the Electoral Tribunal concerned, forthwith determine a date, which shall be a date not later than seven days as from the date of such receipt or such later date as may be determined by the chairperson concerned, on which the appeal shall be heard;

(b) forthwith notify the parties to the proceedings of the date so determined; and

(c) make copies of the record of the proceedings available to the Electoral Appeal Tribunal, not later than five days before the date so determined, and, at the request of any of the parties to the proceedings and upon payment of such amount as may be determined by the Secretary, to any such party.

(3) An appeal to any Electoral Appeal Tribunal against any decision, order, penalty or sanction made, given or imposed by an Electoral Tribunal shall not have the effect of suspending any such decision, order, penalty or sanction, unless the Electoral Appeal Tribunal determines otherwise upon an application, after notice in writing to all other parties to the proceedings, made to it at any time before such appeal is heard or a final judgment had been given thereon.

Wyse waarop appèlle aangehoor en beslis word deur, en bevele van, Verkiesingsappèltribunale

85. (1) 'n Appèl in 'n Verkiesingsappèltribunaal word *mutatis mutandis* aangehoor op die wyse waarop appèlle vanaf landdroshowe in siviele sake in die Hooggeregshof aangehoor word.

(2) Die Verkiesingsappèltribunaal kan—

(a) by aanhoor van 'n appèl vanaf 'n Verkiesingstribunaal enige getuienis toelaat, hetsy mondelings of by wyse van beëdigde verklaring, wat sodanige Verkiesingstribunaal moes aanhoor maar foutiewelik nie aangehoor het nie, of na goeddunke die aangeleentheid aan die betrokke Verkiesingstribunaal terugverwys om sodanige getuienis aan te hoor, met die opdragte ten opsigte van die aanhoor van sodanige getuienis;

(b) na aanhoor van sodanige appèl, enige bevel deur die betrokke Verkiesingstribunaal gemaak, bevestig, tersyde stel of wysig, of enige bevel maak wat die omstandighede vereis en wat na sy oordeel deur daardie Verkiesingstribunaal gemaak moes gewees het.

Instelling van, en prosedure in, verrigtinge ingevolge artikel 70 van die Kieswet in Verkiesingsappèltribunale

86. Die bepalings van regulasies 77, 78, 79, 80 en 82 is *mutatis mutandis* van toepassing op—

(a) die instelling in 'n Verkiesingsappèltribunaal van verrigtinge met betrekking tot 'n skending van die Verkiesingsgedragskode in artikel 70 (1) (a) van die Kieswet bedoel;

(b) die wyse van sitasie van partye in sodanige verrigtinge;

(c) die bestel van dagvaardings aan respondente in sodanige verrigtinge;

(d) die wyse waarop oor aangeleenthede in sodanige verrigtinge bereg en beslis word; en

(e) enige tussentydse bevel in 'n dringende aangeleentheid geëis.

Bevele wat deur Verkiesingsappèltribunale uitgereik kan word

87. (1) 'n Verkiesingsappèltribunaal is bevoeg, by 'n bevinding dat die eiser nie geregtig is op die bevel geëis nie, om sodanige eis van die hand te wys, of, by 'n bevinding dat dit op 'n oorwig van waarskynlikhede bewys is dat die betrokke respondent die Verkiesingsgedragskode geskend het—

(a) om, indien na sy oordeel 'n bevel beoog in artikel 69 (2) (a) (iv), (v) of (vi), (b) of (c) (ii) van die Kieswet uitgereik behoort te word ten opsigte van sodanige skending, 'n aanbeveling aan die Kommissie te maak met betrekking tot die bevel wat na sy oordeel uitgereik behoort te word ten opsigte van sodanige skending;

Manner in which appeals are to be heard and determined by, and orders of, Electoral Appeal Tribunals

85. (1) An appeal in an Electoral Appeal Tribunal shall be heard *mutatis mutandis* in the manner in which appeals from magistrates' courts in civil matters are heard in the Supreme Court.

(2) The Electoral Appeal Tribunal may—

(a) on hearing an appeal from an Electoral Tribunal receive any evidence, either orally or by way of affidavit, which such Electoral Tribunal was required to hear, but has incorrectly failed to hear, or remit in its discretion the matter to the Electoral Tribunal in question for hearing such evidence, with such instructions as regards the taking of such evidence;

(b) after hearing any such appeal, confirm, set aside or vary any order made by the Electoral Tribunal in question or make any order which the circumstances may require and which in its opinion ought to have been made by that Electoral Tribunal.

Institution of, and procedure in, proceedings in terms of section 70 of the Electoral Act in Electoral Appeal Tribunals

86. The provisions of regulations 77, 78, 79, 80 and 82 shall apply *mutatis mutandis* in relation to—

(a) the institution in an Electoral Appeal Tribunal of proceedings in relation to an infringement of the Electoral Code of Conduct referred to in section 70 (1) (a) of the Electoral Act;

(b) the manner of citation of parties in such proceedings;

(c) the service of summonses on respondents in such proceedings;

(d) the manner in which matters in such proceedings are to be adjudicated and decided upon; and

(e) any interim order which may be claimed as a matter of urgency.

Orders which may be issued by Electoral Appeal Tribunals

87. (1) An Electoral Appeal Tribunal shall be empowered, on having found that the claimant is not entitled to the order claimed, to dismiss such claim, or, on having found that it has been proved on a balance of probabilities that the respondent concerned has infringed the Electoral Code of Conduct—

(a) if in its opinion an order contemplated in section 69 (2) (a) (iv), (v) or (vi), (b) or (c) (ii) of the Electoral Act ought to be issued in respect of such infringement, to make a recommendation to the Commission in relation to the order which should in its opinion be issued in respect of such infringement;

(b) om, indien na sy oordeel 'n bevel beoog in artikel 69 (2) (a) (i), (ii) of (iii) of (c) (i) van die Kieswet uitgereik behoort te word, enige van sodanige bevele uit te reik.

(2) Die Sekretaris moet so gou doenlik, in die geval van 'n aanbeveling kragtens subregulasie (1) (a) gedoen, die oorkonde van die verrigtinge tesame met die Verkiesingsappèltribunaal se aanbevelings en sy redes daarvoor en enige vertoë, as daar is, deur of ten behoewe van die respondent, aan die Kommissie voorlê.

(3) By ontvangs van die oorkonde bedoel in subregulasie (2), oorweeg die Kommissie die aanbevelings wat deur die betrokke Verkiesingsappèltribunaal gedoen is en reik enige bevel in artikel 69 (2) van die Kieswet beoog, uit, hetsy sodanige bevel deur daardie Verkiesingsappèltribunaal aanbeveel is of nie, of weier om enige bevel te maak.

HOOFSTUK 15

HERSIENING VAN BESLISSINGS VAN VERKIESINGSTRIBUNALE

Tydsbeperkinge waarbinne beslissings van Verkiesingstribunale op hersiening gebring kan word

88. Enige verrigtinge ingevolge waarvan 'n beslissing van 'n Verkiesingstribunaal op hersiening gebring word, neem 'n aanvang binne 10 dae nadat die beslissing geneem is, of binne die langer tydperk nadat sodanige beslissing geneem is wat die Verkiesingsappèltribunaal, by aanvoering van goeie gronde, toelaat.

Instelling van hersieningsverrigtinge

89. (1) Enige belanghebbende persoon, party of kandidaat wat 'n party in enige verrigtinge in 'n Verkiesingstribunaal was en wat 'n beslissing van sodanige Verkiesingstribunaal op hersiening wil bring, bring so 'n beslissing op hersiening deur aan die voorsittende beampte en enige ander persoon wat deur die beslissing geraak is 'n kennisgewing van hersiening te rig in die vorm so na as moontlik in ooreenstemming met die vorm in Aanhangsel 13 uiteengesit, en deur so 'n kennisgewing aan die voorsittende beampte af te lewer en deur die kennisgewing aan al die ander persone wat daardeur geraak word, te bestel *mutatis mutandis* op die wyse soos in regulasie 79 bepaal—

(a) waarin die tyd en datum deur die Sekretaris na oorlegpleging met die voorsitter van die betrokke Verkiesingsappèltribunaal bepaal, uiteengesit word, wat 'n datum is nie minder nie as vyf dae na die datum waarop die kennisgewing van hersiening aan die voorsittende beampte afgelewer is of aan die ander betrokke persone bestel is, wat ook al die latere datum is, waarop, en die plek waar, die hersiening ter rolle geplaas is vir verhoor;

(b) waarin die beslissing wat hersien moet word, uiteengesit is;

(b) if in its opinion an order contemplated in section 69 (2) (a) (i), (ii) or (iii) or (c) (i) of the Electoral Act ought to be issued in respect of such infringement, to issue any of such orders.

(2) The Secretary shall, in the case of a recommendation under subregulation (1) (a) having been made, as soon as practicable submit the record of the proceedings, together with the Electoral Appeal Tribunal's recommendations and its reasons therefor and any representations, if any, made by or on behalf of the respondent, to the Commission.

(3) The Commission shall, upon the receipt of the record of proceedings referred to in subregulation (2), consider the recommendations made by the Electoral Appeal Tribunal in question and issue any order, whether or not such order has been recommended by that Electoral Appeal Tribunal, contemplated in section 69 (2) of the Electoral Act or decline to make any order.

CHAPTER 15

REVIEW OF DECISIONS OF ELECTORAL TRIBUNALS

Time limits within which decisions of Electoral Tribunals may be brought under review

88. Any proceedings in terms of which a decision of an Electoral Tribunal is brought under review shall be commenced within 10 days after the decision was taken or within such longer period after such decision was taken as the Electoral Appeal Tribunal may on good cause shown allow.

Institution of review proceedings

89. (1) Any interested person, party or candidate who was a party to any proceedings in an Electoral Tribunal and who wishes to bring a decision of such Electoral Tribunal under review shall bring such decision under review by directing to the presiding officer and to any other person who is affected by the decision a notice of review in a form as near as may be in accordance with the form set out in Annexure 13 and by delivering such notice to such presiding officer and by serving such notice on all other persons affected thereby *mutatis mutandis* in the manner provided in regulation 79—

(a) setting forth such time and date as may be determined by the Secretary after consultation with the chairperson of the Electoral Appeal Tribunal in question, which shall be a date not less than five days after the date upon which the notice of review has been delivered to the presiding officer or has been served on the other persons concerned, whichever is the later date, on which, and the place at which, the review is set down for hearing;

(b) setting out the decision sought to be reviewed;

(c) waarin die voorsittende beampte en betrokke persone opgeroep word om aan te toon waarom sodanige beslissing nie hersien moet word en tersyde gestel of reggestel moet word nie;

(d) waarin die voorsittende beampte en die betrokke persone opgeroep word, indien enige van hulle die saak wil teenstaan—

(i) om nie later nie as twee dae voor die datum waarop die saak ter rolle geplaas is vir verhoor, by die Sekretaris of sy of haar verteenwoordiger 'n beëdigde verklaring in te dien waarin sodanige voorsittende beampte of betrokke persoon op die bewerings vervat in die beëdigde verklaring by die kennisgewing van hersiening aangeheg, antwoord; of

(ii) indien sodanige voorsittende beampte of betrokke persoon van voorneme is om slegs 'n regsvraag te opper, om by die Sekretaris of sy of haar verteenwoordiger 'n skriftelike kennisgewing van so 'n voorneme in te dien, voor of op die datum bedoel in item (i), waarin sodanige vraag uiteengesit word,

en word deur 'n beëdigde verklaring ondersteun waarin die gronde en die feite en omstandighede uiteengesit is en waarop die beslissing beoog hersien en tersyde gestel of reggestel moet word.

