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PROCLAMATION

PROCLAMATION

No. 65, 1994

DEPARTMENT OF HOUSING AND LOCAL GOVERNMENT

LOCAL GOVERNMENT TRANSITION ACT, 1993
(ACT No. 209 OF 1993)

ELECTION REGULATIONS

The Member of the Executive Council for Local Government has in terms of section 9 of the Local Government Transition Act, 1993 (Act No. 209 of 1993), made the regulations set out in the Schedule hereto.

O. P. DIKGETSI,

Responsible Member of the Executive Council.

NOTE:

Schedules in the other official languages of the Province will be published as soon as it is practically possible.

I N D E XLOCAL GOVERNMENT ELECTION REGULATIONS

REGULATION	ITEM
	C H A P T E R 1
1	DEFINITIONS
	C H A P T E R 2
	QUALIFICATION OF VOTERS AND VOTERS' ROLLS
2	Franchise
	C H A P T E R 3
	VOTERS' ROLL
3	Making the Roll
4	Claims and Objections
5	Constitution of Revision Court
6	Powers, Functions and Duties of Revision Court
7	Certification and Signature of Roll
8	Revision of Voters' Roll
9	Omission
10	Expenditure on Voters' Roll
11	Agency by Local Government Body
12	Offences
	C H A P T E R 4
	SEATS AND WARDS
13	Introduction
14	Number of Seats
15	Wards
16	Allocation of Wards
17	Criteria to Delimit Wards

REGULATION	ITEM
	C H A P T E R 5
	QUALIFICATIONS : VOTING AND NOMINATIONS
18	Voting According to Wards
19	Voting According to Proportional Representation
20	Ballot Papers
21	Qualifications for Nomination and Election
	C H A P T E R 6
	REGISTRATION AND NOMINATION
22	Election by Proportional Representation and by Wards
23	Notice Regarding Nomination and Registration
24	Registration of Parties : Proportional Representation Elections
25	Rejection of Applications
27	Publication of Lists
29	Nomination for Ward Elections
	C H A P T E R 7
	APPOINTMENT, POWERS AND DUTIES
	ELECTION OFFICERS
30	Appointment and Responsibilities
31	Election Officers
33	Election Officers to be Impartial
34	Agents and Messengers
35	Declarations Relating to Secrecy

- 3 -

REGULATION	ITEM
	C H A P T E R 8
	PREPARATIONS FOR ELECTION
36	Printing Ballot Papers for Wards
36(4)	Printing Ballot Papers for Proportional Representation
37	Ballot Boxes
38	Official Mark and Instruments
39	Fixing of Time and Place of Counting and of Place for Delivery of Election Material
40	Provision of Election Material
	C H A P T E R 9
	CONTROL, PREPARATION AND OPENING VOTING STATION
41	Voting Area
41(8)	Certain Powers in Respect of Voting Area
42	Persons who may Enter Voting Station
43	Equipment and Furniture for Voting Stations
44	Arrangements within a Voting Station
45	Voting Hours and Arrival at Voting Station
46	Poster Outside Voting Station
47	Preparation of Voting Compartments
48	Sealing of Ballot Boxes
49	Opening of Voting Station and Official Mark Envelopes
	C H A P T E R 10
	CONDUCT OF VOTE
50	Periodic Inspection of Voting Station and Voting Compartments
51	Admission to Voting Compartments

REGULATION	ITEM
52	Interference with Voters
53	Questions to Voters
54	Issue of Ballot Papers
55	Assistance to Voters by Election Officers
56	Marking and Disposal of Ballot Papers
57	Inspection of Ballot Papers and Papers without Official Mark
58	Illiterate, Blind or Disabled Voters
59	Objection to Voter
60	Spoilt Ballot Papers
	C H A P T E R 11
	CLOSE OF VOTING : MAKING UP AND DELIVERY
61	Close of Voting
62	Making Up Election Material
63	Delivery of Election Material to Returning Officer
	C H A P T E R 12
	COUNTING OF VOTES AND RESULT
64	Control of Place for Counting of Votes
65	Requisites for the Counting of Votes
66	Counting
67	Duties and Functions of Counting Officers
68	Checking of Election Material
69	Procedure for Counting Votes
70	Counting of Votes
71	Returning Officer to Decide on Ballot Papers Set Apart
72	Closing the Counting

REGULATION	ITEM
	C H A P T E R 13
	DETERMINATION OF RESULT
	VOTING ACCORDING TO WARDS
73	Declaration of Result : Wards
	VOTING ACCORDING TO PROPORTIONAL REPRESENTATION
	Transitional Local Council or Metropolitan Substructure
74	Determining the Quota
75	Allocating Seats
	Transitional Metropolitan Council
77	Transmittal and Receipt of Counting Totals
78	Determining the Quota
79	Supplementation of List and Vacancies
80	Assumption and Term of Office
	Deputy Returning Officer
81	Functions and Transmittal of Results and Totals
	C H A P T E R 14
82	Filling of Elected or Nominated Seats
	C H A P T E R 15
	METROPOLITAN COUNCIL : NOMINATIONS FROM SUBSTRUCTURES
84	Percentage and Quotas
	C H A P T E R 16
	GENERAL
89	Opening or Inspection of Election Material

REGULATION	ITEM
90	Election Committee
91	Bills and Placards
92	Indemnity
93	Fees Payable to Election Officers
94	Forms, Labels and Envelopes
95	Power to Act in Default
96	Powers of Court
97	Validation
98	Voter not to be Required to Disclose how he or she Votes
99	Secrecy
100	Prohibition on Certain Political Activities During Certain Period Prior to and During Voting Period
	C H A P T E R 17
	OFFENCES AND PENALTIES
101	Interference with Election Proceedings
102	Infringement of Secrecy
103	Undue Influences
104	Bribery
105	Personation
106	Prohibition on Interference with Voter Registration and Election Material
107	Prohibition on Unauthorised Printing, Manufacture and Supply of Election Material
108	Prohibition in Interference with Free Political Canvassing and Campaigning
109	Prohibition on Making Intentional False Statements or Publishing False Information
110	Other Offences

CHAPTER 1

DEFINITIONS

1 (1) In these regulations, unless the context otherwise indicates :

- (i) **"Act"** means the Local Government Transition Act, 1993 (Act 209 of 1993);
- (ii) **"address"** means a mode of identification of a place which is sufficiently precise to permit a person contemplated in regulation 2 who is ordinarily resident within the area of jurisdiction of a transitional authority, or under law liable for the payment of assessment rates, rent, service charges or levies to the transitional authority concerned, to be enrolled in a voters' roll and to exercise his or her vote at a voting station in a ward or part of a ward in which such place is situated.
- (iii) **"advertise"** means publish;
- (iv) **"candidate"** means any person in terms of regulation 26(2) or 29(4) whose nomination has been accepted and in respect of whose party or in respect of whom a vote will be held;
- (v) **"chief executive"** means the chief executive or acting chief executive of a transitional authority regardless of the designation of the post occupied by that officer;
- (vi) **"council"** means the council of a transitional authority;
- (vii) **"Constitution"** means the Constitution of the Republic of South Africa, 1993 (Act 200 of 1993);

- (viii) **"day"** means a period of twenty-four consecutive hours commencing at midnight and including a Saturday, Sunday or public holiday referred to in the Public Holidays Act, 1952 (Act 5 of 1952);
- (ix) **"election"** means the election as contemplated in section 9(1) of the Act;
- (x) **"election material"** means any form, declaration or item referred to in regulation 40;
- (xi) **"election officer"** means the metropolitan returning officer, the returning officer and any officer referred to in regulation 31;
- (xii) **"election period"** means the period from nomination day to the close of voting stations;
- (xiii) **"identity document"** means :
 - (a) an identity document or a temporary identity certificate issued in terms of the Identification Act, 1986 (Act 72 of 1986) or any other applicable law of the Republic, as the case may be;
 - (b) a reference book issued in terms of the repealed Blacks (Abolition of Passes and co-ordination of Documents) Act, 1952 (Act 67 of 1952);
 - (c) an identity document referred to in section 13 of the Population Registration Act, 1950 (Act 30 of 1950);
 - (d) a valid travel document issued in terms of any law of the Republics of Transkei, Bophuthatswana, Venda and Ciskei; or

- (e) a valid book of life issued by the former republic of :
 - (i) Ciskei in terms of Act 15 of 1981; or
 - (ii) Transkei in terms of Act 24 of 1976; or
 - (iii) Bophuthatswana in terms of Act 12 of 1978.
- (xiv) **"identity number"** means the official number recorded on an identity document;
- (xv) **"metropolitan returning officer"** means the person appointed in terms of regulation 30(1) as returning officer for a transitional metropolitan council and includes any election officer lawfully acting in his or her stead;
- (xvi) **"local"** in relation to a party means a party which operates an office or has an address within the area of jurisdiction of the transitional authority;
- (xvii) **"name"** in relation to a voters' roll means a surname followed by a name or names ordinarily prefixed thereto;
- (xviii) **"nomination day"** means the day determined for the nomination of candidates and parties in terms of regulation 23(1)(b);
- (xix) **"official language"** means any language declared to be an official language in terms of Section 3(5) of the Constitution;
- (xx) **"ordinarily resident"** in relation to any person, means resident at the home or place where he or she normally lives and to which he or she returns regularly after any period of temporary absence;

- (xxi) **"party"** means any local organisation, body or voluntary association which has objects and purposes which, among others, have relevance to local government matters and includes a political party which has been registered in terms of Chapter IV of the Electoral Act, 1993 (Act 202 of 1993);
- (xxii) **"Premier"** means the Premier as contemplated in Section 144(1) of the Constitution and includes the competent authority designated by him or her for the purposes of the administration of the Act;
- (xxiii) **"publish"** means publish in each official language of the Province in one or more newspapers which substantially use such language or in the absence thereof in one or more newspapers which are of general circulation within the area of the transitional authority.
- (xxiv) **"returning officer"** means the person appointed in terms of regulation 30(1) and includes any election officer lawfully acting in his or her stead.
- (xxv) **"service"** in relation to a notice or other communication addressed to a person means :
- (a) delivery to him or her in person by hand; or
 - (b) delivery at his last known place of residence, business or occupation to a person apparently of 18 years of age or more who is resident or employed or in business at that place; or
 - (c) posting to him or her at his last known place of residence, business or occupation by prepaid registered or certified mail;

and "serve" has an equivalent meaning;

(xxvi) **"transitional authority"** means a transitional local council, transitional metropolitan substructure and transitional metropolitan council;

(xxvii) **"transitional metropolitan council"** means a transitional metropolitan council as defined in section 1(xviii) of the Act;

(xxviii) **"transitional local council"** means a transitional local council as defined in section 1(xvii) of the Act;

(xxix) **"transitional metropolitan substructure"** means a transitional metropolitan substructure as defined in section 1(xix) of the Act;

(xxx) **"voters' roll officer"** means the person appointed in terms of regulation 3(2) and includes any person lawfully acting in his or her stead;

(xxxi) **"voting station"** means any place referred to in regulation 41(1)(a);

(2) Any term or expression used in these regulations which is not defined herein shall bear the meaning given to that term or expression by the Act.

CHAPTER 2

QUALIFICATION OF VOTERS

Franchise

2 (1) Any natural person who is :

(a) (i) a South African citizen; or

- (ii) not such a citizen but who in terms of an Act of Parliament has been accorded the right to exercise the franchise; and
- (b) of or over the age of 18 years; and
- (c) ordinarily resident within the area of jurisdiction of a transitional authority or under law liable for the payment of assessment rates, rent, service charges or levies to the transitional authority concerned,

shall be entitled to be included in the voters' roll of that transitional authority and shall thereupon be entitled to vote in an election for members of the council of such transitional authority : Provided that any person shall be entitled to exercise only one vote for such transitional authority in terms of these regulations : Provided further that the exercise of a vote as contemplated in this subregulation may entail the marking of two or three ballot papers representing the proportional and ward components of a vote.

- (2) Notwithstanding the provisions of subregulation (1), no person shall be entitled to be included in the voters' roll of a transitional authority or be entitled to vote in an election for members of the council of such transitional authority, if he or she is :
 - (a) Subject to an order of court declaring him or her to be of unsound mind or mentally disordered or affected;
 - (b) detained as a mentally ill patient under the Mental Health Act, 1973 (Act 18 of 1973), or any other applicable law of the Republic, as the case may be;
 - (c) detained under the Prevention and Treatment of Drug Dependency Act, 1992 (Act 20 of 1992), or any other applicable law of the Republic, as the case may be;or

- (d) detained in a prison after being convicted and sentenced without the option of a fine in respect of any of the following offences irrespective of any other sentence in respect of any offence not mentioned hereunder which is served concurrently with the first mentioned sentence :
 - (i) murder, robbery with aggravating circumstances and rape; or
 - (ii) any attempt to commit any offence referred to in subparagraph (i).
- (3) For the purposes of subregulation (1)(c) :
 - (a) the word "liable" means liable in respect of an address within the area of jurisdiction of such transitional authority delimited in terms of Section 8(2) of the Act and shall not include any larger area of jurisdiction established in terms of any other law; and
 - (b) the word "jurisdiction" means jurisdiction delimited in terms of Section 8(2) of the Act.
- (4) The onus to be enrolled as a voter shall rest on the voter concerned.

CHAPTER 3

VOTERS' ROLL

Making the Roll

- 3 (1) Every transitional authority shall not later than a date announced by the Premier by notice in the Provincial Gazette, publish that it proposes to make a voters' roll and call upon any natural person who is entitled to be included in such voters' roll to claim within a period of not less than ninety days from the abovementioned date to be enrolled : Provided that

with the approval or at the direction of the Premier such period shall by publication of a further notice be extended.

- (2) Each transitional authority shall designate or appoint :
 - (a) a voters' roll officer within its employment who shall be responsible for preparing a voters' roll on its behalf; and
 - (b) such employees or other person or persons as may be necessary to assist with the preparation thereof at such remuneration as it may determine.
- (3) A person applying to be enrolled as a voter shall make a claim in accordance with form ER1.
- (4) Any person claiming to be enrolled as a voter shall provide the information required in form ER1 and if the voters' roll officer is satisfied on the face of such information that such person is qualified in terms of regulation 2 to be enrolled as a voter such person's name and particulars shall be included in the voters' roll.
- (5) (a) At the expiration of the period referred to in subregulation (1), every transitional authority shall cause a roll to be prepared containing the names of persons qualified to be enrolled as voters for the election and such roll shall :
 - (i) contain a serial number unique in respect of each name;
 - (ii) contain the identity number of each person claiming enrolment;
 - (iii) be in alphabetical order according to surnames;
 - (iv) state the address to which the claim relates; and

- (v) identify the basis of qualification or entitlement.
- (b) Every page of a voters' roll shall be numbered consecutively and shall identify the name of the transitional authority and the year to which it relates; and where such roll has been divided into parts, every page of such part shall also identify the ward and voting station to which it relates.
- (6) (a) A voters' roll as certified and approved for a transitional local council or for a transitional metropolitan substructure shall be divided into parts according to the wards into which the area of jurisdiction of such transitional local council or transitional metropolitan substructure has been divided.
- (b) Every ward shall, unless written authorisation by the Premier to the contrary had been obtained, be divided into parts in accordance with the provisions of regulation 41(3)(c), and the voters' roll for any ward that had been so divided, shall be divided into such parts.
- (c) A voters' roll as certified and approved for a transitional metropolitan council shall be divided into parts according to the area of jurisdiction of each transitional metropolitan substructure within the transitional metropolitan council area, and thereafter further into parts which correspond exactly with the wards and parts of such wards, if any, for each such transitional metropolitan substructure.
- (d) A voters' roll divided into parts shall comply with the requirements of subregulation (5)(a) in respect of each such part.
- (e) A voter shall vote in a ward or part thereof at the voting station where his or her name appears in the voters' roll for such ward or part thereof.
- (7) When any claimant :

- (a) is under law liable for the payment of assessment rates, rent, service charges or levies in respect of more than one address; or
- (b) is so liable in respect of an address other than the place at which he or she is ordinarily resident; or
- (c) is ordinarily resident at more than one place

within the area of jurisdiction of the same transitional authority, such claimant shall be entitled to be included only once in the voters' roll of such transitional authority and shall, at the time of making a claim for enrolment, identify one such address as the place for inclusion failing which the voters' roll officer shall make such identification.