(2) By ontvangs van 'n kennisgewing van hersiening moet die Sekretaris afskrifte van die oorkonde van die verrigtinge, nie later nie as vyf dae voor die datum van verhoor bepaal soos in subregulasie (1) voorsien, aan die Verkiesingsappèltribunaal, die voorsittende beampte van die betrokke Verkiesingstribunaal en, op versoek van enige van die ander betrokke persone en by betaling van die bedrag wat die Sekretaris bepaal, aan enige sodanige persoon beskikbaar stel.

(3) Enige party in die verrigtinge wat versoek dat die betrokke beslissing hersien moet word, kan by ontvangs van die oorkonde van die verrigtinge een stel aanvullende beëdigde verklarings indien.

Wyse waarop hersieningsaangeleenthede in Verkiesingsappèltribunale verhoor word

90. (1) Indien, op die datum waarop 'n hersieningsaangeleentheid ter rolle geplaas is vir verhoor—

(a) al die partye voor die Verkisingsappèltribunaal verskyn, word elke party in die verrigtinge, hetsy persoonlik of by wyse van 'n regsverteenwoordiger, 'n geleentheid gebied om die Verkiesingsappèltribunaal toe te spreek, en geen ander geleentheid word aan enige party verleen nie, behalwe met die spesiale verlof van die Verkiesingsappèltribunaal verleen by aanvoering van goeie gronde en op die voorwaardes, as daar is, wat die Verkiesingsappèltribunaal bepaal;

(c) calling upon such presiding officer and persons concerned to show cause why such decision should not be reviewed and set aside or corrected;

(d) calling upon such presiding officer or persons concerned, if any of them wishes to oppose the matter—

(i) to file with the Secretary or his or her representative, not less than two days before the date upon which the matter is set down for hearing, an affidavit in which such presiding officer or person concerned answers to the allegations contained in the affidavit annexed to the notice of review; or

(ii) if such presiding officer or person concerned intends to raise any question of law only, file with the Secretary or his or her representative, a notice in writing of such intention to do so before or on the date referred to in item (i) setting forth such question,

and shall be supported by an affidavit setting out the grounds and the facts and circumstances upon which the decision is sought to be reviewed and set aside or corrected.

(2) The Secretary shall, upon the receipt of a notice of review, make copies of the record of the proceedings available, not later than five days before the date of hearing determined as provided in subregulation (1), to the Electoral Appeal Tribunal, the presiding officer of the Electoral Tribunal concerned and, at the request of any of the other persons concerned and upon payment of such amount as may be determined by the Secretary, to any such person.

(3) Any party to the proceedings calling for the decision in question to be reviewed may upon receipt of the record of proceedings file one set of supplementary affidavits.

Manner in which review matters are to be heard in Electoral Appeal Tribunals

90. (1) If, on the date on which a review matter has been set down for hearing—

(a) all the parties appear before the Electoral Appeal Tribunal, each party to the proceedings, either personally or by way of a legal representative, shall be afforded an opportunity to address the Electoral Appeal Tribunal, and no other opportunity shall be granted to any party, except with the special permission of the Electoral Appeal Tribunal granted on good grounds shown and on such conditions, if any, as may be determined by the Electoral Appeal Tribunal;

(b) enige party in die verrigtinge versuim om te verskyn op die tyd bepaal vir die verhoor van die aangeleentheid, kan die Verkiesingsappèltribunaal die bevel maak wat hy in die omstandighede wenslik of paslik ag.

(2) Indien die aangeleentheid nie op grond van die beëdigde verklarings ingevolge regulasie 77 ingedien, beslis kan word nie, kan die Verkiesingsappèltribunaal—

(a) beveel dat mondelinge getuienis aangehoor word ten opsigte van die geskilpunte in sodanige bevel vermeld, met die doel om enige feitegeskil by te lê;

(b) enige persoon wat by die verrigtinge teenwoordig is, of enige ander persoon deur middel van skriftelike kennisgewing, in die vorm deur die Sekretaris bepaal en uitgereik, beveel om voor hom op die datum of datums deur hom bepaal, te verskyn, om as 'n getuie ondervra en kruisondervra te word of, indien nodig, om enige stuk of voorwerp vir ondersoek voor te lê;

(c) die ander bevel maak wat hy nodig ag ten einde 'n billike en spoedige beslissing oor die aangeleentheid te verseker.

(3) 'n Party in die verrigtinge waarin soos in subregulasie (2) (a) bepaal, beveel is dat mondelinge getuienis aangehoor word wat verkies, vir die doeleindes om die geskilpunte in sodanige bevel vermeld, te beslis, dat 'n persoon in sodanige verrigtinge moet ho dat 'n persoon in sodanige verrigtinge moet verskyn om as getuie ondervra en kurisondervra te word of, indien nodig, enige stuk of voorwerp vir ondersoek voor te lê—

(a) kan sodanige persoon laat beveel deur middel van 'n skriftelike kennisgewing in 'n vorm deur die Sekretaris bepaal en uitgereik, om voor die betrokke Verkiesingsappèltribunaal te verskyn op die datum wat daarin vermeld word of, indien nodig, sodanige stuk of voorwerp vir ondersoek voor te lê;

(b) moet—

(i) sodanige kennisgewing *mutatis mutandis* in ooreenstemming met die bepalings van regulasie 79, laat bestel asof die kennisgewing 'n dagvaarding was;

(ii) aan sodanige persoon die bedrag geld oorhandig of laat besorg wat nodig is om die persoon se redelike vervoeruitgawes na en van sy woonplek te betaal.

(4) Indien enige persoon wat ingevolge subregulasie (2) of (3) beveel is om voor 'n Verkiesingsappèltribunaal te verskyn om as getuie ondervra en kruisondervra te word of om 'n stuk of voorwerp vir ondersoek in sodanige Verkiesingsappèltribunaal voor te lê, versuim om te verskyn of om getuienis te lewer of om

(b) any party to the proceedings fails to appear at the time determined for hearing of the matter, the Electoral Appeal Tribunal may make such order as it may deem expedient or appropriate in the circumstances.

(2) If the matter cannot be decided on the affidavits filed in terms of regulation 77 the Electoral Appeal Tribunal may—

(a) order that oral evidence be heard on issues specified in such order with a view to resolving any dispute of fact;

(b) order any person present at the proceedings, or any other person by notice in writing, in such form as may be determined and issued by the Secretary, to appear before it on a date or dates determined by it, to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination;

(c) make such other order as it may deem necessary in order to ensure a fair and expeditious decision on the matter.

(3) A party to the proceedings in which it has been ordered as provided in subregulation (2) (a) that oral evidence be heard who wishes, for purposes of determining the issues determined in such order, any person to appear in such proceedings in order to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination—

(a) may cause such person to be ordered by notice in writing in such form as may be determined and issued by the Secretary to appear before the Electoral Tribunal in question on such date as may be specified therein or, if necessary, to produce any such document or article for examination;

(b) shall—

(i) cause such notice to be served *mutatis mutandis* in accordance with the provisions of regulation 79 as if such notice were a summons;

(ii) hand or cause to be handed to such person such sum of money as may be necessary to pay such person's reasonable transport expenses to and from his or her place of residence.

(4) If any person ordered in terms of subregulation (2) or (3) to appear before an Electoral Appeal Tribunal to be examined and cross-examined as a witness or to produce any document or article for examination in such Electoral Appeal Tribunal fails to attend or to give evidence or to produce any such document or article

sodanige stuk of voorwerp voor te lê of, tensy verskoon, versuim om deurgaans by die verrigtinge teenwoordig te bly, kan die Verkiesingsappèltribunaal in die vorm deur hom bepaal, 'n lasbrief vir die persoon se inhegtenisneming uitreik, indien sodanige Verkiesingsappèltribunaal oortuig is—

(a) dat die kennisgewing in subregulasie (2) of (3) bedoel, behoorlik soos daarin bepaal op sodanige persoon bestel is; en

(b) dat die vervoeruitgawes in subregulasie (3) (b) (ii) bedoel, aan hom of haar betaal of aangebied is.

(5) 'n Persoon van wie vereis word om ingevolge hierdie regulasie voor 'n Verkiesingsappèltribunaal te verskyn om as 'n getuie ondervra en kruisondervra te word of, indien nodig, om 'n stuk of voorwerp vir ondersoek voor te lê, is daarop geregtig om deur die party wat sy of haar bywoning by sodanige verrigtinge verkry het, die redelike reis- en verblyfuitgawes betaal te word wat die persoon aangegaan het om die saak by te woon en die ander fooie en toelaes wat aan hom of haar betaalbaar sou gewees het indien hy of sy 'n getuie in 'n siviele saak in 'n landdroshof was.

HOOFSTUK 16

ALGEMENE BEPALINGS

Toepassing van sekere bepalings van die Kieswet op die elektroniese media

91. (1) Enige elektroniese mediadiens, met inbegrip van enige televisie- of radio-uitsaaidiens, hou 'n rekord van die naam en adres van enige persoon wat nie 'n werknemer van sodanige diens is nie deur wie 'n verslag, brief of artikel geskryf of geproduseer is, indien sodanige verslag, brief of artikel—

(a) *prima facie,* bedoel of bereken is om die uitslag van die verkiesing te beïnvloed; en

(b) hetsy in geheel of gedeeltelik, die onderwerp van 'n nuusverslag of ander program uitmaak wat deur sodanige diens uitgesaai is.

(2) Iemand wat 'n bepaling van subregulasie (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Algemene bepalings om die stremming van vry en regverdige verkiesings te verbied

92. (1) 'n Verteenwoordiger van 'n geregistreerde party moet vir die doeleindes van politieke werwing en veldtogvoering en om lidmaatskap en steun te werf in enige openbare of private gebied soos beoog in artikel 61 (c) van die Kieswet, voor die datum van die beplande besoek aan daardie gebied, ten minste vyf dae geskrewe kennis van sodanige besoek gee aan—

(a) die persoon in beheer van daardie openbare gebied; of

(b) die eienaar of wettige okkupeerder van die betrokke private gebied.

or, unless excused, fails to remain in attendance throughout the proceedings, the Electoral Appeal Tribunal may issue in such form as may be determined by it a warrant for such person's arrest, if such Electoral Appeal Tribunal is satisfied—

(a) that the notice referred to in subregulation (2) or (3) has been duly served as provided therein on such person; and

(b) that the transport expenses referred to in subregulation (3) (b) (ii) have been paid or offered to him or her.

(5) A person required in terms of this regulation to appear in an Electoral Appeal Tribunal in order to be examined and cross-examined as a witness or, if necessary, to produce any document or article for examination shall be entitled to be paid by the party who procured his or her attendance in such proceedings, such reasonable travelling and subsistence expenses as such person has incurred in attending the proceedings and such other fees and allowances as would have been payable to him or her had he or she been a witness in a civil case in a magistrate's court.

CHAPTER 16

GENERAL PROVISIONS

Application of certain provisions of the Electoral Act to the electronic media

91. (1) Any electronic media service, including any television or radio broadcasting service, shall keep a record of the name and address of any person not being an employee of such service by whom a report, letter or article was written or produced, if such report, letter or article—

(a) *is prima facie,* intended or calculated to affect the result of the election; and

(b) whether wholly or in part, comprises the subject-matter of a news report or other programme broadcast by such service.

(2) Any person who contravenes or fails to comply with any provision of subregulation (1), shall be guilty of an offence.

General provisions to prohibit the inhibition of free and fair elections

92. (1) A representative of a registered party shall, for the purposes of conducting political canvassing and campaigning and soliciting membership and support in any public or private area as contemplated in section 61 (c) of the Electoral Act, give at least five days' written notice prior to the date of the intended visit to that area, of such visit, to—

(a) the person in charge of that public area; or

(b) the owner or lawful occupier of the private area concerned.

(2) 'n Besoek beoog in subregulasie (1) vind plaas gedurende die ure, by die besondere plek en op die voorwaardes tussen genoemde verteenwoordiger en die persoon in beheer van die openbare gebied, of die eienaar of wettige okkupeerder van die private gebied, na gelang van die geval, ooreengekom: Met dien verstande dat indien ure bepaal is waartydens lede van die publiek toegang tot 'n openbare gebied het, 'n beoogde besoek slegs gedurende die ure aldus bepaal, geskied.

(3) In die geval waar die partye nie daarin slaag om 'n ooreenkoms soos beoog in subregulasie (2) te bereik nie, kan enige van die partye die aangeleentheid na die Hoofdirekteur: Monitering verwys met die oog daarop om—

(a) die geskil deur bemiddeling op te los; of

(b) die ure, plek en voorwaardes vir sodanige besoek te bepaal.

(4) Indien bemiddeling ingevolge subregulasie (3) (a) aangewend is en die geskil nie geskik is nie, los die Hoofdirekteur: Monitering die geskil op, op die wyse wat hy of sy geskik ag.

(5) 'n Beplande besoek word nie geweier nie, behalwe as daar redelike gronde vir so 'n weiering bestaan, met inbegrip van redelike gronde om te glo dat—

(a) sodanige besoek tot gewelddadige konfrontasie in daardie gebied kan lei; of

(b) sodanige besoek normale bedrywighede in daardie gebied gaan ontwrig of tot onredelike uitgawe of verlies van inkomste deur die eienaar of wettige okkupeerder van 'n private gebied gaan lei.

(6) Hierdie regulasie is *mutatis mutandis* van toepassing op 'n lid of verteenwoordiger van die Kommissie, of enige ander persoon of organisasie betrokke by kieseropvoeding wat begerig is om toegang te verkry tot kiesers in 'n openbare of private gebied vir die doeleindes van kieseropvoeding soos in artikel 61 (d) van die Kieswet beoog.

Visenteringslasbriewe, getuiedagvaardings en waarskuwings deur Hoofdirekteur: Monitering

93. (1) 'n Visenteringslasbrief bedoel in artikel 24 (1) (e) van die Kommissiewet is wesenlik in die vorm in Aanhangsel 14 uiteengesit.

(2) 'n Getuiedagvaarding bedoel in artikel 24 (1) (e) van die Kommissiewet is wesenlik in die vorm in Aanhangsel 12 uiteengesit.

(3) 'n Waarskuwing bedoel in artikel 24 (1) (g) van die Kommissiewet is wesenlik in die vorm in Aanhangsel 15 uiteengesit.

(4) 'n Persoon wat enige verteenwoordiger van die Hoofdirekteur: Monitering of enige vredesbeampte in die uitvoering of bestelling van 'n visenteringslasbrief, dagvaarding of getuiedagvaarding dwarsboom of hinder, is aan 'n misdryf skuldig.

(2) A visit contemplated in subregulation (1) shall take place during the hours, at the particular place and on the conditions agreed upon between the said representative and the person in charge of the public area, or the owner or lawful occupier of the private area, as the case may be: Provided that if hours have been determined during which members of the public have access to a public area, an intended visit shall only take place during the hours so determined.

(3) In the event of the parties failing to reach an agreement as contemplated in subregulation (2), any of the parties may refer the matter to the Chief Director: Monitoring with the view to—

(a) resolve the issue by mediation; or

(b) determine the hours, the place and the conditions for such a visit.

(4) If mediation has been employed in terms of subregulation (3) (a) and the issue has not been settled, the Chief Director: Monitoring shall resolve the issue in the manner he or she deems fit.

(5) An intended visit shall not be refused, except if there are reasonable grounds for such refusal, including reasonable grounds to belive that—

(a) such visit may lead to violent confrontation in that area; or

(b) such visit will disrupt normal operations in that area or result in unreasonable expenditure or loss of income by the owner or lawful occupier of a private area.

(6) This regulation shall *mutatis mutandis* apply to any member or representative of the Commission or any other person or organization engaged in voter education wishing to gain access to voters in a public or private area for the purposes of conducting voter education as contemplated in section 61 (d) of the Electoral Act.

Search warrants, subpoenas and warnings by Chief Director: Monitoring

93. (1) A search warrant referred to in section 24 (1) (e) of the Commission Act, shall be substantially in the form set out in Annexure 14.

(2) A subpoena referred to in section 24 (1) (e) of the Commission Act, shall be substantially in the form set out in Annexure 12.

(3) A warning referred to in section 24 (1) (g) of the Commission Act, shall be substantially in the form set out in Annexure 15.

(4) Any person who obstructs or hinders any representative of the Chief Director: Monitoring or any peace officer in the execution or serving of a search warrant, summons or subpoena, shall be guilty of an offence.

Appèlle na Kommissie, Hoofdirekteur en Hoofdirekteur: Monitering

94. (1) 'n Appèl deur 'n belanghebbende persoon of party in artikel 13 (3) (a) of 36 (2) van die Kommissiewet beoog, kan by die Kommissie aangeteken word teen enige van die volgende besluite of handelinge:

(a) 'n Onredelike weiering deur die Hoofdirekteur om 'n voorsittende, stem- of telbeampte of teller van sy of haar amp kragtens artikel 7 van die Kieswet te onthef;

(b) 'n intrekking van die registrasie van 'n waarnemer deur die Hoofdirekteur: Monitering kragtens regulasie 65 (5);

(c) 'n beëindiging van die aanstelling van 'n monitor deur die Hoofdirekteur: Monitering kragtens regulasie 68 (4);

(d) 'n onredelike weiering deur die Hoofdirekteur: Monitering om verrigtinge kragtens regulasie 77 (1) in te stel; en

(e) 'n beslissing beoog in regulasie 92 (3) (b) of 92 (4).

(2) 'n Appèl deur 'n belanghebbende persoon of party in artikel 21 (2) of 36 (1) van die Kommissiewet beoog, kan by die Hoofdirekteur aangeteken word teen enige van die volgende besluite of handelinge:

(a) Die aanstelling van enige personeellid deur 'n provinsiale of distrikverkiesingsbeampte of telbeampte kragtens artikel 7 (2) van die Kieswet;

(b) 'n besluit deur 'n voorsittende beampte geneem ingevolge artikel 37 van die Kieswet en regulasie 34;

(c) 'n aanstelling deur 'n distrikverkiesingsbeampte of 'n voorsittende beampte vir spesiale stemme ingevolge regulasie 36; en

(d) 'n beslissing deur 'n telbeampte gemaak kragtens regulasie 46 (2) (a) of (3) (a).

(3) 'n Appèl deur 'n belanghebbende persoon of party in artikel 24 (2) of 36 (1) van die Kommissiewet beoog, kan by die Hoofdirekteur: Monitering aangeteken word teen enige van die volgende beslissings of handelinge:

(a) Die beslaglegging van 'n item deur 'n verteenwoordiger van genoemde Hoofdirekteur ingevolge artikel 24 (1) (e) van die Kommissiewet;

(b) die uitreiking van enige waarskuwing betreffende beweerde of dreigende skendings van die Verkiesingsgedragskode deur 'n verteenwoordiger van genoemde Hoofdirekteur ingevolge artikel 24 (1) (g) van die Kommisiewet; en

(c) enige onredelike weiering deur 'n verteenwoordiger van genoemde Hoofdirekteur om verrigtinge ingevolge regulasie 77 (1) in te stel;

Appeals to Commission, Chief Director and Chief Director: Monitoring

94. (1) An appeal by any interested person or party contemplated in section 13 (3) (a) or 36 (2) of the Commission Act may be noted with the Commission against any of the following decisions or actions:

(a) Any unreasonable refusal by the Chief Director to remove any presiding, voting or counting officer or enumerator from office under section 7 of the Electoral Act;

(b) any cancellation of the registration of an observer by the Chief Director: Monitoring under regulation 65 (5);

(c) any termination of the appointment of a monitor by the Chief Director: Monitoring under regulation 68 (4);

(d) any unreasonable refusal by the Chief Director: Monitoring to institute proceedings under regulation 77 (1); and

(e) any determination contemplated in regulation 92 (3) (b) or 92 (4).

(2) An appeal by any interested person or party contemplated in section 21 (2) or 36 (1) of the Commisson Act, may be noted with the Chief Director against any of the following decisions or actions:

(a) An appointment of any staff member by a provincial or district electoral officer or counting officer under section 7 (2) of the Electoral Act;

(b) a decision by a presiding officer made in terms of section 37 of the Electoral Act and regulation 34;

(c) an appointment by a district electoral officer of a presiding officer for special votes in terms of regulation 36; and

(d) a decision made by a counting officer under regulation 46 (2) (a) or (3) (a).

(3) An appeal by any interested person or party contemplated in section 24 (2) or 36 (1) of the Commission Act, may be noted with the Chief Director: Monitoring against any of the following decisions or actions:

(a) The seizure of any item by any representative of the said Chief Director in terms of section 24 (1) (e) of the Commission Act;

(b) the issuing of any warning concerning alleged or threatened infringements of the Electoral Code of Conduct by any representative of the said Chief Director in terms of section 24 (1) (g) of the Commission Act; and

(c) any unreasonable refusal by any representative of the said Chief Director to institute proceedings in terms of regulation 77 (1).

(4) Die kennisgewing van 'n appèl beoog in hierdie regulasie—

(a) is op skrif, met uiteensetting van volledige besonderhede van—

(i) die appellant en beampte betrokke;

(ii) die beslissing of handeling waarteen die appèl aangeteken word; en

(iii) die gronde vir die appèl; en

(b) moet by die Kommissie of die betrokke Hoofdirekteur, na gelang van die geval, nie later nie as 48 uur na die datum waarop die beslissing of handeling tot die kennis van die appellant gekom het, ingedien word.

(5) 'n Afskrif van die kennisgewing van appèl moet ook by die beampte teen wie se beslissing of handeling die appèl aangeteken word, afgelewer word, en daardie beampte verskaf sy of haar redes vir die beslissing of handeling aan die Kommissie of betrokke Hoofdirekteur, na gelang van die geval, op skrif binne 24 uur na ontvangs van genoemde kennisgewing.

(6) In die geval van 'n appèl deur die Hoofdirekteur of die Hoofdirekteur: Monitering aangehoor, kan die betrokke Hoofdirekteur, indien hy of sy dit nodig ag, die appellant 'n geleentheid bied om sy of haar gronde van appèl by wyse van mondelinge beredenering aan te vul, waarna die betrokke Hoofdirekteur onverwyld die beslissing of handeling bevestig, wysig of ter syde stel en die appellant van die beslissing in kennis stel.

(7) Die betrokke Hoofdirekteur kan, op skriftelike aansoek tesame met die kennisgewing van appèl ingedien, enige beslissing of handeling wat die onderwerp van 'n appèl uitmaak, opskort tot tyd en wyl sodanige appèl afgehandel is.

HOOFSTUK 17

MISDRYWE EN STRAWWE

Misdrywe en strawwe

95. (1) 'n Persoon wat skuldig bevind is aan 'n misdryf bedoel—

(a) in regulasie 54 (2), 55 (2) of 56 (2), is strafbaar met 'n boete van hoogstens R40 000 of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar; en

(b) in regulasie 16 (4) of 44 (4), strafbaar met 'n boete van hoogstens R20 000 of gevangenisstraf vir 'n tydperk van hoogstens een jaar.