- (8)
 - (a) The voters' roll officer may include in the voters roll the names and particulars of any person in respect of whom a claim on form ER1 has not been made or received, but whose particulars provide the information required for subregulation (5)(a) and on the face of such particulars satisfy the voters' roll officer that such person is qualified in terms of regulation 2 to be enrolled as a voter.
 - (b) A claim in a form substantially in accordance with form ER1 received before the date announced in subregulation (1) shall be a lawful claim and shall be taken into account by the voters' roll officer.
- (9) During the period specified in terms of regulation 3(1) the voters' roll officer shall ensure that :
 - (a) an adequate supply of forms ER1 and ER2 and one or more prominent places or secure receptacles for the deposit of claims delivered by hand, are clearly identified, available and accessible to the public at all times

during normal office hours at every office of the transitional authority concerned;
and

- (b) a reasonable quantity of forms ER1 are made available upon request to a party or person who satisfies the voters' roll officer of a *bona fide* intention to canvass or facilitate the submission of claims at no cost to any claimant.

(10) Nothing herein contained shall be construed as requiring any person to be physically or personally present at any place or office in order to lodge a claim for his or her enrolment as a voter, or as precluding any person from posting by ordinary mail such a claim to the voters' roll officer at the address specified on form ER1 for the applicable transitional authority.

(11) Where no address exists, the transitional authority shall cause an address to be determined or identified within its jurisdiction for the purposes of claims and the preparation of the voters' roll.

(12) (a) For the purposes of regulation 3(1) the date announced by the Premier shall be not less than twenty-eight days after the date of promulgation of these regulations.

(b) Notwithstanding the provisions of paragraph (a) the date announced by the Premier shall be not later than 27 January 1995.

Claims and Objections

4 (1) The voters' roll officer shall publish a notice :

- (a) stating that a copy of such roll may be inspected at the office or offices of the transitional authority during normal office hours and at such other place or places as the voters' roll officer may appoint during the hours of 06:00 to 22:00 daily, including Saturday, Sunday and any

public holiday, during a period of twenty-one days from a date specified in such notice, and which date shall be not later than fourteen days after the end of the period referred to in regulation 3(1);

(b) calling upon every person whose name does not appear in such roll and who believes that he or she is entitled to be enrolled as a voter and every person who has any objection to the enrolment of any person whose name appears in such roll :

(i) to lodge a written claim or objection, in the prescribed forms ER1 or ER2, which shall be available at such office or place specified in paragraph (a); or

(ii) in respect of any person who is unable to write, to appear in person at a stated place and time to lodge an oral objection, with the voters' roll officer within a period of 28 days from the date specified in the notice in paragraph (a);

(c) stating that a list setting out the name of and particulars relating to every claimant and objector in terms of paragraph (b) may be inspected at the office of the transitional authority during normal office hours and at such other place or places appointed in paragraph (a) during the hours of 06:00 to 22:00 daily including Saturday, Sunday and any public holiday, during a period of seven days commencing seven days from the expiry of the period contemplated by paragraph (b);

(d) calling upon every person who has an objection to the enrolment of any person whose name appears in the list referred to in paragraph (c) :

(i) to lodge a written objection, in the prescribed form ER2; or

- (ii) in respect of any person who is unable to write, to appear in person at a stated place and time to lodge an oral objection,

with the voters' roll officer within a period of seven days from the expiry of the period contemplated by paragraph (c);

- (e) fixing one or more days, being not less than seven days and not more than fourteen days after the expiry of the period referred to in paragraph (d), and one or more places, for sitting of the revision court to hear such claims and objections : Provided that at least one such day shall be a Saturday or Sunday and at least one such place shall be in an area referred to in regulation 16(1)(b).

(2) The voters' roll officer shall :

- (a) not more than seven days after the expiry of the period referred to in subregulation (1)(b), prepare a list setting out the name of and particulars relating to every claimant under subregulation (1)(b); and
- (b) not more than four days after the expiry of the period referred to in subregulation (1)(d) prepare a list setting out the name and particulars relating to every objector under subregulation (1)(d).

(3) The voters' roll officer shall lodge with the revision court objections to the enrolment of all claimants whom such officer has reason to believe are not entitled to be enrolled as voters.

(4) The voters' roll officer shall, not less than four days before the day fixed for the sitting of the revision court, serve a notice on :

- (a) every person whose name appears on the roll or a list of claimants contemplated by subregulation (2) and to whose enrolment an objection has been lodged;

- (b) the objector concerned; and
- (c) any claimant for enrolment as a voter whose claim has been objected to or rejected by the voters' roll officer;

setting out the grounds of such objection or rejection, the date on which it will be considered by the revision court, and inviting each such person, claimant and objector to attend; and stating that such objection will not be considered by the revision court unless such objector attends such sitting and every other sitting of the revision court to which consideration of such objection is adjourned :

Provided that where the address of a claimant or objector is not sufficiently precise to permit such service, the voters' roll officer shall in respect of any one or more claimants or objectors publish a notice substantially in accordance with the provisions of this subregulation or where such publication cannot be effected owing to limitations on the availability of a newspaper or newspapers, display such notice at the municipal office closest to the address of the claimant or objector.

- (5) Non-receipt of a notice or defect in the publication of any notice referred to in subregulation (4) shall not invalidate the voters' roll or any proceeding or decision of the revision court.
- (6) The Premier may with due regard to the date of the election, direct a voters' roll officer to increase the number or the locality of places or sittings referred to in subregulations (1)(a) or (1)(b) and the Premier may extend the expiry date in subregulation (1)(e).

Constitution of Revision Court

- 5 (1) (a) There is hereby established for the purposes of each voters' roll a revision court with the powers, functions and duties set out in these regulations.

- (b) Notwithstanding the provisions of subregulation (1)(a) above, or (2) below, the Premier may authorise and establish more than one revision court in respect of each roll or any part of each roll.
- (2) The revision court for each roll or part of such roll shall consist of three persons appointed by the transitional authority concerned, not later than 120 days after the date of proclamation of these regulations, at least one of whom shall be an advocate, attorney or other legally qualified person who shall be the presiding officer of the court.
- (3) The transitional authority shall further appoint alternates to take the place of any member of the revision court who is absent or incapacitated and shall determine the order of precedence of such alternates : Provided that at least one such alternate shall comply with the qualifications prescribed for the presiding officer referred to in subregulation (2).
- (4) The appointment of members and alternates to a revision court in terms of subregulations (2) and (3) shall be decided by a resolution of the council adopted by a majority of at least two-thirds of all its members.
- (5)
 - (a) No person shall be appointed or accept appointment as a member of such court if he or she :
 - (i) is the holder of an office in a party;
 - (ii) is a member or councillor or employee of the transitional authority concerned; or
 - (iii) is not eligible to be enrolled as a voter for a transitional authority in terms of regulation 2.
 - (b) A member of such a court shall cease to be a member thereof and shall vacate his or her seat if he or she :

- (i) becomes disqualified for appointment as a member of such a court;
- (ii) tenders his or her resignation to the chief executive; or
- (iii) dies

and any vacancy so arising shall be filled from the appropriate alternate appointment, or in the absence thereof as soon as possible by the transitional authority with a person who has substantially the same qualifications as his or her predecessor.

- (6) The revision court shall determine the manner in which it shall conduct its business.
- (7) Whenever a change in the membership of the revision court takes place any part-heard claim or objection shall, at the request of the applicable claimant or objector, be dealt with *de novo*.
- (8) Administrative work incidental to the performance of the functions of a voters' roll officer and a revision court shall be performed by the chief executive of the transitional authority concerned or by one or more officials of such authority duly appointed in writing and acting under the jurisdiction and control of such chief executive.
- (9) Members of a revision court shall be remunerated on such basis as shall be determined by the Premier not later than the time referred to in sub-regulation (2), or, failing which, by resolution of the transitional authority.

Powers, Functions and Duties of Revision Court

- 6 (1) On the day or days and at the place or places fixed in terms of regulation 4(1)(e) or 4(6) the revision court shall sit to consider and determine claims and objections to the enrolment of persons as voters.

(2) The revision court shall :

(a) add to or insert in the roll the name of every claimant :

(i) whom it is satisfied is entitled to be enrolled; or

(ii) to whose enrolment no objection was lodged; or

(iii) who notwithstanding any objection is shown to its satisfaction to be entitled to be enrolled as a voter,

or place the names of all such claimants on a supplementary list complying with the provision of regulation 3(5)(a), and add such list to the roll; or

(b) delete or remove from the roll the name of every claimant :

(i) in respect of whom an objection was lodged; and

(ii) who is shown to its satisfaction not to be entitled to be enrolled as a voter;
and

(c) correct any error or supply any omission which may appear to it to have occurred in any entry in the roll with regard to the particulars required in terms of regulation 3(5)(a).

(3) (a) (i) Where a name is added to or inserted in the roll in terms of subregulation (2)(a), the serial number allocated to such name in terms of regulation 3(5)(a)(i) shall be a number which has not been allocated previously to any other name or claimant; and

- (ii) Where a name is deleted or removed from the roll in terms of subregulation (2)(b), the serial number allocated to such name in terms of regulation 3(5)(a)(i) shall not be allocated to any other name or claimant.
 - (b) Where a voters' roll is divided into parts in terms of regulation 3(6), the serial number allocated to a name in the roll in terms of regulation 3(5)(a)(i) shall be retained with such name in any part.
- (4) The revision court shall not consider any claim or objection unless :
- (a) such claim or objection has been lodged in accordance with these regulations; and
 - (b)
 - (i) in the case of any claim or objection referred to in regulation 4(1)(b) such claim or objection was received by the voters' roll officer before the expiry of the period referred to therein.
 - (ii) in the case of any objection contemplated by regulation 4(1)(d) such objection was received by the voters' roll officer before the expiry of the period referred to therein;
 - (iii) failing compliance with subparagraph (i) or (ii), the revision court is satisfied that there are exceptional circumstances relating to the late submission of the document concerned warranting the consideration of the claim or objection; and
 - (c) in the case of any person to whose enrolment an objection has been lodged, the objector attends every sitting of the revision court at which the objection is to be considered to substantiate such objection.

- (5) The voters' roll officer shall be entitled to attend and shall be heard in the presence of a claimant or objector at all sittings of the revision court.
- (6) Any person whose claim or objection may be considered by the revision court and any person opposing any such claim or objection shall be entitled to be heard in person or by a representative authorised thereto in writing and to give and call evidence *viva voce*.
- (7) All evidence given before the revision court shall be given on oath or affirmation administered by the presiding officer.
- (8) Sittings of the revision court shall be open to the public and the press.
- (9) Subject to the provisions of these regulations the revision court may adjourn from time to time as it may deem expedient.
- (10) If no claims or objections in terms of regulations 4(1)(b), 4(1)(d) or 4(3) are lodged within the periods referred to in such provisions the voters' roll officer shall, by notice posted at the offices of the transitional authority, forthwith cancel the sitting of the revision court.

Certification and Signature of Roll

- 7 (1) The roll as amended if any by the revision court in terms of regulation 6 shall be certified and signed by the presiding officer of such court within seven days thereof or within seven days of the cancellation referred to in regulation 6(10) and shall, subject to the provisions of regulation 8 and 9, thereupon be the voters' roll for the transitional authority concerned until a new voters' roll has been lawfully made.
- (2) Any document purporting to be the voters' roll as certified and signed by the presiding officer of the revision court in terms of subregulation (1) or a true copy of such roll certified by the chief executive by the issue of a certificate to that effect shall, unless it is proved that such document is not such voters' roll or such a true copy, as the case may

be, be conclusive proof that the persons whose names appear therein are entitled to exercise any right conferred on voters by these regulations.

- (3) The voters' roll so certified shall be deposited at the offices of the transitional authority and shall be open for inspection by members of the public during the normal office hours of the transitional authority or during such extended hours and times as such transitional authority may determine by resolution.
- (4) Any voter or candidate or party may obtain a copy of the voters' roll or part thereof applicable to a ward at such prices as the transitional authority may determine by resolution.

Revision of Voters' Roll

- 8 (1) Every transitional authority shall cause its voters' roll to be updated not less than six months prior to the expiration of the term of office referred to in regulation 80.
- (2) The provisions of regulations 3 to 7 shall apply to every such revision.

Omission

- 9 No omission of the name of a person from the voters' roll shall invalidate such roll or any election held in terms of these regulations.

Expenditure on Voters' Roll

- 10 A transitional authority may incur such expenditure as it may consider necessary in connection with the making, revision or adjustment of any voters' roll by it or any legal proceedings arising therefrom.

Agency by Local Government Body

- 11 (1) The Premier may after consultation in writing with the authorities or bodies concerned authorise or direct any transitional authority or local government body or bodies to prepare a voters' roll in terms of these regulations as the agent for or on behalf of a transitional authority which has been proclaimed or is yet to be proclaimed in terms of section 10 of the Act, or for or on behalf of any other local government body or bodies, and to perform in whole or in part the duties imposed on such authority in terms of these regulations.
- (2) Any directive by the Premier in terms of subregulation (1) above may include such directives and other arrangements as the Premier may deem necessary or desirable to give effect to the preparation of such a voters' roll and shall include directions relating to the apportionment and recovery of costs.

Offences

- 12 Any person who :
 - (a) furnishes any false information in any claim or objection lodged in terms of regulation 3 or 4 or in regard to any particulars required for the making of a voters' roll;
 - (b) refuses or fails to furnish any information in regard to any such particulars;
 - (c) gives false evidence before or interrupts or disturbs the proceedings of a revision court;
or
 - (d) treats a revision court with contempt,

shall be guilty of an offence and liable to the penalty specified in Chapter 17 of these regulations.

CHAPTER 4

SEATS AND WARDS

Introduction

13 (1) After due consideration of the written representations of the transitional authority, if any, which is established at that stage and which may be affected, and after due consideration at the advice and written recommendations of the Local Government Demarcation Board established for the province, the Premier shall :

- (a) delimit the area of jurisdiction of such transitional authority;
- (b) determine the number of seats in such transitional authority taking into account the right of any traditional leader of a community observing a system of indigenous law and residing on land within the area of jurisdiction of a transitional authority referred to in paragraph (a) to be *ex officio* a member of such transitional authority;
- (c) determine the area of jurisdiction of such transitional local council or transitional metropolitan substructure into wards; and
- (d) determine the number of seats in each ward : Provided that within the area of jurisdiction of any individual transitional local council or transitional metropolitan substructure all wards shall have an equal number of seats;

and incorporate the provisions of such delimitation and determination in the proclamation contemplated in section 10 of the Act.

- (2) Any delimitation or determination contemplated in subregulation (1)(a), (b) or (c) may from time to time, but not later than a date three months prior to the day determined by the Minister as contemplated in section 9(1) of the Act, be reviewed by the Premier in accordance with the provisions of subregulation (1).

Number of Seats

- 14 Where the number of seats in a transitional authority to be filled by an election cannot be apportioned in the manner required :

- (a) for a transitional metropolitan council in terms of regulation 22; or
- (b) for a transitional local council or transitional metropolitan substructure in terms of regulations 16 and 22,

without resulting in fractions, such apportionment shall be made in accordance with Schedule 1 to these regulations.

Wards

- 15 The number of wards shall be determined in accordance with the provisions of regulations 13(1)(b) and (d), 16, 17 and 22.

Allocation of Wards

- 16 (1) Where the area of jurisdiction of any transitional local council or transitional metropolitan substructure includes :
- (a) the area of jurisdiction of any institution or body contemplated in Section 84(1)(f) of the repealed Provincial Government Act, 1961 (Act 32 of 1961); and
 - (b) any other area not falling within the area of jurisdiction of the institution or body referred to in paragraph (a),

- (c) he or she is disqualified to be elected by any competent court;
 - (d) at 15:00 on the day immediately preceding nomination day, he or she is indebted to the transitional authority concerned in respect of any assessment rates, rent, service charges or any other monies for a period longer than three months; or
 - (e) he or she is an employee of the transitional authority concerned or any other transitional authority : Provided that the Executive Council contemplated in section 149 of the Constitution may exempt any such person if satisfied that such exemption is in the public interest and proof of such exemption accompanies the nomination.
- (2) (a) No person nominated as a candidate for a ward shall be nominated as a candidate for any other ward, and no person nominated as a candidate on a party list shall be nominated as a candidate for any other party list, for the same transitional authority at the same election.
- (b) (i) Save as provided in subparagraph (ii), no person nominated for election as a member of a transitional authority shall be
- nominated for election as a member of any other transitional authority.
- (ii) Notwithstanding the provisions of subparagraph (i), a person may be nominated for election as a member of a transitional metropolitan substructure and as a member of its corresponding transitional metropolitan council.