(2) Behoudens die bepalings van subregulasie (1), is enige persoon wat skuldig bevind is aan enige misdryf ingevolge hierdie regulasies ten opsigte waarvan 'n straf nie uitdruklik voorgeskryf is nie, strafbaar met 'n boete van hoogstens R20 000 of met gevangenisstraf vir 'n tydperk van hoogstens een jaar.

(4) The notice of any appeal contemplated in this regulation shall—

(a) be in writing, setting out full particulars of—

(i) the appellant and the official concerned;

(ii) the decision or action against which the appeal is being noted; and

(iii) the grounds for the appeal; and

(b) be lodged with the Commission or the Chief Director concerned, as the case may be, not later than 48 hours after the date on which the decision or action came to the knowledge of the appellant.

(5) A copy of the notice of appeal shall also be delivered to the official against whose decision or action the appeal is being noted, and that official shall furnish his or her reasons for the decision or action to the Commission or Chief Director concerned, as the case may be, in writing within 24 hours after the receipt of the said notice.

(6) In the case of an appeal being heard by the Chief Director or the Chief Director: Monitoring, the Chief Director concerned may, if he or she deems it necessary, afford an opportunity to the appellant to amplify his or her grounds of appeal by means of oral argument, whereafter the Chief Director concerned shall forthwith confirm, vary or set aside the decision or action and notify the appellant of the decision.

(7) The Chief Director concerned may, on application in writing lodged together with the notice of appeal, suspend any decision or action which forms the subject-matter of an appeal until such time as the appeal has been disposed of.

CHAPTER 17

OFFENCES AND PENALTIES

Offences and penalties

95. (1) Any person convicted of an offence referred to—

(a) in regulation 54 (2), 55 (2) or 56 (2), shall be liable to a fine not exceeding R40 000 or to imprisonment for a period not exceeding two years; and

(b) in regulation 16 (4) or 44 (4), shall be liable to a fine not exceeding R20 000 or to imprisonment for a period not exceeding one year.

(2) Subject to the provisions of subregulation (1), any person who is convicted of any offence in terms of these regulations in respect of which a penalty has not expressly been prescribed, shall be liable to a fine not exceeding R20 000 or to imprisonment for a period not exceeding one year.

(3) (a) Enige party of persoon wat 'n bevel van 'n Verkiesingstribunaal of 'n Verkiesingsappèltribunaal of die Spesiale Verkiesingshof oortree of versuim om aan 'n bevel daarvan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R20 000 of met gevangenisstraf vir 'n tydperk van hoogstens een jaar.

(b) Enige persoon wat na behore gedagvaar was om getuienis te lewer of om enige stuk of voorwerp in sy of haar besit of onder sy of haar beheer, in te dien en wat—

(i) versuim om sonder wettige verskoning dit by te woon of getuienis te lewer of sodanige stuk of voorwerp ingevolge die getuiedagvaarding in te dien; of

(ii) tensy na behore verskoon, versuim om deurgaans by die verrigtinge teenwoordig te bly,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R20 000 of met gevangenisstraf vir 'n tydperk van hoogstens een jaar.

Kort titel

96. Hierdie regulasies heet die **Verkiesingsregulasies, 1994.**

(3) (a) Any party or person who contravenes or fails to comply with an order of an Electoral Tribunal or Electoral Appeal Tribunal or the Special Electoral Court, shall be guilty of an offence and on conviction be liable to a fine not exceeding R20 000 or to imprisonment for a period not exceeding one year.

(b) Any person who has been duly subpoenaed in terms of these regulations to give evidence or to produce any document or article in his or her possession or under his or her control who—

(i) fails, without lawful excuse, so to attend or to give evidence or to produce such document or article in accordance with the subpoena; or

(ii) unless duly excused, fails to remain in attendance throughout the proceedings,

shall be guilty of an offence and on conviction be liable to a fine not exceeding R20 000 or to imprisonment for a period not exceeding one year.

Short title

96. These regulations shall be called the **Electoral Regulations, 1994.**

AANHANGSEL 1

(Regulasie 9)

ONAFHANKLIKE VERKIESINGSKOMMISSIE

VERKLARING VAN GEHEIMHOUDING INGEVOLGE ARTIKEL 14 VAN DIE KIESWET, 1993 (Wet No. 202 VAN 1993)

Ek verklaar dat ek ten volle op die hoogte is met die bepalings van artikel 58 van die Kieswet, en onderneem plegtig dat ek nie by hierdie verkiesing vir die *Nasionale Vergadering en/of provinsiale wetgewende liggaam (liggame) vir die—

Provinsie van .....

Stemdistrik van .....

enigiets sal doen wat die geheimhouding van die stemproses skend nie.

Handtekening .....

Volle name in drukskrif .....

† .....

Identiteits/Identifikasienommer.....

Datum.....

Adres.....

.....

Ek (volle voorname en van).....

.....

Amp (rang) .....sertifiseer hiermee—

(a) dat ek myself van die verklaarder mnr./mev./mej. .....

..... se identiteit vergewis het deur te verwys na sy/haar stemgeregtigdekieser-dokumentnommer

.....

(b) dat voordat ek die voorgeskrewe eed/bevestiging ‡afgeneem het, ek die volgende vrae aan die verklaarder gestel het en sy/haar antwoord in sy/haar teenwoordigheid neergeskryf het:

(1) Is u vertroud met die inhoud van bostaande verklaring en begryp u dit?

Antwoord.....

(2) Het u enige beswaar teen die aflê van die voorgeskrewe eed?

Antwoord.....

(3) Beskou u die voorgeskrewe eed as bindend vir u gewete?

Antwoord.....

(c) dat die verklaarder erken dat hy/sy vertroud is met die inhoud van die verklaring en dit begryp. Hierdie verklaring is beëdig/bevestig voor my en verklaarder se handtekening is in my teenwoordigheid daarop aangebring.

Datum: .....

Geteken .....

(Provinsiale Verkiesingsbeampte, Adjunk-provinsiale Verkiesingsbeampte, Distrik-verkiesingsbeampte, Adjunk-distrik-verkiesingsbeampte, Voorsittende Beampte

Plek: .....

Adres.....

.....

‡ (i) 'n Eed word afgeneem deur die verklaarder die volgende woorde te laat uiter: "Ek sweer dat die inhoud van hierdie verklaring waar is, so help my God".

(ii) 'n Bevestiging word afgeneem deur die verklaarder die volgende woorde te laat uiter: "Ek bevestig plegtig en opreg dat die inhoud van hierdie verklaring waar is".

---

* **Skrap wat nie van toepassing is nie.**

† **Voeg hier "voorsittende beampte", "stembeampte', "telbeampte", "party-stemagent", ens., na gelang van die geval, in.**

SKENDING VAN GEHEIMHOUDING VAN STEMMING

ARTIKEL 58 VAN DIE KIESWET, 1993

"58. Iemand wat—

(a) enige inligting betreffende stemming by 'n stemburo of die tel van stemme by 'n telburo bekom, en, behalwe waar by of kragtens hierdie Wet of enige ander wet gemagtig, sodanige inlingting aan enige ander persoon openbaar;

(b) behalwe waar by of kragtens hierdie Wet of die Kommissiewet gemagtig, die seël van enige pakket, koevert of stembus, ingevolge hierdie Wet verseël, oopmaak of breek; of

(c) strydig met artikel 33 hom of haar met 'n kieser bemoei,

is aan 'n misdryf skuldig."

AANHANGSEL 2

(Regulasie 12)

ONAFHANKLIKE VERKIESINGSKOMMISSIE

TYDELIKE KIESERSKAART UITGEREIK INGEVOLGE ARTIKEL 17 VAN DIE KIESWET, 1993 (WET No. 202 VAN 1993)

A. Vooraansig

foto

No: .....

Id. No./Geboortedatum/Ouderdom: .....

.....

Naam: .....

B. Agteraansig

TEMPORARY VOTER'S CARD
TYDELIKE KIESERSKAART

RSA

AANHANGSEL 3

[Regulasie 22 (1)]

ONAFHANKLIKE VERKIESINGSKOMMISSIE

VERKLARING DEUR 'N KIESER BY 'N BUITELANDSE STEMBURO BETREFFENDE DIE PROVINSIE TEN OPSIGTE WAARVAN SY OF HAAR STEM IN DIE VERKIESING GETEL MOET WORD INGEVOLGE ARTIKEL 25 (3) VAN DIE KIESWET, 1993 (WET No. 202 VAN 1993)

Ek, ...

Identiteits-/Identifikasie-/Paspoortno.....
verklaar hiermee onder *eed/bevestiging dat ek 'n stemgeregtigde kieser in die verkiesing vir die Nasionale Vergadering en 'n provinsiale wetgewende liggaam is, en dat my stem in die verkiesing ten opsigte van die provinsie hieronder vermeld, getel moet word:

Provinsie: .....

.....
Handtekening van kieser

Ek (volle voorname en van).....

.....

Amp (rang).....sertifiseer hiermee—

(a) dat ek myself van die verklaarde mnr./mev./mej. .....

.....se identiteit vergewis het

deur te verwys na sy/haar stemgeregtigdekieser-dokumentnommer.....

(b) dat voordat ek die voorgeskrewe eed/bevestiging ‡ afgeneem het, ek die volgende vrae aan die verklaarder gestel het en sy/haar antwoord in sy/haar teenwoordigheid neergeskryf het;

(1) Is u vertroud met die inhoud van bostaande verklaring en begryp u dit?

Antwoord.....

(2) Het u enige beswaar teen die aflê van die voorgeskrewe eed?

Antwoord.....

(3) Beskou u die voorgeskrewe eed as bindend vir u gewete?

Antwoord.....

(c) dat die verklaarder erken dat hy/sy vertroud is met die inhoud van die verklaring en dit begryp. Hierdie verklaring is beëdig/bevestig voor my en verklaarder se handtekening/duimafdruk/merk is in my teenwoordigheid daarop aangebring.

Datum: ..... Geteken .....
(Voorsittende beampte)

Plek: ..... Adres.....

.....

‡ (i) 'n Eed word afgeneem deur die verklaarder die volgende woorde te laat uiter: "Ek sweer dat die inhoud van hierdie verklaring waar is, so help my God".

(ii) 'n Bevestiging word afgeneem deur die verklaarder die volgende woorde te laat uiter: "Ek bevestig opreg dat die inhoud van hierdie verklaring waar is".

* **Skrap wat nie van toepassing is nie.**

AANHANGSEL 4

(Regulasie 26)

ONAFHANKLIKE VERKIESINGSKOMMISSIE

BEKENDMAKING VAN UITSLAE VAN STEMME BY BUITELANDSE STEMBURO'S UITGEBRING INGEVOLGE ARTIKEL 25 (8) (b) VAN DIE KIESWET, 1993 (WET No. 202 VAN 1993)

Telburo.....

Ek bevestig hiermee dat die getal stemme bepaal uitgebring te wees ten gunste van elke geregistreerde party by buitelandse stemburo's vir provinsiale wetgewende liggame in die verkiesing gehou op ..... 19....., as volg is:

1. PROVINSIE: Natal

GEREGISTREERDE PARTY	STEMME UITGEBRING

2. PROVINSIE: Noord-Kaap

GEREGISTREERDE PARTY	STEMME UITGEBRING

3. PROVINSIE: Noord-Transvaal

GEREGISTREERDE PARTY	STEMME UITGEBRING

4. PROVINSIE: Noordwes

GEREGISTREERDE PARTY	STEMME UITGEBRING

5. PROVINSIE: Oos-Kaap

GEREGISTREERDE PARTY	STEMME UITGEBRING

6. PROVINSIE: Oos-Transvaal

GEREGISTREERDE PARTY	STEMME UITGEBRING

7. PROVINSIE: Oranje-Vrystaat

GEREGISTREERDE PARTY	STEMME UITGEBRING

8. PROVINSIE: Pretoria–Witwatersrand–Vereeniging

GEREGISTREERDE PARTY	STEMME UITGEBRING

9. **PROVINSIE: Wes-Kaap**

GEREGISTREERDE PARTY	STEMME UITGEBRING

Getal bedorwe stembriewe .....

.....

Telbeampte

Datum: .....

AANHANGSEL 5

[Regulasie 35 (1)]

ONAFHANKLIKE VERKIESINGSKOMMISSIE

STEMBRIEFVERKLARING DEUR VOORSITTENDE BEAMPTE INGEVOLGE REGULASIE 35 (1) VAN DIE VERKIESINGSREGULASIES, 1994, INGEVOLGE DIE KIESWET, 1993 (WET No. 202 VAN 1993)

Stemburo .....

Datum van stemming .....

Stemdikstrik van.....

Provinsie van .....

A.

Stembriewe ontvang van distrik-kiesings-beampte	Totale getal ontvang	Rekenskap gegee van stembriewe	Totale getal stembriewe van rekenskap gegee
Reeks No. .... tot Reeks No.	.....	(1) Totale getal stembriewe uitgereik (teken reeksnommers op die teenkant van die verklaring aan)	
		(2) Getal verworpe stembriewe ingeslote by (1) hierbo	
		(3) Getal betwiste stembriewe ingeslote by (1) hierbo	
		(4) Totale getal stembriewe in stembus geplaas [(1) min (2) + (3)] = ...	.....
		(5) Ongebruikte stembriewe (teken reeksnommers op die teenkant van die verklaring aan)	.....
Totaal		**Totaal**	

B. Afwykings (meld volledige besonderhede)

.....

.....

.....

C. Ek sertifiseer hiermee dat die besonderhede in paragrawe A en B verskaf waar en korrek is.

.....

Voorsittende beampte

Datum: .....

AANHANGSEL 6

[Regulasie 35 (3)]

ONAFHANKLIKE VERKIESINGSKOMMISSIE

STEMBRIEFVERKLARING DEUR DISTRIKVERKIESINGSBEAMPTE INGEVOLGE ARTIKEL 38 (4) VAN DIE KIESWET, 1993 (WET No. 202 VAN 1993)

Stemburo .....

Datum van stemming .....

Stemdistrik van .....

Provinsie van .....

A.

Getal stembriewe ontvang van provinsiale kiesbeampte	Totale getal ontvang	Getal stembriewe van rekenskap gegee deur voorsittende beamptes soos per aangehegte verklarings (Aanhangsel 5)	Getal
Reeksno. .... tot Reeksno.	.....	(1) Totale getal stembriewe uitgereik deur voorsittende beampte ..... (2) Getal verworpe stembriewe ingeslote by (1) hierbo ..... (3) Getal betwiste stembriewe ingesolte by (1) hierbo ..... (4) Totale getal stembriewe in stembus geplaas [(1) min (2) + (3)] = ... (5) Ongebruikte stembriewe (teken reeksnommer op die teenkant aan)	....
Totaal		**Totale getal van rekenskap gegee [d.w.s. getal uitgereik by (1) plus ongebruik by (5)]**	

B. Ek verklaar hiermee dat ek die stembriefverklarings aan my oorhandig deur die voorsittende beamptes van die stemburo's in my stemdistrik kontroleer het met die getal stembriewe aan my toevertrou en uitgereik aan genoemde voorsittende beamptes, en dat, met die uitsondering van die afwykings hieronder vermeld, die bovermelde verklaring waar en korrek is.

C. Afwykings (meld volledige besonderhede)

.....

.....

.....

.....

Distrikverkiesingsbeampte

Plek: .....

Datum: .....

AANHANGSEL 7

(Regulasie 37)

ONAFHANKLIKE VERKIESINGSKOMMISSIE

VERKLARING DEUR 'N SPESIALE KIESER INGEVOLGE ARTIKEL 40 (1) VAN DIE KIESWET, 1993 (WET No. 202 VAN 1993)

Ek,....., die ondergetekende, verklaar hiermee onder *eed/bevestiging dat—

(a) Ek nie in staat sal wees om op enige tyd gedurende die stemure op enige dag vir algemene stemming 'n stemburo by te woon nie, weens die volgende redes.....

.....

(b) Ek is geregtig om my stem as 'n spesiale kieser uit te bring soos bepaal in artikel 39 van die Kieswet.

.....

Handtekening van applikant

Datum: .....

Ek (volle voorname en van).....

.....

Amp (rang).....sertifiseer hiermee—

(a) dat ek myself van die verklaarder mnr./mev./mej. .....

.....se identiteit vergewis het

deur te verwys na sy/haar stemgeregtigdekieser-dokumentnommer.....

.....

(b) dat voordat ek die voorgeskrewe eed/bevestiging †afgeneem het, ek die volgende vrae aan die verklaarder gestel het en sy/haar antwoord in sy/haar teenwoordigheid neergeskryf het;

(1) Is u vertroud met die inhoud van bostaande verklaring en begryp u dit?

Antwoord.....

(2) Het u enige beswaar teen die aflê van die voorgeskrewe eed?

Antwoord.....

(3) Beskou u die voorgeskrewe eed as bindend vir u gewete?

Antwoord.....

(c) dat die verklaarder erken dat hy/sy vertroud is met die inhoud van die verklaring en dit begryp. Hierdie verklaring is beëdig/bevestig voor my en verklaarder se handtekening/duimafdruk/merk is in my teenwoordigheid daarop aangebring.

Datum: ..... Geteken.....

(Voorsittende beampte)

Plek: ..... Adres.....

.....

† (i) 'n Eed word afgeneem deur die verklaarder die volgende woorde te laat uiter: "Ek sweer dat die inhoud van hierdie verklaring waar is, so help my God".

(ii) 'n Bevestiging word afgeneem deur die verklaarder die volgende woorde te laat uiter: "Ek bevestig plegtig en opreg dat die inhoud van hierdie verklaring waar is".

* **Skap wat nie van toepassing is nie.**

AANHANGSEL 8

(Regulasie 46)

ONAFHANKLIKE VERKIESINGSKOMMISSIE

KENNISGEWING VAN ONREËLMATIGHEDE EN AFWYKINGS TEN OPSIGTE VAN SEËLS, STEMBRIEFVERKLARINGS OF STEMBRIEWE DEUR TELBEAMPTE INGEVOLGE ARTIKEL 43 (4) VAN DIE KIESWET, 1993 (WET No. 202 VAN 1993)

Telburo..... Provinsie van .....

1. Onreëlmatighede ten opsigte van seëls:

.....

.....

.....

2. Afwykings in die kontrolering van die stembriefverklaring bedoel in artikel 43 (2) van die Kieswet, 1993:

.....

.....

.....

3. Stembriewe wat nie die amptelike merk het nie:

.....

.....

.....

.....

Telbeampte

Datum: .....

AANHANGSEL 9

(Regulasie 47)

ONAFHANKLIKE VERKIESINGSKOMMISSIE

KENNISGEWING AAN HOOFDIREKTEUR VAN DIE GETAL STEMME BEPAAL WAT TEN GUNSTE VAN ELKE GEREGISTREERDE PARTY UITGEBRING IS INGEVOLGE ARTIKEL 44 (2) VAN DIE KIESWET, 1993 (WET No. 202 VAN 1993)

Telburo..... Provinsie van .....

Ek bevestig hiermee dat die getal van stemme bepaal wat uitgebring is ten gunste van elke geregistreerde party in die stemming in die verkiesing gehou op ..... 19..... as volg is:

Naam van Geregistreerde Party	Getal stemme
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	

Getal bedorwe stembriewe .....

..... Datum: .....

Telbeampte

AANHANGSEL 10

(Regulasie 51)

ONAFHANKLIKE VERKIESINGSKOMMISSIE

LYS VAN ONDERSTEUNENDE HANDTEKENINGE INGEVOLGE ARTIKEL 74 (4) (d) VAN DIE KIESWET, 1993 (WET No. 202 VAN 1993)

†NASIONALE VERGADERING/PROVINSIALE WETGEWENDE LIGGAAM

Naam van party..... Provinsie van .....

Volle name	Huisadres	Identiteits-nommer	Handtekening
*			

Ek sertifiseer hiermee dat die bostaande handtekeninge van stemgeregtigde kiesers wat hulle ondersteuning vir die

..... party verklaar het, verkry is.

Datum: .....

.....

Handtekening van behoorlike gemagtigde verteenwoordiger van party

† **Skrap wat nie van toepassing is nie.**

* **Foliopapier waarop die nodige kolomme getrek is, kan vanaf die tweede bladsy verderaan gebruik word.**

AANHANGSEL 11

[Regulasie 77 (4)]

ONAFHANKLIKE VERKIESINGSKOMMISSIE

VORM VAN DAGVAARDING

IN DIE VERKIESINGSTRIBUNAAL

(.....*Stemdistrik*)

In die saak tussen: Saak No.: ...../1994

AB

.....

..... Eiser

CD

.....

..... Respondent

AAN:

CD, van .....(meld adres);

MAADEMAAL dit beweer word dat u die Verkiesingsgedragskode geskend/'n verkiesingsonreëlmatigheid gepleeg/'n bepaling van die Kieswet of die regulasies daarkragtens uitgevaardig oortree of nie daaraan voldoen het nie op of omtrent die..... dag van ....., 1994, en te of naby.....

MAAR EEM KENNIS dat u hiermee gedagvaar word deur **AB** van ..... (meld adres van eiser) om voor die Verkiesingstribunaal vir die ..... stemdistrik sittende te..... om .....h..... op die..... dag van ....., 1994, te verskyn om redes aan te voer waarom die volgende bevel nie teen u toegestaan moet word nie:

1. .....

.....

2. .....

.....

3. .....

.....

NEEM VERDER KENNIS dat die aangehegte beëdigde verklaring ter ondersteuning gebruik sal word in die bevele deur die eiser geëis;

NEEM VERDER KENNIS dat indien u van voorneme is om hierdie saak te verdedig, van u vereis word om—

(a) nie later nie as twee dae voor die datum waarop hierdie saak ter rolle geplaas is vir verhoor en beslissing (of, in die geval van 'n dringende saak op of voor.....), by die Sekretaris by die setel van bovermelde Verkiesingstribunaal—

(i) enige beëdigde verklaring of verklarings in antwoord op die feite en ander bewerings in die aangehegte beëdigde verklaring, in te dien;

(ii) indien u van voorneme is om enige regsvraag te opper, 'n skriftelike kennisgewing van u voorneme om dit te doen, waarin sodanige vraag uiteengesit word, in te dien,

en om sonder versuim die eiser (of sy of haar regsverteenwoordiger) te verwittig by die adres hieronder uiteengesit, dat dit gedoen is; en

(b) voor die Verkiesingstribunaal te verskyn op die dag en tyd wat hierdie saak ter rolle geplaas is vir verhoor en beslissing.