CHAPTER 6

REGISTRATION AND NOMINATION

Election by Proportional Representation and by Wards

- 22 (1) (a) Forty percent of the members of a transitional authority shall be elected according to the system of proportional representation as set out in these regulations; and
- (b) Sixty percent of the members of a transitional local council or a transitional metropolitan substructure shall be elected on the basis that each member shall represent a ward of such transitional local council or transitional metropolitan substructure.

Notice Regarding Nominations and Registration

- 23 (1) Upon the determination of the day of the first election by the Minister in terms of section 9 of the Act, the returning officer shall, by notice published not less than 100 days before the election day so determined :
- (a) give notice of the election day and the hours of voting as prescribed by regulation 45(1);
- (b) determine the nomination day contemplated by regulation 26(2) and 29(4) which day shall not be less than 40 days before the election day;
- (c) specify the date and time by which nominations of candidates for ward elections shall be delivered to the returning officer in compliance with regulation 29, invite such nominations and indicate the number of vacancies to be filled;
- (d) specify the date by which applications for registration of parties shall be delivered to the returning officer in compliance with regulation 24 and invite such applications;
- (e) designate the place at which nominations and applications referred to in paragraph (c) and (d) above will be received by the returning officer.

- (2) (a) In respect of elections to be held for transitional metropolitan substructures and a transitional metropolitan council, the metropolitan returning officer shall consult with such substructures and not less than 120 days before election day shall by mutual agreement determine common times and dates for the purposes of regulations 23(1)(b), (c), (d) and (e), which agreement shall be binding on such bodies.
- (b) Failing an agreement in terms of regulation 23(2)(a), the metropolitan election officer shall forthwith advise the Premier who shall determine such times and dates at his or her sole discretion.

Registration of Parties : Proportional Representation Elections

- 24 (1) Every party which intends to participate in an election according to proportional representation shall :
- (a) not later than noon 40 days before nomination day deliver an application in writing to the returning officer concerned for registration as a party; and
- (b) include the following in the application referred to in paragraph (a) :
- (i) the name and distinguishing mark or symbol of the party which in terms of regulation 36(5)(b) is required to appear on the ballot paper;
- (ii) the distinguishing mark or symbol used by such party, on a separate page and clearly identifiable for and capable of printing or reproduction in black and white;
- (iii) the address of the party within the area of jurisdiction of the transitional authority to which the application relates;

- (iv) its constitution in the case of a party which has not been registered in terms of the Electoral Act, 1993 (Act 202 of 1993),
 - (v) the names, identity numbers and addresses of the local office-bearers of the party who are ordinarily resident within the area of jurisdiction of the transitional authority to which the application relates;
 - (vi) a list of party candidates for the election, which list shall contain a number of candidates not in excess of the number of seats to be filled in terms of subregulation 22(1)(a), together with the full names, identity number and address of each such candidate and an acceptance from each candidate in terms of form ER4;
 - (vii) in the form of cash or a bank guaranteed cheque, a deposit determined not less than 55 days before nomination day by the returning officer as representing an accurate estimate of one percent of the number of voters on the voters' roll expressed in rands and disregarding any cents, or the sum of R500,00,
- whichever is the greater and which deposit may be refundable in terms of subregulation (3) below; and
- (viii) the name and address of a duly authorised party representative.

- (2) Not later than twenty four hours after the hour referred to in subregulation (1) the returning officer shall post outside the place of nomination referred to in regulation 23(1)(e) a list showing the name and address of each party in respect of whom an application has been received, together with its list of party candidates, and keep such list so posted until noon on nomination day.

- (3) Upon receipt of an application for registration referred to in regulation 24(1), the returning officer shall establish whether :
- (a) the party has an address within the area of jurisdiction of the transitional authority to which the application relates;
 - (b) the constitution of the party substantially complies with the definition of a party in regulation 1; or
 - (c) the party has been registered in terms of the Electoral Act, 1993 (Act 202 of 1993); and
 - (d) the candidates on the list are included in the voters' roll of the transitional authority to which the application relates and are not disqualified in terms of regulation 21.
- (4) (a) The returning officer shall not later than seven days after election day, refund a deposit made in terms of subregulation (1)(b)(vii) to a party which has received in such election not less than 25 per cent of the quota of votes for a seat as determined in terms of regulation 74(2) or 78(2) as the case may be. or which in such election has obtained sufficient votes to entitle it to representation on a vacant seat.
- (b) A party which is not entitled to a refund in terms of subregulation (3)(a) shall forfeit its deposit to the transitional authority concerned.

Rejection of Applications

- 25 The returning officer shall, not less than 30 days before nomination day, by notice in writing to the applicant reject any application made in terms of regulation 24 if :

- (a) such application does not substantially contain the information or does not include the deposit required in terms of regulation 24(1)(b); or
- (b) the party does not substantially comply with the definition of a party in regulation 1; or
- (c) the party does not have an address within the area of jurisdiction of the transitional authority to which the application relates; or
- (d) one or more persons on the list of party candidates is or are disqualified in terms of regulation 21 or not included in the relevant voters' roll; or
- (e) the name of one or more persons appears on the list of candidates of more than one party with an acceptance in terms of form ER4 for the transitional authority concerned; or
- (f) the distinguishing mark or symbol is rejected for reasons set out in regulation 29(5)(f),
(g) or (h) :

Provided that where the rejection is in terms of paragraphs (a), (c), (d), (e), or (f), -the returning officer shall in writing grant the party the opportunity to rectify the defect not less than 5 working days before nomination day, by supplying to such officer the rectified information or address or deposit or substituting another name or names or qualified persons or making other rectifications, as the case may be, and upon due compliance therewith, the returning officer shall approve the application and register the party : Provided further that where a party fails to rectify a defect in terms of subparagraph (d), (e), or (f) only, the returning officer shall reject the person or persons or, subject to the provisions of regulation 90(1)(e)(iii), the distinguishing mark or symbol concerned, and shall otherwise approve the application and register the party.

- 26 (1) The returning officer shall approve all applications and register all parties which comply with the requirements of regulation 24.

- (2) At noon on nomination day the returning officer shall, at the place of nomination referred to in regulation 23(1)(e), publicly declare :
- (a) the names of the parties whose nominations have been rejected in terms of regulation 25;
 - (b) the names of the parties whose nominations have been accepted and in respect of which a vote will be held;
 - (c) the names of the accepted candidates on the party list of each party in paragraph (b); and
 - (d) display the distinguishing mark or symbol of each party, if any, accepted by the returning officer or adjudicated by the election committee in terms of regulation 90(1)(e)(iii).
- (3) The nomination of a party whose nomination has been declared in terms of subregulation (2) may not be withdrawn in respect of any such party.

Publication of Lists

- 27 (1) The returning officer shall, within 16 days after nomination day and after applications for registration in terms of regulation 24(1) have been dealt with in terms of regulation 24, 25 and 26 publish :
- (a) the full name and address of the registered parties;
 - (b) the distinguishing mark or symbol, if any, of the registered parties; and
 - (c) the list of party candidates,

and post a copy of such notice outside the place of nomination referred to in regulation 23(1)(e).

- (2) The application of each registered party shall be open for public inspection for a period of seven days following the date of publication in subregulation (1), from 08:00 to 17:00 at the place of nomination referred to in regulation 23(1)(e).
- (3) If the returning officer is not the chief executive, the returning officer shall deliver a copy of such notice to the chief executive.

28 The metropolitan returning officer shall, for the purposes of an election for a transitional metropolitan council, exercise the functions and duties of the returning officer in terms of regulations 23 to 27 inclusive and any reference to the returning officer shall be construed as a reference to such metropolitan returning officer.

Nomination for Ward Elections

- 29 (1) No person may become a candidate at any ward election for a council unless a nomination paper in the prescribed form ER5 duly completed and signed by :
- (a) the proposed candidate or his agent duly authorised thereto in writing, which authority shall accompany the nomination paper, confirming such candidate's acceptance of the nomination; and
 - (b) at least the number of voters determined in terms of subregulation (9) whose names are included in the voters' roll for that ward other than such proposed candidate or agent;

is delivered to the returning officer not later than noon 40 days before nomination day, accompanied, on a separate page clearly identifiable for and capable of printing or

- (g) distinguishing marks or symbols which are identical or which are not clearly and easily distinguishable; and
- (h) a distinguishing mark or symbol which is indecent, abusive, misleading, sacrilegious or otherwise likely to cause offence or which is materially similar to a cross or tick :

Provided that no nomination shall be rejected on the grounds of any defect contemplated by paragraph (b), (d), (f), (g) or (h) unless :

- (i) the returning officer has, not less than 30 days prior to nomination day, served on the person concerned a written notice informing him or her of such defect; and
- (ii) such person has failed :
 - (aa) to remedy such defect; and
 - (bb) if such defect has been remedied, to furnish proof to the satisfaction of the returning officer that such defect has been remedied,

by not later than five working days before nomination day : Provided further that where such person fails to rectify a defect in terms of paragraph (f), (g) or (h) the returning officer shall, subject to the provisions of regulation 90(1)(e)(iii), reject the distinguishing mark or symbol concerned and shall otherwise accept the nomination.

- (6) (a) If the number of candidates for a ward whose nominations have been accepted is equal to or less than the number of vacancies in that ward,

such candidates shall be deemed to have been elected and a by-election shall be held within 90 days from the date of the election substantially in the manner provided by these regulations for the holding of elections, to fill any remaining vacancies.

- (b) If insufficient nominations to fill the remaining vacancies referred to in paragraph (a) are accepted for the by-election referred to in the said subregulation, the returning officer shall, within seven days of the declaration made in terms of subregulation (4) in respect of such by-election, notify the Premier in writing thereof and the Premier may thereupon either direct that a further by-election shall be held to fill the balance of the remaining vacancies or may appoint persons as councillors to fill such balance and any person so appointed shall for all purposes be deemed to be a councillor.
- (7) If the number of candidates whose nominations have been accepted exceeds the number of vacancies the returning officer shall immediately by notice posted outside the place of nomination referred to in regulation 23(1)(e) and shall within 16 days after nomination day publish the full names of each candidate together with his or her distinguishing mark or symbol, if any, in respect of whom a vote will be held on election day.
- (8) The returning officer shall, on being satisfied that a candidate in terms of subregulation (4)(c), has died before the day of the election, terminate all proceedings and by notice published in the press withdraw all notices issued under this chapter in respect of the ward concerned, whereupon a by-election shall be held within 90 days from the date of the election for the ward concerned substantially in the manner provided in these regulations for the holding of elections : Provided that such termination and notice shall in no way be construed as terminating or suspending any other concurrent election proceedings, including the nomination of members from a transitional metropolitan substructure to a transitional metropolitan council.

- (9) The returning officer shall for the purposes of subregulation (1)(b) above not less than 55 days before nomination day determine in respect of each ward and make available a number representing an accurate estimate of two percent of the voters on the voters' roll for each such ward.

CHAPTER 7

APPOINTMENT, POWERS AND DUTIES OF ELECTION OFFICERS

Appointment and Responsibilities

- 30 (1) (a) The chief executive shall *ex officio* be the returning officer of the transitional authority concerned unless such authority by resolution of the council adopted by a majority of at least two thirds of all its members appoints another person as returning officer not later than 180 days before the election day determined by the Minister in terms of section 9 of the Act.
- (b) The transitional authority shall confirm the *ex officio* or other appointment of the returning officer in writing not later than seven days after such appointment.
- (2) The returning officer for a transitional local council shall be responsible for the administration, organisation, supervision and conduct of the election for such transitional local council.
- (3) The returning officer appointed for a transitional metropolitan substructure shall be responsible for :
- (a) the administration, organisation, supervision and conduct of the election both for such transitional metropolitan substructure and for the transitional metropolitan

council according to proportional representation conducted within such transitional metropolitan substructure;

- (b) ensuring that the election for the transitional metropolitan council shall be conducted within the same voting stations as the election for the transitional metropolitan substructure; and
- (c) such other duties and responsibilities as may be imposed in terms of these regulations.

(4) The returning officer appointed for a transitional metropolitan council shall be responsible for :

- (a) inviting, receiving and adjudicating applications for the registration of parties and for registering parties in respect of a transitional metropolitan council election in accordance with the provisions of regulation 23 to 27 inclusive;
- (b) printing and transmitting ballot papers in respect of such election to the applicable returning officer for each transitional metropolitan substructure in accordance with the provisions of regulation 36(4) to (6) inclusive, and 40(3);
- (c) receiving from the returning officer for each transitional metropolitan substructure in terms of regulation 77, or the responsible deputy returning officer in terms of regulation 81, a transmission on the total number of votes cast and the total number of votes cast in favour of each party;
- (d) the determination of the result of the election for the transitional metropolitan council according to proportional representation in terms of regulation 78;
- (e) the determination in terms of these regulations of the number of nominees required from transitional metropolitan substructures to the transitional

metropolitan council and the result of such nomination in terms of regulation 84 to 88 inclusive; and

- (f) such other duties and responsibilities as may be imposed in terms of these regulations.
- (5) (a) The transitional authority shall, subject to the maintenance of essential services, permit the returning officer to recruit and appoint or second such of its employees for such period or periods and in such capacity or capacities as he or she may reasonably require as being necessary for the proper preparation and conduct of the election.
- (b) Such employees shall be granted for this purpose by the transitional authority concerned permission to be absent from their normal place of work on full pay without prejudice to any other condition of employment plus for a period of not more than two days any fees as may be determined by such transitional authority in terms of regulation 93.
- (c) The returning officer may recruit and appoint from outside the employment of the transitional authority such additional persons as he or she may deem essential at not more than the fees determined for any other election officer in regulation 93.
- (d) Nothing herein contained shall be construed as prohibiting the transitional authority from making such additional provisions or arrangements as it may deem necessary in respect of employment or staffing for the proper preparation and conduct at the election.

Election Officers

- 31 (1) The returning officer shall appoint such election officers as he or she may deem necessary for the effective and proper conduct of the election and may in his or her discretion withdraw any appointment so made.

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- (2) No person shall be appointed or accept appointment as an election officer who :
- (a) is a candidate at the election;
 - (b) is a nominated member of or is on the supplementary list for appointment to the transitional authority;
 - (c) has been directly or indirectly engaged with or without remuneration by any party or candidate in connection with the election; or
 - (d) is the holder of an office in a party.
- (3) (a) The returning officer shall where appropriate designate one election officer or more as a deputy returning officer, presiding officer, voting officer, translation officer or voter's assistant contemplated in subregulation (4), counting officer, and/or other election officer : provided that any election officer may be given more than one designation.
- (b) The returning officer for any transitional metropolitan substructure shall designate one or more deputy presiding officers in respect of a voting station.
- (4) The returning officer shall ensure :
- (a) that sufficient election officers fluent in the official language are readily available at all times during voting at every voting station; and
 - (b) that sufficient election officers are specifically appointed, trained and allocated to assist illiterate, blind or disabled voters in terms of regulation 53, 58 and 59.
- (5) In the appointment and designation of election officers the returning officer shall make positive and affirmative endeavours to ensure racial and gender representativity.

- (6) The provisions of this regulation shall apply *mutatis mutandis* to the metropolitan returning officer.
- (7) Election officers appointed in terms of this regulation shall be under the control and carry out the instructions of the appropriate appointing officer.
- 32 (1) The returning officer shall issue to each election officer a letter of appointment in accordance with applicable form ER6 and such letter of appointment shall :
- (a) in the case of a presiding officer, be enclosed at the close of voting in envelope ER7 in accordance with regulation 62(3);
 - (b) in the case of a voting officer or other election officer designated to a voting station, be handed for signature to the responsible presiding officer not later than the time at which such voting or other election officer first enters the voting station, and thereafter retained by such voting officer or other election officer until such time as it is required by the presiding officer for enclosure in envelope ER7 in accordance with regulation 62(3);
 - (c) in the case of a counting officer, be handed for signature to the returning officer not later than the time at which such counting officer first enters the place for the counting of votes, and thereafter retained by such counting officer until such time as it is required for enclosure in applicable envelope ER29 in accordance with regulation 72(2)(b); and
 - (d) in the case of any other election officer, be handed for signature to the returning officer at a time and place specified by such returning officer,

and thereafter retained by such election officer until such time as it is required by the returning officer or for enclosure in applicable envelope ER29 in accordance with regulation 72(2)(b).

(2) Every election officer shall, subject to any direction issued by the returning officer, exercise such powers and perform such duties and functions as are conferred and imposed on him or her by these regulations or as may be assigned to him or her by the returning officer.

(3) (a) Whenever the returning officer is absent or incapacitated or fails or refuses to act the deputy returning officer shall exercise the powers and perform the duties and functions conferred and imposed by law on the returning officer.

(b) Where two or more deputy returning officers have been designated the returning officer shall at the time of such designation rank them in order of seniority.

Election Officers to be Impartial

33 All election officers shall maintain strict impartiality in the exercise of their powers and the performance of their duties and functions and shall by nothing in their actions, demeanour, manner or speech give cause for imputing the contrary.

Agents and Messengers

34 (1) Every candidate for a ward in an election and whose name appears on the ballot paper for that voting station may appoint :

(a) one general agent to represent or accompany him or her at any such voting station and at the place for the counting of votes;

(b) not more than two special agents for each such voting station;

(c) one special agent and one messenger to be present at the place for the counting of votes; and

(d) one messenger for each such voting station :

Provided that only one agent and one messenger of any candidate shall at the same time be allowed in the voting station and provided further that agents and messengers shall be included on the voters' roll of a transitional authority.

(2) The provisions of regulation 34(1) shall apply *mutatis mutandis* to every party registered for an election and whose name appears on the ballot paper for that voting station : Provided that any reference to a general agent shall be construed as a reference to a party representative.

(3) (a) Every candidate and every party in an election shall, at least fourteen working days before election day, advise the returning officer in writing in accordance with applicable form ER8 of the names, if any, of agents and messengers appointed in terms of regulation 34(1).

(b) The name of any duly appointed agent may be withdrawn or replaced by similar notice to the returning officer not later than noon on the second day before election day.

(4) Where the same voting station is used for an election in respect of a transitional metropolitan council and a transitional metropolitan substructure, the provisions of this regulation shall be applied separately in respect of each such election.

Declarations Relating to Secrecy

35 (1) Every person who is entitled to be present in a voting station or the place for the counting of votes otherwise than as a voter or as a police officer on duty, shall make a declaration in accordance with form ER9, in the case of :

- (a) the returning officer or a deputy returning officer, before a commissioner of oaths;
- (b) a presiding officer, before the returning officer, a deputy returning officer or a commissioner of oaths; and
- (c) any other person, before the returning officer, a deputy returning officer, a presiding officer or a commissioner of oaths.

(2) The declaration contemplated by subregulation (1) shall :

- (a) in the case of the returning officer, be enclosed in applicable envelope ER29 in accordance with regulation 72(2)(b);
- (b) in the case of a presiding officer, be handed to the returning officer when such presiding officer is supplied with his election material in terms of regulation 40, for enclosure in applicable envelope ER29 in accordance with regulation 72(2)(b);
- (c) in the case of a candidate, agent or messenger, be handed to the returning officer in terms of regulation 34(3) with the relevant form ER8, for enclosure in applicable envelope ER29 in accordance with regulation 72(2)(b);
- (d) in the case of any other person, be handed to the returning officer at a time and place specified by such returning officer, for enclosure in applicable envelope ER29 in accordance with regulation 72(2)(b) or, if no time and place is so specified, be handed to :

- (i) the presiding officer when such person first enters a voting station, for enclosure in envelope ER7 in accordance with regulation 72(2)(b); or
- (ii) the returning officer when such person first enters the place for the counting of votes, for enclosure in applicable envelope ER29 in accordance with regulation 72(2)(b).

CHAPTER 8

PREPARATIONS FOR ELECTION

Printing Ballot Papers for Wards

- 36 (1) Immediately after the declaration in terms of regulation 29(4) by the returning officer of the names of candidates whose nomination for election in a ward has been accepted and in respect of whom a vote will be held on election day the returning officer shall cause to be printed in accordance with form ER3(A) for use in an election according to wards, a sufficient number of ballot papers on white paper.
- (2) Each ballot paper printed in terms of regulation 36(1) shall :
- (a) contain the name of each candidate in alphabetical order of the surnames as stated on the nomination forms and, if there are two or more candidates with the same surname, in alphabetical order of their other names; and
 - (b) contain adjacent to the name of each such candidate the distinguishing mark or symbol, if any, of that candidate as displayed in accordance with regulation 29(4)(e); and
 - (c) have the counterfoil numbered with the consecutive number of such counterfoil on the face of the counterfoil.

- (3) A separate series of ballot papers with consecutive numbers on each counterfoil shall be printed for each ward.

Printing Ballot Papers for Proportional Representation

- (4) Immediately after the declaration in terms of regulation 26(2) by the returning officer of the names of the parties whose nominations have been accepted and in respect of which a vote will be held on election day :

- (a) the returning officer shall cause to be printed in accordance with form ER3(B) for use in an election according to proportional representation in a transitional local council or transitional metropolitan substructure, as the case may be, a sufficient number of ballot papers on yellow paper; and
- (b) the metropolitan returning officer shall cause to be printed in accordance with form ER3(B) for use in an election according to proportional representation in a transitional metropolitan council, a sufficient number of ballot papers on green paper.

- (5) Each ballot paper printed in terms of regulation 36(4)(a) and 36(4)(b) shall :

- (a) contain in alphabetical order the names of the parties concerned as stated on the nomination forms and, if there are two or more parties with the same first name, in alphabetical order of their other names and, if there are two or more parties with the same first letter of the alphabet, then in alphabetic order of the second, and if necessary, subsequent letters;
- (b) contain adjacent to each such name the distinguishing mark or symbol, if any, of that party as displayed in accordance with regulation 26(2)(d); and

- (c) have a counterfoil numbered from one with the consecutive number of the counterfoil on the face of the counterfoil.
- (6) A separate series of ballot papers with consecutive numbers on each counterfoil shall be printed for each transitional authority.
- (7) For the purposes of regulation 36(5)(a) the starting letter of the alphabet in the alphabetical order shall be determined by the name of the party drawn first by lot conducted in accordance with regulation 73(1)(b)(i) to (iii) inclusive by the returning officer in the presence of the authorised representatives of not less than half the number of registered parties, or should such number fail to be present after written invitation, in the presence of such representatives who are present plus not less than five independent witnesses invited, if necessary, by the returning officer.

Ballot Boxes

- 37 (1) The returning officer shall before election day provide or cause to be provided a sufficient number of ballot boxes.
- (2) Every ballot box shall :
- (a) have a lid attached thereto with hinges;
 - (b) have an aperture large enough to permit the insertion therein of ballot papers;
 - (c) be so constructed and be made of such material that ballot papers cannot be removed therefrom without opening the lid thereof;
 - (d) be provided with a lock or other device for locking it when closed;
 - (e) be clearly marked on the outside with a number or symbol which is unique to that box and which cannot be readily removed or obliterated; and

(f) be clearly and securely marked on the outside in such a manner as to permit independent identification :

(i) of the name of the particular transitional authority to which it relates; and

(ii) of the ward to which it relates; and

(iii) as a combined ballot box for an election according to wards and according to proportional representation; or

(iv) as a ballot box exclusive for an election according to proportional representation for a metropolitan transitional council.

Official Mark and Instruments

38 (1) The returning officer shall before election day :

(a) decide on the official mark or marks to be placed on ballot papers;

(b) provide a sufficient number of instruments for placing such official mark or marks on ballot papers; and

(c) place each instrument in a separate applicable envelope ER10 and seal every such envelope with his official seal before handing it to a presiding officer in terms of regulation 40.

(2) The returning officer shall not communicate to any person whatsoever any particulars of the official mark or marks decided upon by him.

Fixing of Time and Place of Counting and of Place for Delivery of Election Material

39 The returning officer shall before election day :

- (a) determine the place or places, date and time for the counting of votes, which shall commence not later than 09:00 on the day immediately following the election, and give written notice thereof to every candidate, party and general agent;
- (b) notify each presiding officer on form ER11 of the place or places where ballot boxes and other election material are to be delivered to such returning officer after the closing of voting stations; and
- (c)
 - (i) appoint in writing a deputy returning officer to act on his or her behalf in any case where such returning officer has decided that a place or places for the counting of votes will not be under his or her direct supervision and control; and
 - (ii) notify in writing each such deputy returning officer of the place to which the result of the count in accordance with regulation 81 and election material is to be delivered to such returning officer after the completion of counting.

Provision of Election Material

- 40 (1) The returning officer shall not later than 17h00 on the day before election day supply to each presiding officer the following election material for use at his or her voting station :
- (a) a list of the candidates for the ward allocated to such presiding officer;
 - (b) a list of the parties for the election;
 - (c) a list of candidate and party agents and messengers whose names appear in respect of his or her voting station on the applicable form ER8 handed in terms of regulation 34 and in respect of whom a form ER9 has been handed in terms of regulation 35.

- (d) one copy of the voters' roll or applicable part thereof containing the names of voters entitled to vote at his or her voting station;
 - (e) a copy of these regulations;
 - (f) three copies of each poster referred to in regulation 46;
 - (g) a sufficient number of ballot boxes as required, identified and marked in terms of regulation 37;
 - (h) a sufficient supply of ballot papers;
 - (i) a sufficient supply of instruments for placing the official mark on ballot papers each in a separate envelope ER10;
 - (j) one official seal;
 - (k) a sufficient supply of forms, envelopes and labels ER7 and ER12 up to and including applicable form ER25;
 - (l) a sufficient number of pens or pencils for marking ballot papers;
 - (m) a sufficient supply of pencils, pencil sharpeners, rulers, cutting instruments, ink and ink pads, envelopes, sealing wax or other sealing materials, matches, tapers, brown paper, cardboard boxes or containers, bags, sealing tape, string, paste, drawing pins, candles, rope or tape and other materials necessary for maintaining the identity of the inner perimeter of the voting area, and where considered appropriate by the returning officer, one or more functioning, battery operated torch; and
- (2) Each presiding officer shall immediately in the presence of the returning officer enter on the applicable form ER20 the counterfoil numbers of ballot papers received by such

presiding officer and shall give a receipt to the returning officer for the election material supplied to him or her in terms of subregulation (1), including thereon the sequence of serial numbers on the counterfoils of the ballot papers received and the numbers or symbols in terms of regulation 37(2)(e) of ballot boxes supplied to him or her and shall retain a duplicate of such receipt signed by the returning officer.

- (3) (a) The metropolitan returning officer shall supply to the returning officer of each transitional metropolitan substructure not later than noon on the day before election day a required number of ballot papers in accordance with regulations 36(4)(b), (5) and (6), which number shall be specified in writing by such returning officer to the metropolitan returning officer not later than the time of approval and registration of parties in terms of regulation 26.
- (b) Each returning officer shall give to the metropolitan returning officer a receipt including thereon the sequence of serial numbers on the counterfoils of the ballot papers supplied to him or her in terms of subregulation (3)(a) and shall retain a duplicate of such receipt signed by the metropolitan returning officer.

CHAPTER 9

CONTROL, PREPARATION AND OPENING OF VOTING STATION

Voting Areas

- 41 (1) A voting area shall comprise :
- (a) a voting station being a place designated by the returning officer within which a voter shall be allowed to cast his or her vote;
- (b) an inner perimeter around the voting station bounded by a circumference with a radius of 500 metres, or such shape or lesser radius or area as practical

circumstances may necessitate, so designated and with boundaries clearly demarcated by the returning officer :

- (i) within which persons shall be allowed for the purposes of voting;
 - (ii) within which all political activity other than voting shall be prohibited;
 - (iii) from which persons other than those provided for in regulation 42(1), (2) and (3) shall be excluded; and
- (c) a controlled area around the voting station bounded by a circumference with a radius of 1 000 metres, or such shape or lesser radius or area as practical circumstances may necessitate, so designated by the returning

officer in respect of which a presiding officer may prohibit all political activity other than voting.

(2) For the purposes of subregulation (1)(b)(ii), political activity includes :

- (a) the wearing or display of any armlet or rosette designed or intended to identify a particular person with a particular party or symbol;
- (b) the display or distribution of any poster, placard, banner, pamphlet, circular or letter intended or calculated to influence a voter to vote for a specific candidate or party;
- (c) the making of any announcement, delivery of any speech or reading aloud any speech, article or letter intended or calculated to influence a voter to vote for a specific candidate or party; and

- (d) canvassing of support for any candidate or party;
- (3) (a) The returning officer shall subject to the provisions of these regulations determine the number and location of voting stations within each ward having due regard to the number of voters, accessibility, security, availability of suitable premises and other relevant factors influencing the successful and proper conduct of the election.
- (b) Not less than one voting station shall be determined for each ward or for each part of a ward.
- (c) In the absence of specific or general written authorisation to the contrary by the Premier :
- (i) no voting station in a ward delimited in terms of regulation 16(1)(b) shall be allocated part of the voters' roll comprising more than 2 500 enrolled voters; and
 - (ii) no voting station in a ward delimited in terms of regulation 16(1)(a) shall be allocated part of the voters' roll comprising more than 4 000 enrolled voters.
- (4) The returning officer for a transitional metropolitan substructure shall ensure that every voting station is designated and used for the purposes of an election for a transitional metropolitan substructure and a transitional metropolitan council.
- (5) The returning officer shall ensure compliance with the provisions of regulation 3(6).
- (6) Not later than sixty days before election day each returning officer shall publish a list of voting stations and their addresses and shall maintain a copy of such list at a place or

places determined by him or her or by the election committee contemplated in regulation 90 for public information until the day after election day : Provided that after consultation with such election committee such list may be added to by the returning officer and published and maintained in like manner not later than the forty days before election day.

- (7) The Premier may not later than forty days before election day direct the returning officer to increase the number or the locality of voting stations referred to in subregulation (3).

Certain Powers in Respect of Voting Area

- (8) The presiding officer appointed to a voting station shall have the power to :
 - (a) take such steps and give such directions as may be necessary for the orderly conduct of voting and the effectual conduct of the election and compliance with these regulations, including control of the number of voters to be admitted at a time to the voting station and the inner perimeter; and
 - (b) exclude or evict from the voting station and the inner perimeter all persons except those permitted in terms of regulation 42.
- (9) Subject to regulation 42, no person shall enter or remain in a voting station or inner perimeter without the permission of the presiding officer.
- (10) The presiding officer shall take all reasonable steps for the protection of persons and property and for preventing any violence or disturbance in the voting area.
- (11) The powers conferred by subregulation (8), (9) and (10) shall not be so exercised as to prevent any person who is entitled to vote from having an opportunity to cast his or her vote.

- (12) The provisions of this regulation shall not be construed as limiting any powers, duties and functions conferred or imposed on the presiding officer by any other regulation.

Persons Who May Enter Voting Stations

- 42 (1) Only the following persons may enter a voting station or inner perimeter designated in terms of regulations 41(1)(a) and (b) :
- (a) the returning officer;
 - (b) duly appointed election officers;
 - (c) police officers on duty;
 - (d) the candidates;
 - (e) any person whose name appears in respect of such voting station in the list referred to in regulation 40(1)(c); and
 - (f) voters for the purpose of voting at such voting station; or
 - (g) a person permitted to do so for the purposes of regulation 58(1).
- (2) Only persons referred to in subregulation 1(a) to (e) inclusive may enter a voting station before the time at which voting is due to commence or remain therein after the close of voting.
- (3) Notwithstanding the provisions of this regulation the returning officer may in writing authorise other named or specific persons with specific responsibilities to enter a voting station or an inner perimeter of such station on such terms as such officer may deem necessary or appropriate.

- (4) All persons entitled or authorised to enter a voting station or inner perimeter including police officers on duty, candidates and agents, shall be subject to the authority, control and directives of the presiding officer.

Equipment and Furniture for Voting Stations

- 43 (1) The returning officer shall ensure that the following equipment and furniture is provided within each voting station before the time at which voting is due to start :
- (a) sufficient number of tables and chairs for election officers and agents of the candidates and parties; and
 - (b) sufficient number of voting compartments each with a writing surface; and
 - (c) ballot boxes in terms of regulation 40(1)(g).
- (2) The returning officer shall not provide equipment or furniture outside the voting station to any candidate, party or agent.