NEEM VERDER KENNIS dat indien u versuim om die voormelde beëdigde verklaring of kennisgewing in te dien of om voor die Verkiesingstribunaal te verskyn op die datum en die tyd wat hierdie saak ter rolle geplaas is vir beregting en beslissing, 'n bevel kragtens die bepalings hierin uiteengesit teen u toegestaan mag word sonder verdere kennisgewing aan u.

GEDATEER te .....op hierdie.....dag van 1994

.....	.....
EISER (OF SY OF HAAR REGSVERTEENWOORDIGER)	*pp.* SEKRETARIS: VERKIESINGSBEREGTINGSEKRETARIAAT
ADRES:	ADRES: .....
.....	.....
TELEFOON No.:	TELEFOON No.: .....
TELEFAKS No.:	

AANHANGSEL 12

[Regulasie 80 (4)]

ONAFHANKLIKE VERKIESINGSKOMMISSIE

DAGVAARDING VAN GETUIES

IN DIE VERKIESINGSTRIBUNAAL

(.....*Stemdistrik)*

In die saak tussen: SAAK No.:...../1994

AB

.....

..... Eiser

CD

.....

..... Respondent

AAN:

EF, van..... (meld adres van getuie);

NEEM KENNIS DAT u hiermee beveel word om in persoon voor die Verkiesingstribunaal vir die.....

Stemdistrik sittende te.....om .....h..... op die .....dag

van..... 1994 te verskyn, om getuienis in die bogenoemde saak af te lê gee, en indien nodig met u saam te bring, en by die Verkiesingstribunaal vir ondersoek die genoemde stukke en voorwerpe in die lys hieronder uiteengesit, in te dien.

NEEM VERDER KENNIS dat indien u, nadat kennis aan u gegee is om voor bogenoemde Verkiesingstribunaal te verskyn om getuienis af te lê, en indien nodig met u saam te bring, en genoemde stukke en voorwerpe vir ondersoek in te handig, u versuim om aldus te verskyn of om sodanige stukke en voorwerpe in te dien of, tensy verskoon, versuim om gedurende die verrigtinge deurgaans teenwoordig te bly—

(a) die Verkiesingstribunaal 'n lasbrief vir u inhegtenisname mag uitreik sodat u voor die Verkiesingstribunaal gebring kan word om sodanige getuienis te gee of om sodanige stukke en artikels in te dien; en

(b) u skuldig is aan 'n oortreding van regulasie 95 (3) (b) van die Verkiesingsregulasies, 1994, en by skuldigbevinding, u tot 'n boete wat nie R20 000 te bowe gaan nie en by versuim om die boete te betaal, tot gevangenisstraf van 'n tydperk wat nie een jaar te bowe gaan nie, gevonnis mag word.

GEDATEER te .....op hierdie.....dag van.....1994.

pp. SEKRETARIS:
VERKIESINGSBEREGTINGSEKRETARIAAT

ADRES: .....

TELEFOON No.: .....

LYS VAN DOKUMENTE OF VOORWERPE WAT INGEDIEN MOET WORD

1. .....

2. .....

3. .....

AANHANGSEL 13

[Regulasie 89 (1)]

ONAFHANKLIKE VERKIESINGSKOMMISSIE

VORM VAN KENNISGEWING VAN HERSIENING

IN DIE VERKIESINGSAPPÈLTRIBUNAAL

(..... *Afdeling)*

In die hersieningsaangeleentheid tussen: SAAK No.:...../1994

AB

.....

..... Hersieningsapplikant

en

CD

.....

..... Voorsittende beampte

EF

.....

..... Respondent

KENNISGEWING VAN HERSIENING

NEEM KENNIS dat u hiermee aangesê word deur **AB** van .....(meld adres) om voor die Verkiesingsappèltribunaal vir die Afdeling ..... sittende te ..... om .....h..... op die ..... dag van .....1994 aan te toon waarom die beslissing gedateer die ..... dag van .....1994 in Saak No..... in die Verkiesingstribunaal vir die ..... Stemdistrik nie hersien en tersyde gestel of reggestel moet word nie en waarom 'n bevel met die volgende bepalings nie gemaak moet word nie:

1. .....
.....
2. .....
.....
3. .....
.....;

(sit hier die vorm van die bevel aangevra uiteen);

NEEM VERDER KENNIS DAT die meegaande beëdigde verklaring van ..... ter ondersteuning daarvan gebruik sal word;

NEEM VERDER KENNIS dat indien u van voorneme is om hierdie saak te verdedig van u vereis word om—

(a) nie later as twee dae voor die datum waarop die saak ter rolle geplaas is vir verhoor en beslissing (of, in die geval van 'n dringende saak op of

voor .....), by die Sekretaris by die setel van die bogenoemde Verkiesingstribunaal,—

(i) enige beëdigde verklaring of verklarings in antwoord op die feite en ander bewerings in die aangehegte beëdigde verklaring genoem, in te dien;

(ii) indien u van voorneme is om enige regsvraag te opper, 'n skriftelike kennisgewing van u voorneme om dit te doen, waarin sodanige vraag uiteengesit word, in te dien,

en om sonder verwyl die hersieningsapplikant (of sy of haar regsverteenwoordiger) by die adres hieronder in kennis te stel dat dit gedoen is; en

(b) voor die Verkiesingsappèltribunaal op die datum en op die tyd waarop hierdie saak ter rolle geplaas is vir verhoor en beslissing, te verskyn.

NEEM VERDER KENNIS dat indien u versuim om die verklaring of bogenoemde kennisgewing in te dien of om voor die Verkiesingsappèltribunaal op die datum en op die tyd wat hierdie saak ter rolle geplaas is vir verhoor en beslissing te verskyn, 'n bevel kragtens die bepalings hierin vermeld sonder verdere kennisgewing aan u, teen u toegestaan mag word.

GEDATEER te ..... op hierdie ..... dag van ..... 1994.

.....

HERSIENINGSAPPLIKANT (OF SY OF HAAR REGS-VERTEENWOORDIGER)

ADRES: .....

.....

TELEFOON No.: .....

TELEFAKS No.: .....

AAN: **CD**

Die Voorsittende Beampte van die Verkiesingstribunaal .....

..... (Meld adres)

EN AAN: **EF**

Respondent

..... (Meld adres)

EN AAN: Die Sekretaris

Verkiesingsberegtingsekretariaat

p/a Verkiesingsappèltribunaal vir die ..... Afdeling

..... (Meld adres)

AANHANGSEL 14

[Regulasie 93 (1)]

ONAFHANKLIKE VERKIESINGSKOMMISSIE

VISENTERINGSLASBRIEF DEUR HOOFDIREKTEUR: MONITERING UITGEREIK INGEVOLGE ARTIKEL 24 (1) (e) VAN DIE WET OP DIE ONAFHANKLIKE VERKIESINGSKOMMISSIE, 1993 (WET No. 150 VAN 1993)

AAN ENIGE BEAMPTE DEUR DIE HOOFDIREKTEUR: MONITERING GEDELEGEER OM LASBRIEWE UIT TE VOER OF ENIGE VREDESBEAMPTE

(Voltooi I of II)

I. Nademaal dit vir my a.g.v. inligting onder eed of bevestiging blyk dat daar redelike gronde bestaan om te glo dat

binne die stemdistrik van ..... daar 'n item is naamlik, ...wat:

OF

II. Nademaal dit vir my a.g.v. 'n ondersoek na * 'n beweerde skending van die Verkiesingsgedragskode/'n beweerde verkiesingsonreëlmatigheid/'n beweerde oortreding van of 'n versuim om te voldoen aan 'n bepaling van die Kieswet, 1993 (Wet No. 202 van 1993), of 'n regulasie daarkragtens uitgevaardig dat daar 'n item is

naamlik, ... wat:

benodig word in verband met sodanige ondersoeke en wat **in die besit is van/onder die beheer is van/op of by 'n perseel te/op die persoon van*.....is.

WORD U derhalwe gemagtig om gedurende die dag **die geïdentifiseerde persoon te ondersoek/om die geïdentifiseerde perseel te betree en te ondersoek en om enige persoon op of by sodanige perseel te ondersoek* en gelas om op gemelde beslag te lê indien gevind, en om **dit volgens die reg te hanteer/dit voor my te bring om volgens die reg hanteer te word.*

Gegee onder my hand te ..... hierdie .....

dag van ..... 19.....

.....
Handtekening

.....
Ampstitel

* **Skrap wat nie van toepassing is nie.**

AANHANGSEL 15

[Regulasie 93 (3)]

ONAFHANKLIKE VERKIESINGSKOMMISSIE

WAARSKUWING DEUR HOOFDIREKTEUR: MONITERING INGEVOLGE ARTIKEL 24 (1) (g) VAN DIE WET OP DIE ONAFHANKLIKE VERKIESINGSKOMMISSIE, 1993 (WET No. 150 VAN 1993)

Nademaal die Hoofdirekteur: Monitering, na behoorlike ondersoek na beweerde of dreigende skending(s) van die Verkiesingsgedragskode, kennis geneem het van die feit dat genoemde Kode soos vervat in Aanhangsel 2 by die Kieswet, 1993, †geskend of met skending gedreig word, soos volg:

.....

.....

.....

(meld volledige besonderhede van die †beweerde of †dreigende skending)

waarsku die Hoofdirekteur: Monitering nou hiermee formeel

* ..... om hom of haar te weerhou van die verdere pleging van sodanige †skending of die uitvoering van sodanige †dreigende skending.

..... Datum: .....

(Hoofdirekteur: Monitering)

ONTVANGSERKENNING

Ek, ..., synde die verteenwoordiger van bogenoemde †party †of synde bogenoemde persoon, erken hiermee dat hierdie waarskuwing aan my persoonlik beteken is.

Geteken te ..... op hierdie ..... dag

van ..... 1994.

.....

Handtekening

---

* **Meld die naam van—**

party; kandidaat; leier; ampsbekleër; agent; lid of ondersteuner.

† **Skrap wat nie van toepassing is nie.**

ANNEXURE 1

(Regulation 9)

INDEPENDENT ELECTORAL COMMISSION

DECLARATION OF SECRECY IN TERMS OF SECTION 14 OF THE ELECTORAL ACT, 1993 (ACT No. 202 OF 1993)

I declare that I am fully acquainted with the provisions of section 58 of the Electoral Act, and solemnly undertake that I shall not at the election for the *National Assembly and/or provincial legislature(s) for the—

Province of .....

Electoral District of .....

do anything which will infringe the secrecy of the voting.

Signature .....

Full names in print.....

† .....

Identity/Identification number.....

Date.....

Address .....

.....

I (full forenames and surname).....

.....

Designation (rank).....hereby certify that—

(a) I have satisfied myself of the identity of the deponent, Mr/Mrs/Miss .....
by referring to his/her voter's eligibility document number
.....

(b) before administering the prescribed oath/solemn declaration, ‡ I put the following question to the deponent and noted his/her reply in his/her presence:

(1) Do you know and understand the contents of the above declaration?
Reply.....

(2) Have you any objection to taking the prescribed oath?
Reply.....

(3) Do you regard the prescribed oath as binding on your conscience?
Reply.....

(c) the deponent has acknowledged that he/she knows and understands the contents of the declaration. This declaration was duly sworn to/solemnly affirmed before me and the deponent's signature was appended thereon in my presence.

Date: ..... Signed .....

(Provincial Electoral Officer, Deputy Provincial Electoral Officer, District Electoral Officer, Deputy District Electoral Officer, Presiding Officer)

Place: ..... Address .....

.....

‡ (i) An oath is administered by causing the deponent to utter the following words: "I swear that the contents of this declaration are true, so held me God".

(ii) An affirmation is administered by causing the deponent to utter the following words: "I solemnly and sincerely affirm that the contents of this declaration are true".

---

* **Delete which is not applicable.**

† **Insert here "Presiding Officer", "Voting Officer", "Counting Officer", "Party Voting agent", etc., as the case may be.**

INFRINGEMENT OF VOTING SECRECY

SECTION 58 OF THE ELECTORAL ACT, 1993

"58. Any person who—

(a) obtains any information relating to voting at any voting station, or counting of votes at any counting station, and, save as permitted by or under this Act or any other law, discloses such information to any other person;

(b) save as authorized by or under this Act or the Commission Act, opens or breaks the seal of, any packet, envelope or ballot box, sealed in terms of this Act; or

(c) interferes with a voter in contravention of section 33,

shall be guilty of an offence."

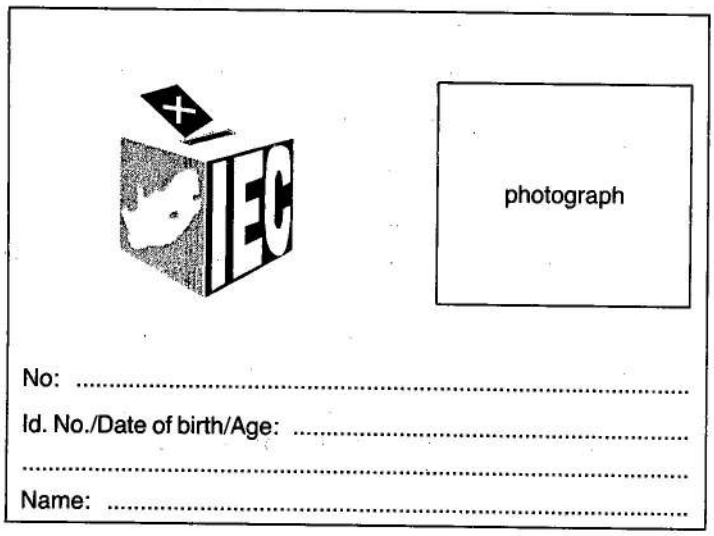
ANNEXURE 2

(Regulation 12)

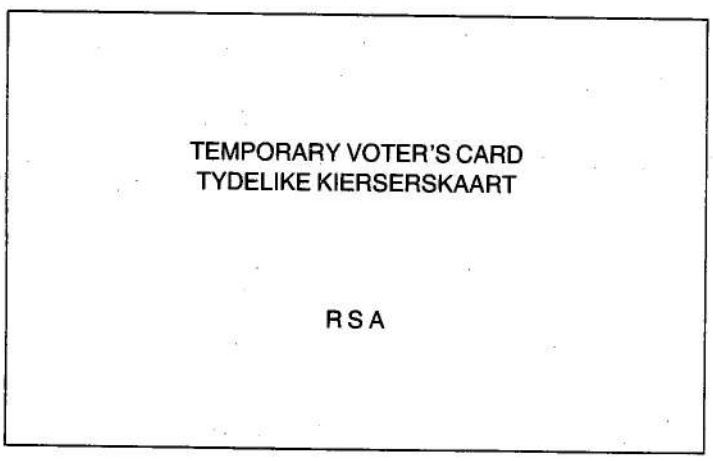
INDEPENDENT ELECTORAL COMMISSION

TEMPORARY VOTER'S CARD ISSUED IN TERMS OF SECTION 17 OF THE ELECTORAL ACT, 1993 (ACT No. 202 OF 1993)

A. Front



B. Back



ANNEXURE 3

[Regulation 22 (1)]

INDEPENDENT ELECTORAL COMMISSION

DECLARATION BY A VOTER AT A FOREIGN VOTING STATION REGARDING THE PROVINCE IN RESPECT OF WHICH HIS OR HER VOTE SHALL BE COUNTED IN TERMS OF SECTION 25 (3) OF THE ELECTORAL ACT, 1993 (ACT No. 202 OF 1993)

I, ...

Identity/Identification/Passport No. .....

hereby *declare under oath/affirm that I am an eligible voter in the election for the National Assembly and provincial legislature, and that my vote shall be counted in respect of the province stated hereunder:

Province: .....

.....

Signature of voter

I (full forenames and surname) .....

.....

Designation (rank) .....hereby certify that—

(a) I have satisfied myself of the identity of the deponent, Mr/Mrs/Miss .....

by referring to his/her voter's eligibility document number;

.....

(b) before administering the prescribed oath/solemn declaration,‡ I put the following question to the deponent and noted his/her reply in his/her presence:

(1) Do you know and understand the contents of the above declaration?

Reply .....

(2) Have you any objection to taking the prescribed oath?

Reply .....

(3) Do you regard the prescribed oath as binding on your conscience?

Reply .....

(c) The deponent has acknowledged that he/she knows and understands the contents of the declaration. This declaration was duly sworn to/solemnly affirmed before me and the deponent's signature/thumbprint/mark was appended thereon in my presence.

Date: ..... Signed .....

(Presiding Officer)

Place: ..... *Address* .....

.....

‡ (i) An oath is administered by causing the deponent to utter the following words: "I swear that the contents of this declaration are true, so help me God".

(ii) An affirmation is administered by causing the deponent to utter the following words: "I solemnly and sincerely affirm that the contents of this declaration are true".

*** Delete which is not applicable.**

ANNEXURE 4

(Regulation 26)

INDEPENDENT ELECTORAL COMMISSION

NOTIFICATION OF RESULTS OF VOTES CAST AT FOREIGN VOTING STATIONS IN TERMS OF SECTION 25 (8) (b) OF THE ELECTORAL ACT, 1993 (ACT No. 202 OF 1993)

Counting station .....

I hereby confirm that the number of votes determined to have been cast in favour of each registered party at foreign voting stations for provincial legislatures in the election held on .....19....., is as follows:

1. **PROVINCE: Natal**

REGISTERED PARTY	VOTES CAST

2. PROVINCE: Northern Cape

REGISTERED PARTY	VOTES CAST

3. PROVINCE: Northern Transvaal

REGISTERED PARTY	VOTES CAST

4. PROVINCE: North-West

REGISTERED PARTY	VOTES CAST

5. PROVINCE: Eastern Cape

REGISTERED PARTY	VOTES CAST

6. PROVINCE: Eastern Transvaal

REGISTERED PARTY	VOTES CAST

7. PROVINCE: Orange Free State

REGISTERED PARTY	VOTES CAST

8. PROVINCE: Pretoria–Witwatersrand–Vereeniging

REGISTERED PARTY	VOTES CAST

9. PROVINCE: Western Cape

REGISTERED PARTY	VOTES CAST

Number of spoilt ballot papers.....

.....

Counting Officer

Date: .....

ANNEXURE 5

[Regulation 35 (1)]

INDEPENDENT ELECTORAL COMMISSION

BALLOT PAPER STATEMENT BY PRESIDING OFFICER IN TERMS OF REGULATION 35 (1) OF THE ELECTORAL REGULATIONS, 1994, MADE UNDER THE ELECTORAL ACT, 1993 (ACT No. 202 OF 1993)

Voting station .....

Date of voting .....

Electoral district of .....

Province of .....

A.

Ballot papers received from district electoral officer	Total number received	Ballot papers accounted for	Total number of ballot papers accounted for
Serial No. .... to Serial No.	.....	(1) Total number of ballot papers issued (record serial numbers on reverse side of this statement)	
		(2) Number of discarded ballot papers included in (1) above	
		(3) Number of disputed papers included in (1) above	
		(4) Total number of ballot papers placed in ballot box [(1) minus (2) + (3)] = ...	.....
		(5) Unused ballot papers (record serial numbers on reverse side)	.....
Total		**Total**	

B. Discrepancies (state full particulars)

.....

.....

.....

C. I hereby certify that the particulars furnished in paragraphs A and B are true and correct.

.....

Presiding Officer

Date: .....

ANNEXURE 6

[Regulation 35 (3)]

INDEPENDENT ELECTORAL COMMISSION

BALLOT PAPER STATEMENT BY DISTRICT ELECTORAL OFFICER IN TERMS OF SECTION 38 (4) OF THE ELECTORAL ACT, 1993 (ACT No. 202 OF 1993)

Voting station .....

Date of voting .....

Electoral district of .....

Province of .....

A.

Number of ballot papers received from provincial electoral officer	Total number received	Number of ballot papers accounted for by presiding officers as per attached statements (Annexure 5)	Number
Serial No. .... to Serial No.	.....	(1) Total number of ballot papers issued by presiding officer	
		(2) Number of discarded ballot papers included in (1) above	
		(3) Number of disputed ballot papers included in (1) above	
		(4) Total number of ballot papers placed in ballot box [(1) minus (2) + (3)] = ...	.....
		(5) Unused ballot papers (record serial numbers on reverse side)	.....
Total		**Total number accounted for [i.e. number issued at (1) plus unused at (5)]**	

B. I hereby declare that I have verified the ballot paper statements handed to me by the presiding officers of the voting stations in my electoral district, with the number of ballot papers entrusted to me and issued to the said presiding officers, and that, except for the discrepancies mentioned hereunder, the above statement is true and correct.

C. Discrepancies (state full particulars)

.....

.....

.....

.....

District Electoral Officer

Place: .....

Date: .....

ANNEXURE 7

(Regulation 37)

INDEPENDENT ELECTORAL COMMISSION

DECLARATION BY A SPECIAL VOTER IN TERMS OF SECTION 40 (1) OF THE ELECTORAL ACT, 1993 (ACT No. 202 OF 1993)

I, ..., the undersigned hereby *declare under oath/affirm that—

(a) I will not be able to attend a voting station at any time during voting hours on any day for general voting, for the following reasons .....

(b) I am entitled to cast my vote as a special voter as provided for in section 39 of the Electoral Act.

.....

Signature of applicant

Date: .....

I (full forenames and surname) .....

.....

Designation (rank) .....hereby certify that—

(a) I have satisfied myself of the identity of the deponent, Mr/Mrs/Miss .....

by referring to his/her voter's eligibility document number

.....

(b) before administering the prescribed oath/solemn declaration, †I put the following question to the deponent and noted his/her reply in his/her presence:

(1) Do you know and understand the contents of the above declaration?

Reply .....

(2) Have you any objection to taking the prescribed oath?

Reply .....

(3) Do you regard the prescribed oath as binding on your conscience?

Reply .....

(c) The deponent has acknowledged that he/she knows and understands the contents of the declaration. This declaration was duly sworn to/solemnly affirmed before me and the deponent's signature/thumbprint/mark was appended thereon in my presence.

Date: ..... Signed .....

(Presiding Officer)

Place: ..... *Address* .....

.....

† (i) An oath is administered by causing the deponent to utter the following words: "I swear that the contents of this declaration are true, so help me God".

(ii) An affirmation is administered by causing the deponent to utter the following words: "I solemnly and sincerely affirm that the contents of this declaration are true".

* **Delete which is not applicable.**

ANNEXURE 8

(Regulation 46)

INDEPENDENT ELECTORAL COMMISSION

NOTIFICATION OF IRREGULARITIES AND DISCREPANCIES IN RESPECT OF SEALS, BALLOT PAPER STATEMENTS OR BALLOT PAPERS BY COUNTING OFFICER IN TERMS OF SECTION 43 (4) OF THE ELECTORAL ACT, 1993 (ACT No. 202 OF 1993)

Counting station ..... Province of .....

1. Irregularities in respect of seals:

   .....

   .....

   .....

2. Discrepancies in the verification of the ballot paper statement referred to in section 43 (2) of the Electoral Act, 1993:

   .....