Arrangement Within a Voting Station

- 44 (1) Each voting station shall be arranged in such a manner that :
- (a) at the entrance to the voting station and/or inner perimeter there shall be one or more election officers to check that each person wishing to enter the voting station and/or inner perimeter is in possession of an identity document; and
 - (b) thereafter, upon admission to the voting station, the voter shall first be directed to an adjacent place where ballot papers can be issued for the election of councillors in wards and for the election of councillors according to proportional

representation for a transitional local council or transitional metropolitan substructure, as the case may be, and where the vote for such election shall be cast and deposited by the voter; and

- (c) thereafter, subject to the provisions of regulation 44(3), the voter shall be directed to an adjacent exit separated from the entrance; and
 - (d) there shall be one or more election officers or police officers on duty at such exit to ensure that no person shall enter through such exit.
- (2) Where a person referred to in subregulation 44(1)(a) does not produce the identity document required in terms thereof, such person shall not be permitted to enter the voting station or, if entry has been made, shall be escorted directly out of the voting station from the exit by an election officer or police officer on duty.
- (3) Where the election for a transitional metropolitan council is conducted within the same voting station as the election for a transitional metropolitan substructure :
- (a) a voter who has cast a vote in terms of regulation 44(1)(b) shall thereafter be referred directly to the place in regulation 44(3)(b);
 - (b) the place where a ballot paper shall be issued and the vote shall be cast and deposited by the voter for such transitional metropolitan council election, shall be clearly separated from and subsequent to the place referred to in regulation 44(1)(b), but situated in a position before the exit referred to in regulation 44(1)(c); and
 - (c) all election material referred to in regulation 40 and issued in respect of such transitional metropolitan council, shall at all times be kept and maintained separate

by the presiding officer from any other election material in such voting station until taken into custody by the relevant authorised returning officer;

Voting Hours and Arrival at Voting Station

- 45 (1) The hours of voting shall be from 07:00 to 22:00 on election day;
- (2) The presiding officer, voting officers and any other election officer who is specifically directed thereto by the returning officer, shall be in the voting station at least sixty minutes before the time at which voting is due to start.

Poster Outside Voting Station

- 46 The presiding officer shall, before voting is due to commence, place in a conspicuous position outside the voting station :

- (1) poster ER14(A) stating that it is a voting station for the election, the hours of voting, the name of the transitional authority, the ward and voting station for which voting according to wards will take place; and
- (2) where applicable, poster ER14(B) stating that it is a voting station for the election, the hours of voting, and the name of the transitional metropolitan council, ward and voting station for which voting according to proportional representation will take place; and
- (3) poster ER13 stating that smoking or the lighting of matches or lighters is prohibited in the voting station.

Preparation of Voting Compartments

- 47 The presiding officer shall, before voting is due to commence :
- (a) arrange each voting compartment so that no person can :

- (i) enter or leave it without being seen by the presiding officer or other election officer deputed thereto by him; or
 - (ii) observe how any person casts a vote;
- (b) affix form ER12(A) and (B) inside each voting compartment in a position facing a voter who may enter such compartment; and
- (c) attach a pen or properly sharpened pencil by means of string to the writing surface in each compartment.

Sealing of Ballot Boxes

- 48 (1) The presiding officer shall, before voting is due to start but not more than thirty minutes before such time :
- (a) ensure and confirm that all the ballot boxes have been provided in terms of regulation 43(1)(c) and are marked in accordance with regulation 37(2)(e) and (f);
 - (b) show persons present inside the voting station that each ballot box is empty;
 - (c) close and lock each ballot box;
 - (d) secure the lid of each ballot box firmly and with sealing wax impressed with his or her seal, seal each ballot box and seal the key, if any, to the side of the box in such a manner that such lid cannot be opened nor such key removed without the seal being broken or damaged; and

- (e) permit the candidates or the agents present to affix their seals to all or any ballot boxes if they so desire.
- (2) In the event of additional ballot boxes being delivered thereafter to the voting station and being accepted by the presiding officer, the procedure set out in regulation 48(1)(a) to (e) inclusive shall be followed immediately upon such delivery and the presiding officer shall temporarily close the voting station for such limited period as may be reasonably required to comply therewith.
- (3) After the ballot boxes have been sealed they shall not :
 - (a) be opened except as provided for in regulation 69; or
 - (b) be removed from the voting station except as provided for in regulation 63(1).
- (4) The presiding officer shall place each ballot box in a conspicuous position where it can at all times be seen by him or her or by any other election officer deputed thereto by him.

Opening of Voting Station and Official Mark Envelopes

- 49 (1) The presiding officer shall ensure that the voting station is opened at the time at which voting is due to start.
- (2) The presiding officer shall, at the time when voting is due to start, open only as many envelopes containing instruments for placing the official mark on ballot papers as may be necessary for the vote.

CHAPTER 10

CONDUCT OF VOTE

Periodic Inspection of Voting Station and Voting Compartments

- 50 (1) The presiding officer shall periodically during the course of the election cause the voting station to be inspected to ensure that the provisions of these regulations are being complied with and that :
- (a) the posters referred to in regulation 46 are still in position and have not been damaged or defaced;
 - (b) the voting compartments are still arranged as required by regulation 47(a); and
 - (c) the ballot boxes are still in the position required by regulation 48(4).
- (2) The presiding officer shall periodically during the course of the election cause each voting compartment to be inspected when it is not occupied to ensure that :
- (a) the form ER12(A) and (B) is still in position and has not been damaged or defaced;
 - (b) a pen or properly sharpened pencil is still attached to the writing surface; and
 - (c) no other notice, paper sign, writing or symbol is in such voting compartment.
- (3) The presiding officer shall periodically during the course of the election cause the inner perimeter to be inspected to ensure that the provisions of these regulations are being complied with and that the boundaries of such inner perimeter are correctly and clearly demarcated.

Admission to Voting Compartments

- 51 Subject to the provisions of regulations 50(2) and 58, no person other than a voter wishing to vote shall enter a voting compartment and not more than one voter shall be in a voting compartment at any one time.

Interference with Voters

- 52 No person shall, except as provided in these regulations, approach, interfere with, speak to or assist a voter from the time such voter has been issued with a ballot paper or papers to the time such voter has inserted such ballot paper or papers into the appropriate ballot box or boxes.

Questions to Voters

- 53 (1) The presiding officer may, and if so requested by any candidate or agent, shall put to a person applying for a ballot paper the questions set out in form ER15 in the presence of not less than two candidates or agents, and where the presiding officer deems it appropriate may explain the import and content of form ER15.
- (2) The presiding officer may at his discretion record on form ER15 the answers of the person concerned and require such person to make and sign or mark the declaration.
- (3) No person contemplated by subregulation (1) shall be permitted to vote unless he or she answers the first question distinctly and absolutely in the affirmative and the second and third questions distinctly and absolutely in the negative and, when so required by the presiding officer, makes and signs or marks the declaration with his or her mark.
- (4) No enquiry other than contemplated by subregulation (1) shall be made at any vote as to the right of any person to vote.

- (5) Where a person referred to in regulation 53(1) refuses or fails to answer a question or make and sign or mark a declaration as required in regulation 53(3) such person may be directed by the presiding officer to leave the voting station and shall thereupon be escorted directly out of the voting station from the exit by an election officer or police officer on duty.
- (6) When a person applies to an election officer for a ballot paper in the name of a particular voter and a line has already been drawn through the name and number of the voter concerned in the voters' roll or such election officer has reason to believe that a ballot paper has already been issued in such name, the returning officer shall put to the person applying for the ballot paper the questions set out in form ER15, record on form ER15 the number of the counterfoil of any ballot paper issued and the answers of the person concerned, and require such person to make and sign the declaration, and the provisions of subregulations (3) to (5) inclusive shall apply *mutatis mutandis*.

Issue of Ballot Papers

- 54 (1) An election officer to whom a person applies for a ballot paper, shall request the person to display his identity document and to state his name and address, and shall satisfy himself that :
- (a) in the case of a ballot paper for the election of councillors in wards, such person's name appears in the voters' roll for that voting station;
 - (b) in the case of a ballot paper for the election of councillors according to the system of proportional representation, such person's name appears in the voters' roll for that voting station for the applicable transitional authority; and
 - (c) a ballot paper of the kind for which application is being made, has not already been issued at that voting station in the name of the voter concerned.

(2) If an election officer is satisfied in terms of regulation 54(1), or if the presiding officer so directs, the election officer shall in the case of each ballot paper :

- (a) call out the serial number and name of the voter concerned as stated in the voters' roll;
- (b) enter such number on the counterfoil of the ballot paper;
- (c) draw a line through the name and number of the voter concerned in the voters' roll to indicate :
 - (i) that a ballot paper has been issued in such name; or
 - (ii) where a single voters' roll is used for the issue of a ballot paper for the election of councillors in wards and for the issue of a ballot paper for the election of councillors according to a system of proportional representation for a transitional local council or transitional metropolitan substructure, that two ballot papers have been issued in such name;
- (d) tear out each such ballot paper and mark it with the official mark in the space provided on the back thereof;
- (e) fold each such ballot paper once lengthwise and then once crosswise so that the official mark is on the outside; and
- (f) unfold each such ballot paper and hand it to the appropriate voter.

Assistance to Voters by Election Officers

55 An election officer may :

- (a) direct a voter to a voting compartment or to a subsequent ballot table;
- (b) inform a voter that directions for guidance are posted inside the voting compartment;
- (c) in any case deemed appropriate by him or her inform a voter that such voter may request assistance by an election officer referred to in regulation 31(4) or assistance in terms of regulation 58 and direct such voter to such officer;
- (d) instruct a voter where to deposit ballot papers after such voter has exercised his vote; or
- (e) direct a voter to the exit of the voting station after such voter has completed the voting process.

Marking and Disposal of Ballot Papers

56 (1) A voter to whom a ballot paper or papers has been issued shall :

- (a) immediately proceed to an unoccupied voting compartment;
- (b) when inside such compartment without delay secretly place a cross or clear mark of intention by means of mark or writing other than a cross on the ballot paper in the square opposite the name and symbol of the candidate for whom he or she wishes to vote in a ward election, and on the ballot paper in the square opposite the name and symbol of the party for which he or she wishes to vote in the election according to proportional representation;
- (c) fold the ballot papers so that the official mark is on the outside;
- (d) show the official mark on the ballot paper or papers to the presiding officer or to any other election officer deputed thereto by such presiding officer and put such ballot paper or papers in the appropriate ballot box; and
- (e) immediately leave the voting station through the exit.

- (2) No ballot paper shall be removed from the voting station except as provided in regulation 63(1).

Inspection of Ballot papers and Ballot Papers without Official Mark

- 57 (1) If an election officer has any doubt whether a ballot paper in the possession of any person is a ballot paper duly issued to such person, such election officer may require such person to show him or her the back of such ballot paper in order that the official mark thereon may be seen.
- (2) The presiding officer shall cause the official mark to be placed on any ballot paper from which it has been omitted if he or she is satisfied that such ballot paper was otherwise properly issued and has not yet been inserted in the ballot box.

Illiterate, Blind or Disabled Voters

- 58 (1) Upon request to the presiding officer by a voter :
- (a) who is unable to obtain a ballot paper in the manner contemplated by regulation 54 or is unable to vote in the manner contemplated by regulation 56 by reason of such voter being illiterate, blind, infirm or otherwise physically disabled; and
 - (b) who is accompanied or assisted by another person who has attained or who in the opinion of the presiding officer, appears to have attained the age of eighteen years,

the presiding officer shall, if he or she is satisfied that such voter so desires, grant permission to such voter to obtain a ballot paper or papers and vote with the aid and in the presence of such other person only, and, in such event, everything done by such other person at the request or with the express or implied consent of the voter in connection

with the exercising of the vote of the voter concerned, shall be deemed to have been done by such voter.

- (2) If any voter is unable to obtain a ballot paper in the manner contemplated by regulation 54 or is unable to vote in the manner contemplated by regulation 56 by reason of such voter being illiterate, blind, infirm or otherwise physically disabled, and, if an application has not been made in terms of regulation 58(1), the presiding officer or his duly authorised representative shall, at the request of such voter and in the presence only of not less than two agents as may be present :
- (a) obtain a ballot paper or papers in terms of regulation 54 for such voter;
 - (b) mark the vote of such voter on the ballot paper or papers in the manner directed by such voter;
 - (c) fold such ballot paper or papers as required by these regulations; and
 - (d) put such ballot paper or papers in the appropriate ballot box.
- (3) Everything done by an officer in terms of subregulation (2) at the request or with the express or implied consent of the voter in connection with the exercising of the vote of the voter concerned shall be deemed to have been done by such voter.

Objection to Voter

- 59 (1) Any candidate, candidate's agent or voter may, by declaration on oath or affirmation made in accordance with form ER16 before the presiding officer, object to a person in the voting station exercising any vote on the grounds that such person is not the voter in whose name such person has applied for or been issued with ballot papers.
- (2) The presiding officer shall forthwith :

- (a) read the declaration contemplated by subregulation (1) to the person exercising or attempting to exercise the vote; and
 - (b) request such person to make a declaration on oath in accordance with the form ER17 before the presiding officer; and
 - (c) where the presiding officer deems it appropriate may explain the import and content of form ER16 and ER17.
- (3) If the person exercising or attempting to exercise the vote makes the declaration contemplated by subregulation (2)(b) immediately after being requested to do so in terms of the said subregulation, the presiding officer shall permit such person to exercise his vote in accordance with these regulations.
- (4) If the person exercising or attempting to exercise the vote refuses to make the declaration contemplated by subregulation (2)(b) immediately after being requested to do so in terms of the said subregulation, the presiding officer shall prohibit the issue of any ballot paper to such person or, if a ballot paper or papers have already been issued to such person but have not yet been disposed of as provided in regulation 56(1)(d), impound and cancel such ballot papers or papers and endorse thereon and on the counterfoils thereof the reason for such cancellation.
- (5) The presiding officer shall set aside all declarations contemplated by subregulations (1) and (3) and all ballot papers impounded and cancelled in terms of subregulation (4), in the applicable envelope ER18.
- (6) The presiding officer shall administer any oath contemplated by this regulation.

Spoilt Ballot Papers

- 60 (1) If any voter spoils a ballot paper he or she may return it to the presiding officer who shall, if he or she is satisfied that such ballot paper was inadvertently spoiled, issue to such voter a fresh ballot paper.
- (2) The presiding officer shall, if he or she issues a fresh ballot paper :
- (a) cancel the spoiled ballot paper and :
- (i) endorse on the applicable voters' roll next to the name of the voter that such ballot paper has been cancelled and that a fresh ballot paper has been issued; and
- (ii) endorse on the spoiled ballot paper the number of the fresh ballot paper counterfoil in the following manner :
- "See fresh counterfoil No....."
- and
- (b) set aside the spoiled ballot paper in the applicable envelope ER18.

CHAPTER 11

CLOSE OF VOTING AND MAKING UP AND DELIVERY OF ELECTION MATERIAL

Close of Voting

- 61 (1) The presiding officer shall ensure that :

- (a) the doors of the voting station are closed at the time at which voting is due to close, save and except to such persons who are at the time of closing within the inner perimeter of the voting area as described in regulation 41(1)(b); and
 - (b) no person is admitted into the voting station after the time at which voting closes, save and except such persons who are at the time of closing within the inner perimeter of the voting area as described in regulation 41(1)(b).
- (2) The presiding officer shall permit every person who is inside such inner perimeter at the time when voting closes and who is entitled to vote, to exercise his rights to vote.

Making up of Election Material

- 62 (1) The presiding officer shall, in the presence of the persons present in the voting station and immediately after every person contemplated by regulation 61(2) has exercised his or her vote :
- (a) close the aperture in every ballot box;
 - (b) seal every such closed aperture with his official seal;
 - (c) seal any locking device, or tie and seal any key to the box, in such a manner that it cannot be used to open the box without breaking such seal;
 - (d) permit candidates or agents each to affix a seal to any such aperture if so desired;
 - (e) complete and sign applicable form ER20;

- (f) separate the counterfoils of the used ballot papers from unused ballot papers and their counterfoils and for this purpose divide any partly used ballot paper book into two.