   .....

   .....

3. Ballot papers which do not bear the official mark:

   .....

   .....

   .....

.....

Counting officer

Date: .....

ANNEXURE 9

(Regulation 47)

INDEPENDENT ELECTORAL COMMISSION

NOTIFICATION TO CHIEF DIRECTOR OF THE NUMBER OF VOTES DETERMINED TO HAVE BEEN CAST IN FAVOUR OF EACH REGISTERED PARTY IN TERMS OF SECTION 44 (2) OF THE ELECTORAL ACT, 1993 (ACT No. 202 OF 1993)

Counting station ..... Province of .....

I hereby confirm that the number of votes determined to have been cast in favour of each registered party in the voting at the election held on .....19..... is as follows:

Name of Registered Party	Number of votes
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	

Number of spoilt ballot papers .....

..... Date: .....

Counting Officer

ANNEXURE 10

(Regulation 51)

INDEPENDENT ELECTORAL COMMISSION

LIST OF SUPPORTING SIGNATURES IN TERMS OF SECTION 74 (4) (d) OF THE ELECTORAL ACT, 1993 (ACT No. 202 OF 1993)

† NATIONAL ASSEMBLY/PROVINCIAL LEGISLATURE

Name of party..... Province of .....

Full names	Home address	Identity number	Signature
*			

I hereby certify that the above signatures were obtained from eligible voters who have declared their support for the .....

.....party.

Date: .....

.....

Signature of duly authorized representative of party

† **Delete which is not applicable.**

* **Foolscap paper on which the necessary columns have been drawn may be used from the second page onwards.**

ANNEXURE 11

[Regulation 77 (4)]

INDEPENDENT ELECTORAL COMMISSION

FORM OF SUMMONS

IN THE ELECTORAL TRIBUNAL

(..... *Electoral District*)

In the matter between: CASE No.: ...../1994

AB

.....

..... Claimant

CD

.....

..... Respondent

TO:

CD, of ..... (state address);

WHEREAS it is alleged that you have infringed the Electoral Code of Conduct/committed an electoral irregularity/contravened or failed to comply with a provision of the Electoral Act or the regulations promulgated thereunder, in that on or about the ..... day of....., 1994, and at or near.....

.....

.....

.....

TAKE NOTICE that you are hereby summoned by **AB** of.....

.....(state

address of claimant) to appear before the Electoral Tribunal for the..... Electoral District sitting at.....

at .....h....., on the .....day of.....,
1994, to give reasons why the following order should not be granted against you:

1. .....

.....

2. .....

.....

3. .....

.....

TAKE FURTHER NOTICE that the annexed affidavit will be used in support of the orders claimed by the claimant;

TAKE FURTHER NOTICE that if you wish to defend this matter you are required to file—

(a) not later than two days before the date upon which this matter is set down for adjudication and decision (or, in the case of an urgent matter on or before .....), with the Secretary at the seat of the above-mentioned Electoral Tribunal—

(i) any affidavit or affidavits in answer to the facts and other averments stated in the annexed affidavit;

(ii) if you intend to raise any question of law, a notice in writing of your intention to do so setting forth such question,

and to forthwith inform the claimant (or his or her legal representative) at the address set out below of having done so; and

(b) appear before the Electoral Tribunal on the date and at the time this matter has been set down for adjudication and decision.

TAKE FURTHER NOTICE that if you fail to file the affidavit or notice as aforesaid or to appear before the Electoral Tribunal on the date and at the time that this matter has been set down for adjudication and decision, an order in the terms set out herein may be given against you without further notice to you.

DATED at ..... on this ..... day of 1994

.....

CLAIMANT (OR HIS OR HER LEGAL REPRESENTATIVE)

ADDRESS: .....

.....

TELEPHONE No.: .....

FAX No.: .....

.....

pp. SECRETARY
ELECTION ADJUDICATION SECRETARIAT

ADDRESS: .....

.....

TELEPHONE No.: .....

ANNEXURE 12

[Regulation 80 (4)]

INDEPENDENT ELECTORAL COMMISSION

SUBPOENA

IN THE ELECTORAL TRIBUNAL

(..... *Electoral District)*

In the matter between: CASE No.:...../1994

AB

.....

..... Claimant

CD

.....

..... Respondent

TO:

EF, of ..... (state address of witness);

TAKE NOTICE THAT you are hereby ordered to appear in person before the Electoral Tribunal for the ..... Electoral District sitting at.....at .....h..... on the.....day of .....1994, to give evidence in the above matter and, if required, to bring with you and produce to the Electoral Tribunal for examination the documents and articles set out in the list hereunder.

TAKE NOTICE FURTHER THAT should you, having been given notice to appear before the above Electoral Tribunal to give evidence and, if required, to bring with you and produce for examination the said documents and articles, you fail to so appear or to produce such documents or articles or, unless excused, fail to remain in attendance throughout the proceedings—

(a) the Electoral Tribunal may issue a warrant for your arrest so that you may be brought before such Electoral Tribunal to give such evidence or to produce such documents or articles; and

(b) you are guilty of a contravention of regulation 95 (3) (b) of the Electoral Regulations, 1994, and, upon conviction, you may be sentenced to a fine not exceeding R20 000 and, in default of payment, to imprisonment for a period not exceeding one year.

DATED at.....on this .....day of 1994

pp. SECRETARY:
ELECTION ADJUDICATION SECRETARIAT

ADDRESS: .....

TELEPHONE No.: .....

LIST OF DOCUMENTS OR ARTICLES TO BE PRODUCED

1. .....

2. .....

3. .....

ANNEXURE 13

[Regulation 89 (1)]

INDEPENDENT ELECTORAL COMMISSION

FORM OF NOTICE OF REVIEW

IN THE ELECTORAL APPEAL TRIBUNAL

(.....*Division)*

In the review matter of: CASE No.: ...../1994

AB

.....

..... Review Applicant

and

CD

.....

..... Presiding Officer

EF

.....

..... Respondent

NOTICE OF REVIEW

TAKE NOTICE that you are hereby called upon by AB of.....(state address) to appear before the Electoral Appeal Tribunal for the..... Division sitting at ..... at .....h..... on the ..... day of .....1994, to show cause why the decision dated the ..... day of .....1994 in Case No. ..... in the Electoral Tribunal for the.....Electoral District should not be reviewed and set aside or corrected and why an order should not be made in the following terms:

1. .....

.....

2. .....

.....

3. .....

.....;

(here set forth the form of order prayed);

TAKE FURTHER NOTICE THAT the accompanying affidavit of .....will be used in support thereof;

TAKE FURTHER NOTICE that if you wish to defend this matter you are required to file—

(a) not later than two days before the date upon which this matter is set down for adjudication and decision (or, in the case of an urgent matter on or

before .....), with the Secretary at the seat of the above-mentioned Electoral Tribunal—

(i) any affidavit or affidavits in answer to the facts and other averments stated in the annexed affidavit;

(ii) if you intend to raise any question of law, a notice in writing of your intention to do so setting forth such question,

and to forthwith inform the reviewing applicant (or his or her legal representative) at the address set out below of having done so; and

(b) appear before the Electoral Appeal Tribunal on the date and at the time this matter has been set down for adjudication and decision.

TAKE FURTHER NOTICE that if you fail to file the affidavit or notice as aforesaid or to appear before the Electoral Appeal Tribunal on the date and at the time that this matter has been set down for adjudication and decision, an order in the terms set out herein may be given against you without further notice to you.

DATED at ..... on this ..... day of ..... 1994.

.....

REVIEWING APPLICANT (OR HIS OR HER LEGAL REPRESENTATIVE)

ADDRESS: .....

.....

TELEPHONE No.: .....

FAX No.: .....

TO: **CD**

The Presiding Officer of the Electoral Tribunal .....

..... (State address)

AND TO: **EF**

Respondent

..... (State address)

AND TO: The Secretary

Election Adjudication Secretariat

c/o Electoral Appeal Tribunal for the ..... Division

..... (State address)

ANNEXURE 14

[Regulation 93 (1)]

INDEPENDENT ELECTORAL COMMISSION

SEARCH WARRANT ISSUED BY CHIEF DIRECTOR: MONITORING IN TERMS OF SECTION 24 (1) (e) OF THE INDEPENDENT ELECTORAL COMMISSION ACT, 1993 (ACT No. 150 OF 1993)

TO ANY OFFICIAL DELEGATED BY THE CHIEF DIRECTOR: MONITORING TO EXECUTE SEARCH WARRANTS OR ANY PEACE OFFICER

(Complete I or II)

I. Whereas it appears to me from information on oath or affirmation that there are reasonable grounds to believe that, within the

Electoral District of.....there is an item to

wit, ...

..... which:

OR

II. Whereas it appears to me from investigation into an * alleged infringement of the Electoral Code of Conduct/an alleged electoral irregularity/an alleged contravention of or failure to comply with a provision of the Electoral Act, 1993 (Act No. 202 of 1993), or a regulation promulgated thereunder.....

.....that there is an item to

wit, ...

..... which:

is required in connection with such investigations and which is **in the possession of/under the control of/upon or at a premises at/upon the person of* .....

.....

THESE ARE THEREFORE to authorize you to search during the daytime **the identified person/to enter upon and search the identified premises and to search any person found on or at such premises* and to direct you to seize the said .....

.....

if found, and to **deal with it according to law/bring it before me to be dealt with according to law.*

Given under my hand at ..... this .....

day of.....19.....

.....

Signature

.....

Designation

* **Delete which is not applicable.**

ANNEXURE 15

[Regulation 93 (3)]

INDEPENDENT ELECTORAL COMMISSION

WARNING BY CHIEF DIRECTOR: MONITORING IN TERMS OF SECTION 24 (1) (g) OF THE INDEPENDENT ELECTORAL COMMISSION ACT, 1993 (Act No. 150 OF 1993)

Whereas the Chief Director: Monitoring, after due investigation into alleged or threated infringement(s) of the Electoral Code of Conduct, has taken cognizance of the fact that the said Code as contained in Schedule 2 to the Electoral Act, 1993, has been †infringed or ††threatened to be infringed, as follows:

.....

.....

.....

(state full particulars of the †alleged or ††threatened infringement)

the Chief Director: Monitoring now hereby formally warns

*.....to refrain from further committing such †infringement or from carrying out such ††threatened infringement.

..... Date: .....

(Chief Director: Monitoring)

NOTICE OF RECEIPT

I,....., being the representative of the above-mentioned †party †or being the above-mentioned person, do hereby acknowlecge that this warning has been served on me personally.

Signed at.....on this .....day of.....1994.

.....

Signature

---

* **State here the name of—**

party; candidate; leader; office-bearer; agent; member or supporter.

† **Delete which is not applicable.**

BELANGRIK!!

Plasing van tale:

Staatskoerante

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks geskied met die eerste uitgawe in Oktober.

2. Vir die tydperk 1 Oktober 1993 tot 30 September 1994 word Afrikaans EERSTE geplaas.

3. Hierdie reëling is in ooreenstemming met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.

4. ***Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.***

———oOo———

IMPORTANT!!

Placing of languages:

Government Gazettes

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.

2. For the period 1 October 1993 to 30 September 1994, Afrikaans is to be placed FIRST.

3. This arrangement is in conformity with Gazettes containing Act of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.

4. ***It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.***

INHOUD

No.		Bladsy No.	Koerant No.
	GOEWERMENTSKENNISGEWING		
Onafhanklike Verkiesingskommissie			
Goewermentskennisgewing			
R. 310	Onafhanklike Verkiesingskommissie: Verkiesingsregulasies	1	15506

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