- (2) The presiding officer shall then, in the presence of the persons present in the voting station, enclose the material specified in the first column of the following Table in the applicable envelopes specified in the second column of the said Table and paste or tie or otherwise deal with each envelope so that it is securely closed :

TABLE		
	<u>MATERIAL</u>	<u>ENVELOPE</u>
(a)	Forms ER6 and ER9	ER7
(b)	Forms ER15, ER16 and ER17 plus impounded, spoilt and cancelled ballot papers	ER18
(c)	Unused ballot papers and counterfoils	ER19
(d)	Counterfoils of used ballot papers	
(e)	Marked copies of the voter's roll	
(f)	Form ER20	ER21
(g)	Instruments for marking ballot papers with official mark	ER25

- (3) The presiding officer shall thereupon, in the presence of the persons present in the voting station :

- (a) seal envelope ER7, applicable envelopes ER18, ER19, ER21, and ER25 with his official seal and permit the candidates or agents each to affix a seal thereto if so desired;
 - (b) retain applicable envelopes ER21 and ER25 separately;
 - (c) enclose envelope ER7, applicable envelopes ER18 and ER19 in the single bag or container supplied for this purpose, affix applicable label ER23 thereto and seal such single bag or container with his official seal and permit the candidates or candidates' agents each to affix a seals thereto if so desire; and
 - (d) thereafter enclose his official seal in applicable envelope ER24 paste down the flap of such envelope so that it is securely closed and sign such envelope.
- (4) The presiding officer shall securely enclose all remaining unused stationery, forms, cutting instruments, sealing wax and similar election material in the single box or container supplied for this purpose and affix applicable label ER22 thereto.
- (5) In the election for a transitional metropolitan council and a transitional metropolitan substructure, the provision of regulation 51(1), (2), (3) and (4) shall be applied by the presiding officer separately, and, if appropriate, consecutively, in respect of such council and such substructure.

Delivery of Election Material to Returning Officer

- 63 (1) The presiding officer shall, immediately after complying with the provisions of regulation 62 remove from the voting station and deliver and accompany all ballot boxes and materials included with applicable form ER21, ER22, ER23, ER24 and ER25 into the hands of the returning officer or deputy returning officer at the place fixed in terms of regulation 39(b).

- (2) The presiding officer shall, without prejudice to his or her obligations in terms of subregulation (1), permit such candidates and agents who are immediately available and ready, to follow him or her to the place fixed in terms of regulation 39(b).
- (3) The returning officer or deputy returning officer shall be present at the place fixed in terms of regulation 39(b) from the time at which voting stations are due to close and shall issue a receipt to the presiding officer for the election material contemplated by subregulation (1), including a statement of the numbers or symbols of ballot boxes in terms of regulation 37(2)(e), which shall be compared by both such officers with the receipt issued under regulation 40(2) and in respect of which any discrepancy shall be noted and signed by both such officers.

CHAPTER 12

COUNTING OF VOTES AND DECLARATION OF RESULT

Control of Place for the Counting of Votes

- 64 (1) (a) The returning officer shall be in charge of the place for the counting of votes and shall take such steps and give such directions to persons present therein as may be necessary for the proper conduct of the count.
- (b) The returning officer shall have the power to exclude or evict from the place for the counting of votes all persons except those permitted in terms of subregulation (2).
- (c) Subject to subregulation (2) no person shall enter or remain in a place for the counting of votes without the permission of the returning officer.

- (d) The provisions of this subregulation shall not be construed as limiting any powers, duties and functions conferred or imposed on the returning officer by any other provision of these regulations.
- (2) Only the following persons may be present in the place for the counting of votes :
 - (a) the returning officer;
 - (b) the presiding officer or officers;
 - (c) election officers duly appointed for the counting of votes;
 - (d) police officers on duty;
 - (e) every candidate for a ward;
 - (f) any person whose name appears as an agent to be present at the counting of votes in terms of regulation 34(1)(a) and (c) on a form ER8 duly surrendered in terms of regulation 35(2)(c) and in respect of whom a form ER9 has been duly surrendered in terms of regulation 35(2)(c); and
 - (g) persons delivering ballot boxes and other election material in terms of regulation 63.
- (3) Notwithstanding the provisions of this regulation the returning officer may in writing authorise other named or specific persons with specific responsibilities to enter a place for the counting of votes on such terms as such officer may deem necessary or appropriate.
- (4) Without derogating from the generality of the foregoing all persons entitled or authorised to enter a place for the counting of votes including police officers on duty, candidates and agents shall be subject to the authority, control and directives of the returning officer.

Requisites for the Counting of Votes

65 The returning officer shall take into the place for the counting of votes :

- (a) a copy of the Act; the Constitution; the Electoral Act, 1993 (Act 202 of 1993); and these regulations;
- (b) his official seal;
- (c) sufficient copies of applicable forms ER26 to ER31 inclusive; and
- (d) the applicable receipt or receipts issued in terms of regulation 40(2); and
- (e) sealing wax or other sealing materials, matches, tapers, candles, pencils, pencil sharpeners, paper, brown paper, bags, cardboard boxes, string, paste and cutting instruments.

Counting

66 (1) In the conduct of counting for an election for a transitional local council or transitional metropolitan substructure, the provisions of regulations 68 to 72 inclusive shall be complied with separately :

- (a) in respect of ballot papers from each ward and from each voting station within each ward; and
- (b) in respect of ballot papers for the election of councillors by wards and ballot papers for the election according to proportional representation from each such ward voting station referred to in paragraph (a).

- (2) In the conduct of counting for an election for a transitional metropolitan council the provisions of regulations 68 to 72 inclusive shall be complied with separately in respect of each metropolitan voting station and each metropolitan voting sub-station if any.
- (3) The returning officer shall not commence the counting of votes for any ward or voting station until the ballot boxes and all other election material from all voting stations, if any, from such ward have been delivered to him.

Duties and Functions of Counting Officers

- 67 The returning officer may direct any election officer to perform under his control one or more duties and functions imposed by these regulations.

Checking of Election Material

- 68 The returning officer shall deal separately with the election material received from each ward as follows :
 - (a) Open applicable envelope ER24 containing the official seal used by the presiding officer.
 - (b) With such candidates or agents as may desire to do so, examine the ballot boxes, applicable envelopes ER21 and ER25 referred to in regulation 62(3)(a), and the parcel under applicable label ER23 in order to ascertain whether the seals and fastenings are intact.
 - (c) Make a record of any seals or fastenings which are not intact.
 - (d)
 - (i) Open applicable envelope ER21 containing the applicable form ER20;
 - (ii) Compare the counterfoil numbers of ballot papers entered on such form ER20 with the statement on the receipt of counterfoil numbers made in terms of regulation 40(2);

- (iii) Note and endorse the result of such comparison with his or her signature on such form ER20 and display the result to such agents or candidates who may be present; and
- (iv) Proceed forthwith to comply with the next provisions of these regulations.

Procedure for Counting Votes

69 After compliance with the provisions of regulation 68, the returning officer shall open and empty each ballot box and :

- (1) in the case of an election for a transitional metropolitan substructure or a transitional local council, first separate the ballot papers into those for the election according to wards and those for the election according to proportional representation; and thereafter
- (2)
 - (a) set apart any material therefrom which is not a ballot paper, and including any ballot paper which on the face of it, should have been inserted in another ballot box to be dealt with in terms of regulation 71;
 - (b) unfold the ballot papers and place them with their backs upwards;
 - (c) set apart all such ballot papers as do not bear the official mark to be dealt with in terms of regulation 71;
 - (d) count with their backs upwards the number of all such ballot papers, compare the total so counted with the total as reflected on the applicable form ER20;
 - (e) note and endorse with his or her signature on the applicable form ER20 the comparison of totals in terms of subparagraph (d); and display the result to such agents or candidates who may be present; and

- (f) proceed forthwith to comply with the next provisions of these regulations.

Counting of Votes

- 70 (1) The returning officer shall, after the provisions of regulations 69 have been complied with, deal as follows with the ballot papers for the ward concerned, which have not been set apart in terms of regulation 69(2)(a) and (c) :
- (a) Turn all such ballot papers face upwards;
 - (b) Set apart to be dealt with in terms of regulation 71 all such ballot papers which :
 - (i) give votes for more candidates than the number of vacancies, or for more than one party;
 - (ii) are unmarked; or
 - (iii) are ambiguous or doubtful as regards the vote or votes marked thereon; or
 - (iv) are otherwise subject to rejection in terms of regulation 71(1).
 - (c) In respect of ballot papers not set apart in terms of paragraph (b) count the votes given for :
 - (i) each candidate in the case of the election for councillors for wards; and
 - (ii) each party in the case of the election for proportional representation.
- (2) After the ballot papers have been turned face upwards in terms of subregulation (1)(a) they shall be kept face upwards.

Returning Officer to Decide on Ballot Papers Set Apart

71 (1) The returning officer shall, with such candidates or agents as may desire to do so, scrutinise every ballot paper set apart in terms of regulations 69(2)(a) and (c), or 70(1)(b) and shall, after considering the submissions made by any such candidate or agent, reject and not count any ballot paper which :

- (a) does not bear the official mark;
 - (b) gives votes for more candidates than the number of vacancies, or for more than one party;
 - (c) is unmarked;
 - (d) contains a vote which is void because it is so marked that the returning officer cannot determine for which candidate or candidates or party the vote or votes was cast;
 - (e) is a ballot paper for another election; or
 - (f) on a balance of probability was not issued in the voting station concerned.
- (2) The returning officer shall not reject any ballot paper merely because there is thereon a mark other than a cross, or writing, or a signature.
- (3) The returning officer shall endorse :
- (a) the word "rejected" on every ballot paper rejected by him or her in terms of subregulation (1); and
 - (b) the words "rejection objected to" or "acceptance objected to", as the case may be, on every ballot paper in respect of which a candidate or agent objects to his decision.

- (4) The returning officer shall ensure that the votes counted in terms of regulation 70(1)(c) are adjusted by the addition of any vote which has been accepted by the returning officer in terms of this regulation, whether or not the acceptance of the ballot paper concerned has been objected to.

Closing the Counting

- 72 (1) Immediately after compliance with the provisions of regulation 71(4) the returning officer shall in the presence of such candidates or agents who may be present :
- (a) (i) complete and sign the applicable form ER30 in respect of each voting station, ward or transitional authority for which he or she is responsible;
 - (ii) place each applicable form ER30 in its applicable ER31 and seal such envelope with his or her official seal;
 - (b) enclose the counted ballot papers in one parcel or container, attach applicable label ER27 as the case may be to such parcel or container and seal such parcel with his official seal;
 - (c) enclose the rejected ballot papers in one parcel or container, attach applicable label ER28 as the case may be and seal such envelope with his official seal; and
 - (c) replace each applicable form ER20 in its applicable envelope ER21 and reseal such envelope with his or her official seal.
- (2) The returning officer shall thereafter :
- (a) remove the contents of the containers under applicable labels ER22, ER24 and ER25 for disposal or future use;

- (b) place envelope ER7, containing forms ER6 and ER9, handed to him or her in terms of these regulations, all applicable forms ER6, ER8 and form ER9 containing his own declaration of secrecy in applicable envelope ER29 and seal such envelope with his official seal; and
 - (c) place all applicable envelopes or containers ER21, ER23, ER27, ER28, ER29 and ER 33 in a bag or box, affix applicable label ER 33 to such bag or box and seal such bag or box with his official seal.
- (3) The returning officer may use two or more bags or boxes for the purposes of subregulation (2)(c) if he or she considers this to be necessary or desirable and shall in such event ensure that :
- (a) the election material for election by wards, and for each ward voting station and sub-station is kept together; and
 - (b) the election material for election according to proportional representation is kept together;
 - (c) the election material for each metropolitan voting station is kept together; and
 - (d) a record is kept of each bag or box containing :
 - (i) the appropriate election material in paragraphs (a), (b) and (c) above; and
 - (ii) applicable envelope ER29.
- (4) The returning officer shall be responsible for the safe custody of all election documents used in the vote and shall retain such documents for a period of one year from the day of the vote after which date they shall, unless a superior court otherwise directs, be destroyed.

- (5) When the returning officer is not the chief executive, the returning officer shall deliver all election material and documents into the custody of such chief executive to whom the provisions of regulation 72(4) shall apply *mutatis mutandis*.

CHAPTER 13

DETERMINATION OF RESULT

VOTING ACCORDING TO WARDS

Declaration of Result : Wards

- 73 (1) The returning officer shall, after the provisions of regulation 72 (1) to (3) inclusive have been complied with :
- (a) ascertain which candidate or candidates has or have been elected by a majority of votes;
 - (b) in the event of the number of votes for two or more candidates being equal, determine by lot which of such candidates shall be elected in the following manner
 - (i) record the names of the candidates, for whom there was an equality of votes, on separate pieces of paper of the same size, shape and appearance, fold them so that they look identical and place them in an empty ballot box in the presence of the candidates or their agents;
 - (ii) close the ballot box and shake it and without looking therein draw one of the pieces from the ballot box and, in the presence of the

candidates or their agents, show such piece of paper to the candidates or their agents and sign such piece of paper;

- (iii) announce the name of the candidate whose name appears on such piece of paper.
 - (c) complete applicable form ER26;
 - (d) declare the result of the election outside the place where the votes were counted or some other place as he or she may by notice in the press have designated by announcing the ward, the number of votes for each candidate in that ward, and the candidate or candidates duly elected; and
 - (e) in any instance where the returning officer is not the chief executive, deliver a certified copy of completed applicable form ER26 to the chief executive.
- (2) The returning officer shall post a copy of the completed applicable form ER26 at the office or offices of the relevant transitional authority not later than two days after the declaration of the result and shall serve a copy thereof on the Premier not later than seven days after the declaration of the result.
- (3) The returning officer shall not later than seven days after the declaration referred to in subregulation (1)(d) publish or cause to be published the name and applicable ward of every candidate elected.

VOTING ACCORDING TO PROPORTIONAL REPRESENTATION

TRANSITIONAL LOCAL COUNCIL OR

TRANSITIONAL METROPOLITAN SUBSTRUCTURE

Determining the Quota

- 74 (1) The returning officer shall, for the purpose of determining the result according to proportional representation, take into account the results of proportional representation voting in respect of the transitional local council or transitional metropolitan substructure as the case may be.
- (2) The quota of votes per seat shall be determined by dividing the total number of votes cast by the number of seats to be filled by proportional representation, plus one, and the result, plus one, disregarding fractions, shall be the quota of votes per seat.

Allocating Seats

- 75 (1) The total number of votes cast in favour of a party shall be divided by the quota of votes per seat and the result shall, subject to subregulation (2), determine the number of seats allocated to that party.
- (2) Where the calculation in subregulation (1) yields a surplus, such surplus shall compete with similar surpluses accruing to any other party or parties and any undistributed seat or seats shall be awarded to the party or parties concerned in sequence of the highest surplus.
- (3) The representatives of a party shall, according to the number of seats determined for such party in terms of subregulations (1) and (2) be taken from the list of the aforesaid party in the order in which they are stated on such list.
- (4) In the case of a list containing fewer candidates than a party is entitled to, that party :
- (a) shall be allocated the number of representatives on its list; and

- (b) shall forfeit its entitlement to any further representation in excess of the representation so allocated.
- (5) In the event of a party forfeiting its entitlement to representation in terms of subregulation (4) :
- (a) a new quota shall be determined on the following basis :
 - (i) the total number of votes cast, minus those votes cast for all parties referred to in subsection (4), shall be divided by the remaining number of seats, plus one, still to be allocated to the other parties; and
 - (ii) the result, plus one, disregarding fractions, shall be the new quota.
 - (b) a new determination of the allocation of representatives in respect of such other parties shall then *mutatis mutandis* be made as provided for in subregulations (1), (2) and (3) respectively
- (6) In the event of a party being entitled to an additional number of representatives in terms of the provisions of subregulation (5), and its list of candidates not containing a sufficient number of candidates, the process provided in subregulations (4) and (5) shall be repeated until all representatives have been allocated to a vacant seat.
- (7) (a) Any candidate elected to represent a ward of a transitional local council or a transitional metropolitan substructure shall be disqualified with effect from 22:00 on election day from being elected according to the system of proportional representation for the same transitional local council or transitional metropolitan substructure.

- (b) The returning officer shall for the purposes of subregulations (1) to (6) inclusive and regulation 76, deal with any such disqualified candidate as if his or her name were not on the list of party candidates.

76 (1) The returning officer shall, after the provisions of regulation 75 have been complied with :

- (a) ascertain which person or persons has or have been elected in accordance with the system of proportional representation;
 - (b) complete applicable forms ER26;
 - (c) declare the result of the election outside the place where the votes were counted or some other place as he or she may by notice in the press have designated by announcing the number of votes for each party and the persons from the party lists who have been duly elected in terms of these regulations; and
 - (d) in any instance where the returning officer is not the chief executive, deliver a certified copy of completed applicable forms ER26 to the chief executive.
- (2) The returning officer shall post a copy of the completed applicable form ER26 at the office or offices of the relevant transitional authority not later than two days after the declaration of the result and shall serve a copy thereof on the Premier not later than seven days after the declaration of the result.
- (3) The returning officer shall not later than seven days after the declaration referred to in subregulation (1)(c) publish or cause to be published the name and applicable party or every candidate elected.

TRANSITIONAL METROPOLITAN COUNCIL**DETERMINING VOTING AND THE QUOTA****Transmittal and Receipt of Counting Totals**

- 77 (1) In the case of an election in respect of proportional representation for a transitional metropolitan council, the returning officer shall, after the provisions of regulation 72 or 81 have been complied with, announce the result of such count outside the place specified in terms of regulation 39 by announcing the total number of votes for each party in his area of jurisdiction.
- (2) The returning officer shall, after compliance with the provisions of regulation 77(1), immediately deliver or cause to be delivered on form ER34 to the appropriate metropolitan returning officer the total number of votes for each party in the area of jurisdiction of such returning officer, together with a copy of the appropriate form ER30.
- (3) The place to which such form ER30 and ER34 shall be delivered within the area of the metropolitan transitional council shall be determined by the metropolitan returning officer who shall advise each applicable returning officer thereof in writing on form ER35 not later than noon on the day prior to election day.
- (4) The metropolitan returning officer shall be present at the place fixed in terms of regulation 77(3) from a time not later than eight hours after the time at which voting stations are due to close and shall issue a receipt to the returning officer for the election material contemplated in regulation 77(2).

Determining the Quota

- 78 (1) Upon receipt of the transmission form ER30 and ER34 referred to in regulation 77 from each returning officer within the area of jurisdiction of the transitional metropolitan council, the metropolitan returning officer shall complete form ER30 in respect of the metropolitan area and shall for the purpose of determining the result according to proportional representation, take into account the result of proportional representation voting in respect of the transitional metropolitan council.
- (2) The quota of votes per seat shall be determined by dividing the total number of votes cast by the number of seats to be filled by proportional representation, plus one, and the result, plus one, disregarding fractions, shall be the quota.
- (3) The provisions of regulations 75 to 76 inclusive shall apply *mutatis mutandis* to the metropolitan returning officer and any reference to the returning officer shall be a reference to such metropolitan returning officer.

SUPPLEMENTATION OF LIST AND VACANCIES

- 79 After the determination of the number of seats for each party and the identification of the representatives of such party, that party may, in order to fill any vacancy that may arise between the election and the next election, supplement the list referred to in regulation 24(1)(b)(vi) in accordance with the requirements of these regulations : Provided that the name of any person holding office as a councillor for the transitional authority to which that list relates shall not be included in such list.

ASSUMPTION AND TERM OF OFFICE

- 80 Any persons elected as a councillor in terms of these regulations shall upon announcement in terms of regulation 73(1)(d) and 76(1)(c) respectively, and where applicable, forthwith assume

office as a councillor for the council concerned for a period of three years commencing from the date of the election or until the next election of the council concerned takes place.

DEPUTY RETURNING OFFICER

Functions and Transmittal of Results and Totals

- 81 (1) Where the returning officer has decided that a place for the counting of votes will not be under his or her direct supervision and control, and has appointed a deputy returning officer in terms of regulation 39(c) to act on his or her behalf, any reference to the returning officer in regulations 63 to 72(3) inclusive shall be construed as a reference to the applicable deputy returning officer.
- (2) The deputy returning officer shall, after compliance with the provisions of regulations 63 to 72(3) inclusive, announce the result of such count outside the place where the votes were counted by announcing :
- (a) in the case of an election in respect of councillors by wards, the name of each candidate and the number of votes cast in respect of each such candidate; and
 - (b) in the case of an election in respect of proportional representation for a transitional authority, the number of votes for each party in each applicable transitional authority.
- (3) The deputy returning officer shall immediately thereafter deliver or cause to be delivered to the returning officer at the place specified in terms of regulation 39(c) :
- (a) the result of the count in accordance with subregulation (2)(a) and (b) on each applicable form ER32 together with each applicable form ER30; and

- (b) all election material and documents into the custody of the returning officer.
- (4) The returning officer shall upon receipt of all relevant forms ER32 and ER30 :
 - (a) complete the count of the election result for his entire jurisdiction by adding the respective and corresponding totals contained therein;
 - (b) comply with the provisions of regulation 71(1)(a); and
 - (c) proceed with the provisions of regulation 73 to 77 inclusive.

CHAPTER 14

FILLING OF ELECTED OR NOMINATED SEATS

- 82 (a) A councillor elected according to a party list shall cease to hold office when he or she dies, resigns office in writing, ceases to hold the qualifications required for nomination or election or is disqualified or removed from office in terms of any law or by order of court, or ceases to be a member of the party for which he or she was listed as a party candidate, and the chief executive of the council concerned shall forthwith designate the person whose name is on top of the list referred to in regulation 27 or a supplemented list referred to in regulation 79, as the person that has become a representative for the party concerned in that council.
- (b) Where a vacancy contemplated by paragraph (a) occurs and there is no list as provided for in regulation 27 or a supplemented list, or if such lists have become exhausted, or if the party concerned has ceased to exist, such vacancy shall remain unfilled.
- 83 A councillor representing a ward or a transitional metropolitan substructure shall cease to hold office when he or she dies, resigns office in writing or ceases to hold the qualifications required for nomination or election or is disqualified or removed from office in terms of any law or by

order of court, and in the event of such vacancy a by-election shall be held *mutatis mutandis* in terms of these regulations.

CHAPTER 15

TRANSITIONAL METROPOLITAN COUNCIL NOMINATIONS FROM SUBSTRUCTURES

Percentage and Quotas

- 84 Sixty per cent of the members of a transitional metropolitan council shall be nominated by the transitional metropolitan substructures from among their members on a *pro rata* basis according to the number of registered voters in the area of jurisdiction of such transitional metropolitan substructures : Provided that each such transitional metropolitan substructure shall be entitled to at least one representative.
- 85 (a) Within 7 days of the last announcement of the results of the election in terms of regulations 73(1)(d) and 76(1)(c) in respect of the election of the members of transitional metropolitan substructures, the metropolitan returning officer shall direct the chief executive of each such substructure to convene a meeting of each substructure within 14 days of such last announcement in order to nominate a member or members of such substructure to represent it on the aforesaid metropolitan council according to the following formula :
- (i) A quota of votes per seat shall be determined by dividing the total number of voters on the voters' rolls for all transitional metropolitan substructures by the number of seats for nomination, plus one, for the transitional metropolitan council and the result plus one, disregarding fractions, shall be the quota of votes per seat for such transitional metropolitan council.

- (ii) The number of seats to be awarded to a transitional metropolitan substructure for the purposes of subparagraph (iv) shall, subject to subparagraph (iii), be determined by dividing the total number of voters on the voters' roll for such transitional metropolitan substructure by the quota of votes per seat determined in terms of subparagraph (i).
- (iii) Where the result of the calculation in terms of subparagraph (ii) yields for any substructure a figure which is a fraction of the figure 1, such substructure shall be awarded one seat and shall not thereafter participate in any calculation or award in terms of subparagraph (v).
- (iv) Where the result of the calculation in terms of subparagraph (ii) plus any award in terms of subparagraph (iii) yields a surplus not absorbed by the number of seats awarded to a transitional metropolitan substructure concerned, such surplus shall compete with other similar surpluses accruing to any other transitional metropolitan substructure or substructures in respect of the transitional metropolitan council concerned, and any seat or seats not awarded in terms of subparagraph (ii), shall be awarded to the transitional metropolitan substructure or substructures concerned in sequence of the highest surplus.
- (v) The aggregate of a transitional metropolitan substructure's awards in terms of subparagraph (ii) and (iii), shall indicate that transitional metropolitan substructure's allocation of seats in the transitional metropolitan council in question.
- (vi) If there are further surpluses, after any second calculation referred to in subparagraph (vi), such surpluses shall be disregarded and thereafter the calculations for nominations for the metropolitan council shall be closed.

- (b) No person shall be nominated who holds office as a councillor in the transitional metropolitan council.

86 The metropolitan returning officer for the transitional metropolitan council concerned shall in the directive referred to in regulation 85, advise each substructure of the correct number of members to which it is entitled in terms of regulation 85.

87 Where a transitional metropolitan substructure does not submit a name or names as contemplated in regulation 85 within 30 days from the date of the last announcement of the election results referred to in regulation 85(a), the metropolitan returning officer shall forthwith advise the Premier who may apply the provisions of regulation 95.

88 Not later than 35 days after the date of the last announcement of the election results referred to in regulation 85(a) the metropolitan returning officer for the transitional metropolitan council shall in respect of nomination received :

- (a) advise each nominee of his successful nomination;
- (b) publish a list of the names of all nominated councillors and the substructures they represent; and
- (c) notify the Premier thereof in writing

CHAPTER 16

GENERAL

Opening or Inspection of Election Material

- 89 (1) If the returning officer at any time prior to sealing the election material in the bag or box referred to in regulation 72(2)(c) has reason to suspect any irregularity in connection with any matter relating to the election or any failure to comply with these regulations he or she shall, in writing advise each candidate, general agent and party thereof, invite such persons to be present at a stated time and place, and in the presence of such candidates or agents as are present :
- (a) open the parcel or envelope concerned;
 - (b) make a record in duplicate of any such irregularity or non-compliance;
 - (c) retain one copy of such record and place the other copy in the parcel or envelope concerned;
 - (d) re-make such parcel or re-close such envelope;
 - (e) seal such parcel or envelope with his official seal; and
 - (f) permit the candidates or agents to affix their seals thereto if they so desire.
- (2) No sealed bag or box referred to in regulation 72(2)(c) or any parcel or envelope therein shall be opened and no person shall be allowed to inspect any election document except under the order of a superior court on its being satisfied by evidence on oath that the inspection or production thereof is required for the purpose of instituting or maintaining a prosecution for an offence or for the purpose of proceedings questioning the validity of an election or election result and any such order may be made subject to such conditions as such court may deem expedient, necessary or desirable.

- (3) Where an order has been made for the production by the returning officer of any document, parcel, envelope, bag or box in his custody relating to any specific election :
- (a) the production by such returning officer of any such document, parcel, envelope, bag or box in the manner directed by such order or in accordance with a rule of court shall be conclusive evidence that such document, parcel, envelope, bag or box relates to such election; and
 - (b) any endorsement appearing on any document, parcel, envelope, bag or box produced by him or her shall be evidence of the contents of such document, parcel, envelope, bag or box being what they are stated to be by such endorsement.

Election Committee

- 90 (1) (a) A transitional authority shall establish an election committee which will function for such period as the transitional authority or Premier may determine but in any event not later than 24:00 on the day immediately preceding the date contemplated by section 9(1) of the Act.
- (b) Such committee shall consist of three persons at least one of whom shall be a legally qualified person who shall be the presiding officer, and three alternates appointed by resolution of the council adopted by a majority of not less than two thirds of all its members.
- (c) No person shall be appointed as a member of such committee if he or she :
- (i) is the holder of an office in a party;
 - (ii) is a member or councillor or employee of the transitional authority concerned.

- (iii) is not eligible to be enrolled as a voter for a transitional authority in terms of regulation 2;
 - (iv) is a candidate or is on a party list for the election; or
 - (v) is a member of a revision court referred to in regulation 5.
- (d) A member of such a committee shall cease to be a member thereof and shall vacate his seat if he or she :
- (i) becomes disqualified for appointment as a member of such a committee;
 - (ii) tenders his resignation to the chief executive; or
 - (iii) dies

and any vacancy so arising shall be filled from the appropriate alternate appointment, or in the absence thereof as soon as possible by the transitional authority with a person who has substantially the same qualifications as his or her predecessor.

- (e) Such committee shall :
- (i) attempt to resolve any dispute or complaint resulting from a decision taken by a voters' roll officer or a returning officer that has been brought to its attention by such officer or by an aggrieved person or party;
 - (ii) consider and advise in respect of any matter submitted to it by the voters' roll officer or the returning officer;

- (iii) adjudicate and decide not later than noon on nomination day any conflict or complaints regarding the distinguishing mark or symbol of a party or person in terms of regulation 24(1)(b)(i) and (ii); 25(1)(f); 29(1); or 29(1)(f), (g) or (h); and
- (iv) consider and advise the returning officer of the manner in which voters in any ward or wards should be informed of their appropriate voting stations :

Provided that the committee shall not receive or consider any matter falling within the powers, functions and duties of a revision court; and provided further that nothing herein contained shall be construed as limiting or interfering with the fulfilment of the responsibilities of a voters' roll officer or returning officer in terms of these regulations.

- (f) Members of such committee shall be remunerated on such basis as may be determined by the Premier not later than the date of its appointment in terms of paragraph (b) or, failing which, by resolution of the transitional authority.

Bills and Placards

91 During the election period :

- (a) every bill, placard, poster, pamphlet, circular or other printed matter having reference to the election shall bear upon the face thereof the name and address of the printer and publisher thereof;
- (b) no person shall print, publish or post or cause to be printed, published or posted or in any other manner disseminate any such printed matter which fails to bear upon the face thereof the name and address of the printer and publisher;

- (c) the proprietor and publisher of every newspaper or magazine shall cause the word "advertisement" to be printed as a headline to each article or paragraph in his or her newspaper or magazine which originated from a candidate, party or its agents or supporters, the insertion of which is, or is to be, paid for, or for which any reward or compensation, or promise of reward or compensation, is or is to be made;
- (d) the articles or paragraphs referred to in paragraph (c) shall include all such text as may *prima facie* appear to be intended or calculated to affect the result of the election, and shall include any paid advertisement or report of the speech of a candidate, if the insertion thereof is, or is to be, paid for;
- (e) every report, letter, article, bill, placard, poster, pamphlet, circular, cartoon or other printed matter (hereinafter in this section referred to as an "election article") which, *prima facie*, is intended or calculated to affect the result of the election, is inserted in any newspaper or otherwise produced and is published in the Republic, shall bear at the foot thereof the full name and address of the person or persons by whom such election article was written or produced : Provided that :
 - (i) any such election article which is inserted in any newspaper as aforesaid and which has been altered materially by the editor of such newspaper, shall also bear the full name of the editor;
 - (ii) in the case of any such election article which is written jointly by two or more persons, it shall be sufficient for the purposes of this regulation if the report as a whole bears the full names and addresses of the persons by whom it was written; and
 - (iii) in the case of headlines to any election article which is inserted in any newspaper as aforesaid, and of bills, placards or posters having reference thereto and which are issued in the ordinary practice of a newspaper or magazine, it

shall be sufficient for the purposes of this regulation if the full names and addressed of the persons by whom such headlines, bills, placards and posters were written, are published in the issue of the newspaper in which such election article is inserted; and

- (f) subject to the provisions of the proviso to paragraph (e)(iii), no person shall print or publish any newspaper or other printed matter in which is inserted or produced any election article which fails to comply with the provision of paragraph (e).

Indemnity

- 92 No act or omission by a chief executive, voters' roll officer, election officer, presiding officer or returning officer shall render such person personally liable for loss or damage of any kind suffered by any person as a result of such act or omission provided that such act or omission is not wilful or malicious and any costs reasonably or necessarily incurred by any such officer in opposing any claim, demand, action or other legal proceedings relating to such loss or damage shall be borne by the transitional authority concerned.

Fees Payable to Election Officers

- 93 (1) Every council shall, at its first ordinary meeting after notice of the day of election has been given in terms of section 9(1) of the Act determine by resolution the fees to be paid to election officers : Provided that such fees shall not be decreased before any final payment has been made in terms of such resolution.
- (2) The fees contemplated by subregulation (1) shall not exceed the following amounts per day :
- (a) In the case of a transitional local council :

Returning Officer

1 - 10 000 registered voters :	R400,00
10 001 - 50 000 registered voters :	R600,00

50 001 - 100 000 registered voters :	R800,00
100 001 - 250 000 registered voters :	R1 000,00
250 001 upwards registered voters :	R1 250,00
Deputy Returning Officer : 70% of the above	
Presiding Officer	R240,00
Any other Election Officer:	R160,00
Counting Officer :	R120,00

(b) In the case of a transitional metropolitan substructure :

Returning Officer:	R1 500,00
Deputy Returning Officer :	R1 000,00
Presiding Officer :	R320,00
Deputy Presiding Officer :	240,00
Any other Election Officer:	R160,00
Counting Officer :	R120,00

(c) In the case of a transitional metropolitan council :

Metropolitan Returning Officer :	R1 500,00
Deputy Metropolitan Returning Officer :	R1 000,00

Forms, Labels and Envelopes

- 94 (1) The forms, labels and envelopes referred to in these regulations shall be substantially in accordance with the specimens set out hereto, and the word "envelope" shall include any bag or box serving such purpose.
- (2) Where a space is left on any specimen for filling in any information which will be the same throughout the area of jurisdiction of the transitional authority or any ward, as the

case may be, such information may be included when printing the form, label or envelope concerned.

- (3) Any portion of a specimen which is intended to be used only in the case of the area of jurisdiction of a transitional authority which is divided into wards may be omitted when printing the form, label or envelope concerned for use in a transitional authority area which is not divided into wards.
- (4) Provision may be made when printing a form, label or envelope for giving or requiring information not shown on the specimen concerned if this is considered necessary or desirable for the conduct of the election.
- (5) Information required on any label or envelope may, at the discretion of the returning officer, be typed or clearly and legibly handwritten.

Power to Act in Default and Recovery of Expenditure

- 95 (1) (a) If a transitional authority, local government body, revision court or any person fails within a period and in accordance with conditions, if any, specified by the Premier to commence, enforce or carry out any provision of these regulations, or to take any decision or resolution required in terms thereof, or to comply with any direction of the Premier contemplated by these regulations, the Premier may commence, enforce or carry out such provisions or directions and for such purpose and failure, may in writing authorise any authority, body or person to take all steps and measures necessary in connection therewith.
- (b) Any expenditure incurred in respect of a transitional authority or local government body by the Premier under paragraph (a) above shall be recoverable from such authority or body and the certificate of the provincial accountant or person acting in such capacity shall be *prima facie* proof of the correctness thereof.

- (2) If a transitional authority, local government body, revision court or any person fails or appears likely to fail to carry out or complete within the period specified in these regulations any provision or requirement which is a necessary preliminary or prerequisite to conducting the election, the Premier may conditionally or otherwise extend or review such period : Provided that no such extension or renewal shall be granted which would prevent or prejudice or be detrimental to the holding of the election on the day determined by the Minister in terms of section 9 of the Act.
- (3) Expenditure necessarily incurred by a transitional metropolitan substructure in the conduct of an election for a transitional metropolitan authority shall be recoverable from such metropolitan authority and the certificate of the chief financial officer of such metropolitan substructure or person acting in such capacity shall be *prima facie* proof of the correctness thereof.

Powers of Court

- 96 In any proceedings questioning the validity of an election or election result the court may, unless it declares the election void or orders a fresh election to be held :
- (a) deduct from the total number of votes declared by the returning officer to have been given for a candidate or a party, that number of votes which, in the opinion of the court, were recorded for such candidate or party as a result of any corrupt practice or in contravention of these regulations or any other law;
 - (b) correct any errors made by the returning officer in the counting or allocation of votes or in the acceptance or rejection of ballot papers and take into account or deduct the votes which should, in consequence of the correction of such errors, have been taken into account or deducted in terms of these regulations; and
 - (c) take such other action and make such other order as to it may appear just and equitable.

Validation

- 97 No election shall be invalid or set aside by a court by reason of a mistake or non-compliance with these regulations or of any determination in terms of these regulations if it appears that the election was conducted substantially in accordance with the principles contained therein and that such mistake or non-compliance did not affect the result of the election.

Voter not to be Required to Disclose how he or she Votes

- 98 No person shall in any proceedings relating to an election be required to disclose the name of the candidate or party for whom he or she voted.

Secrecy

- 99 Every election officer, police officer, candidate, candidate's agent or party agent and messenger who is present at a voting station or at the counting of votes shall maintain the secrecy of the voting.

Prohibition on Certain Political Activities During Certain Period Prior to and During Voting Period

- 100 (a) No person shall during the period 48 hours prior to 24:00 on the day of the election hold or take part in any public demonstration, march, public meeting or rally of a political nature.
- (b) The holding of or participation in any activity referred to in paragraph (a) shall be an offence.

CHAPTER 17**OFFENCES AND PENALTIES****Interference with Election Proceedings**

- 101 Any person who :

- (a) refuses or fails to give effect to any direction, instructions or order lawfully issued by or on behalf of the voters' roll officer, the returning officer or any election officer;
- (b) refuses or fails to leave a voting station or inner perimeter or place for the counting of votes when so ordered in terms of regulation 41 or 64;
- (c) enters or remains in a voting station or inner perimeter or place for the counting of votes in contravention of regulation 42 or 64;
- (d) obstructs or hinders any election officer or party agent or candidate's agent in the execution of his or her lawful duties,

shall be guilty of an offence.

Infringement of Secrecy

102 Any person who :

- (a) contravenes regulation 52 or 99;
- (b) unlawfully attempts to ascertain or directly or indirectly aids any other person to ascertain for which candidate any person intends to vote or has voted;
- (c) directly or indirectly induces or attempts to induce any person to whom a ballot paper has been issued to display his ballot paper after he or she has marked it, in such a manner as to disclose the name or names of the candidate or candidates for whom he or she has voted;
- (d) places upon any ballot paper, other than the ballot paper issued to him, any mark or writing whereby the person who records his vote thereon may be identified;

- (e) except in reply to a question lawfully put to him or her in the course of proceedings in a competent court, discloses or communicates any information he or she may have obtained as to the candidate or candidates for whom a vote has been given on any ballot paper; or
- (f) unlawfully breaks the seal or fastening on or in any other manner opens or removes any of the contents of a ballot box, parcel or envelope referred to in regulations 56(2), 62, 72 or 73,

shall be guilty of an offence.

Undue Influence

- 103 (1) Any person who, directly or indirectly, uses or procures the use of, or threatens to use or procure the use of, any force, violence or sexual harassment, or inflicts or threatens to inflict any injury, damage, loss or disadvantage to or upon any other person or property :
- (a) with intent thereby to compel, induce or influence any person :
 - (i) to vote or refrain from voting, either at all, or for any party or any candidate, or in any other manner; or
 - (ii) to attend or participate in, or to refrain from attending or participating in, any political meeting, march, demonstration, or other event of a political nature, or in some other manner lending support to or for any party or any candidate; or
 - (b) on account of any person having :

- (i) voted, attempted to vote or having refrained from voting, either at all, or for any party or any candidate, or in any other manner; or
- (ii) attended or participated in, or having refrained from attending or participating in, any such political meeting, march, demonstration, or other event of a political nature, or from lending support as aforesaid,

shall be guilty of an offence.

- (2) Any person who induces, influences or procures any other person to vote in the election, in the knowledge that such other person is not entitled to vote in the election concerned, shall be guilty of an offence.

- (3) Any person who, directly or indirectly, by duress or intimidation :

- (a) impedes or prevents or threatens to impede or prevent the free exercise of the franchise by any voter; or
- (b) in any manner influences the result of any election,

shall be guilty of an offence.

- (4) Any person who, directly or indirectly, by duress, intimidation or otherwise, compels or induces any voter who has already voted at the election :

- (a) to inform such or any other person of the name of the party or the candidate for which the voter has voted; or
- (b) to display the ballot paper on which such voter has marked his or her vote, in such a manner as to make known to such or any other person the name of the party or the candidate for which the voter has voted,

shall be guilty of an offence.

Bribery

104 (1) Any person who, directly or indirectly :

- (a) accepts or contracts for any valuable consideration, for himself or herself or for any other person, in order that he or she or such other person votes or agrees to vote, or refrains or agrees to refrain from voting, either at all or for any party or any candidate or in any other manner; or
- (b) after the election, accepts any valuable consideration, for himself or herself, or for any other person, on account of having induced or influenced any person to vote or refrain from voting as aforesaid;
- (c) gives, lends or procures, or agrees, offers or promises to give, lend or procure, any valuable consideration to or for any voter, or to or for any other person, in order to induce or influence any person :
 - (i) to vote or refrain from voting, either at all or for any party or any candidate or in any other manner; or
 - (ii) to attend or participate in, or refrain from attending or participating in, any political meeting, march, demonstration, or other event of a political nature, or in some other manner lending support to or for any party or candidate; or
- (d) on account of any person having voted or refrained from voting, either at all or for any party or any candidate or in any other manner, gives, lends or procures, or

agrees, offers or promises to give, lend or procure, any valuable consideration to or for any other voter, or to or for any other person,

shall be guilty of any offence.

- (2) Any person, who, in consequence of his or her acceptance of any valuable consideration, votes or refrains from voting, either at all or for any party or any candidate or in any other manner, shall be guilty of an offence.

Personation

105 Any person who, at the election :

- (a) applies for a ballot paper in the name of any other person, whether living, dead or fictitious;
- (b) save as provided in regulation 58, casts a vote in the name of any other person;
- (d) having voted in the manner provided in these regulations, again votes or applies for a ballot paper in the same election; or
- (e) votes in the knowledge that he or she is not entitled to vote in the election concerned,

shall be guilty of an offence.

Prohibition on Interference with Voter Registration and Election Material

- 106 (1) Any person who removes, destroys, conceals or mutilates or assists the removal, destruction, concealment or mutilation of any voter registration material or election material, save under the provisions of these regulations, shall be guilty of an offence.

- (2) Any person who receives or accepts from any other person a claim on form ER1 or a claim in a form substantially in accordance with form ER1 shall ensure that such claim is delivered timeously to the voters' roll officer at the address specified or required on form ER1 for the applicable transitional authority and any person who wilfully or negligently fails to do so shall be guilty of an offence.

Prohibition on Unauthorised Printing, Manufacture and Supply of Election Material

- 107 Any person who, directly or indirectly, prints, manufactures or supplies or procures the printing, manufacture or supply of any election material in connection with the election, save on the authority of a transitional authority, shall be guilty of an offence.

Prohibition in Interference with Free Political Canvassing and Campaigning

- 108 Any person who :

- (a) directly or indirectly, by the use or threat of force, violence, sexual harassment or otherwise, prevents the conduct of any political meeting, march, demonstration or other event of a political nature, or any other person from attending or participating therein;
- (b) create a material disruption with the intention of preventing a party or a candidate from holding a public political meeting;
- (c) impede or prevents or threatens to impede or prevent the right of any candidate or any representative of any party or any candidate to gain access, in the manner and during the hours prescribed, to voters in any particular area, whether public or private, for the purposes of conducting political canvassing and campaigning, and of soliciting membership and support; or
- (d) impedes or prevent or threatens to impede or prevent any member or representative of the transitional authority to gain access, in the manner and during time or period

prescribed, to voters in any particular area, whether public or private, for the purposes of conducting voter registration,

shall be guilty of an offence.

Prohibition on Making Intentional False Statements or Publishing False Information

109 Any person who :

- (a) makes a false statement or furnishes false particulars in any statement which is required in terms of these regulations in the knowledge of such statement or particulars being false or without reasonable grounds for believing the same to be true; or
- (b) publishes, repeats or disseminates in any manner whatsoever false information with the intention of :
 - (i) disrupting or preventing the election;
 - (ii) creating hostility or fear in order to influence the process or outcome of the election; or
 - (iii) otherwise influencing the process or outcome of the election,

shall be guilty of an offence.

Other Offences

110 (1) Any person who :

- (a) forges or counterfeits or unlawfully destroys or alters any ballot paper or the official mark thereon;

Contraventions to be Reported to Public Prosecutor

- 112 The returning officer shall after every election report to the public prosecutor any apparent or alleged contraventions of these regulations.

CHAPTER 18**APPLICATION OF REGULATIONS****Co-Ordinating Committee and Exempted Bodies**

- 113 The provisions of these regulations shall, in so far as they apply to a transitional local council, apply to a local government co-ordinating committee established in terms of Section 7 of the Act and to a local government body exempted in terms of Section 5 of the Act.

Annexure

- 114 The annexures to these regulations shall be read as one with these regulations.

Pre-Interim and Interim Phases

- 115 These regulation shall apply during the pre-interim phase and the interim phase defined in section 1(1)(iv) of the Act.

Short Title

- 116 These regulations shall be called the Local Government Transition Election Regulations, 1994.

Reg 3 (3)
3 (4)

ER 1

.....TRANSITIONAL AUTHORITY

POST TO: VOTERS' ROLL OFFICE

P.O. BOX.....

OR

DELIVER TO: VOTERS' ROLL
OFFICE/S
(STREET ADDRESS)

CLAIM TO ENROL AS A VOTER

(PLEASE PRINT)

SURNAME

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

FIRST
NAMES

IDENTITY
NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

ADDRESS

MEANS THE ADDRESS OF THE PLACE WHERE YOU LIVE OR FOR WHICH YOU PAY WATER, ELECTRICITY, ETC. DO NOT PUT IN A POST BOX NUMBER. IF YOU NEED HELP VISIT YOUR NEAREST VOTERS' ROLL OFFICE.

STREET No.
AND NAME,
SUBURB AND
TOWNSHIP
OR ADDRESS
GIVEN TO
YOU BY YOUR
VOTERS' ROLL
OFFICE

TELEPHONE
NUMBER

--	--	--	--	--	--	--	--	--	--

(IF ANY)

BASIS OF CLAIM:

(PLEASE MARK APPLICABLE BLOCK)

I LIVE AT THIS ADDRESS

I DO NOT LIVE AT THIS ADDRESS, BUT
PAY WATER, ELECTRICITY, ETC.

I AM 18 YEARS OF AGE OR OLDER.

I HEREBY CLAIM TO BE REGISTERED AS A VOTER.

SIGNATURE

DATE

Reg3(9)(a)

ER2

TO: THE VOTERS' ROLL OFFICER
[ADDRESS OF TRANSITIONAL AUTHORITY]

.....LOCAL AUTHORITY

OBJECTION TO CLAIM FOR REGISTRATION ON VOTERS' ROLL

I,.....(*full name*)
resident at.....
.....(*home address in full*), object to the inclusion of
.....
.....
(*full name, Identity Number and address of person objected to*) on the voters' roll.

My objection is based on the following grounds:

Signature of Objector

Date

Telephone Number of Objector (H).....
(W).....

NOTE: THIS FORM MUST BE MAILED TO THE ABOVE ADDRESS OR MAY BE
DELIVERED BY HAND TO THE FOLLOWING OFFICES:

- (1)
(2)

Reg 20

ER 3(A)

(Front of ballot paper)

*(Perforation)**

Counterfoil No..... Local Authority Election of ward councillor for ward Date..... Voter's No in Voters' roll.....	You may vote for not more than candidate(s)		
	(CANDIDATE)*	(SYMOL)*	(MARK)*
	JONES, Vera Joan		
	MBULE, Mwakhe		
	SMIT, Jan		

**Information in brackets must not be printed on ballot paper*

(Back of ballot paper)

OFFICIAL
MARK

..... Local Authority

Election of Ward Councillor

for

Ward

(Date)

Reg 20

ER 3(B)

*(Front of Ballot paper)**(Perforation)**

Counterfoil No..... Local Authority Proportional representa- tion election Date Voter's No in Voters' Roll	You may vote for ONE CANDIDATE You may only make ONE mark. (PARTY NAME)* (PARTY SYMBOL)* (MARK)*		
	P Q PARTY		
	A Q PARTY		
	B C PARTY		

**Information in brackets must not be printed on ballot paper*

(Back of ballot paper)

OFFICIAL MARK

..... Local Authority

Proportional Representation Election
(Date).....

Reg 24(1)(b)(vi)

ER 4(A)

..... LOCAL AUTHORITY*

The Returning Officer

..... (Local Authority)*

..... (Address)

.....

.....

NOMINATION ACCEPTANCE - PARTY CANDIDATE ON PARTY LIST FOR

.....(name of TMS/TLC

(To be completed by prospective candidates)

Date of Election.....

CANDIDATE DETAILS

Surname.....

Other Names

Identity Number

Residential Address

Number on Voters' Roll.....in ward.....for

.....(name of Local Authority)

Telephone No: (H).....(W).....

I accept my nomination as a candidate on the party list of
(full name of party)
 and I certify that I have not accepted any other nomination for this election on a
 party list for any other party in this local authority.

 Signature of Party Candidate or Agent

**NB: THE WRITTEN AUTHORITY OF THE AGENT TO ACCEPT NOMINATION ON
 BEHALF OF THE CANDIDATE MUST ACCOMPANY THIS NOMINATION PAPER.**

*Name of TMS/TLC

Reg 24(1)(b)(vi)

ER 4(B)

.....TRANSITIONAL METROPOLITAN COUNCIL*

The Metropolitan Returning Officer

..... (TMC)*

.....(Address)

.....

.....

NOMINATION ACCEPTANCE - PARTY CANDIDATE ON PARTY LIST FOR

..... (name of TMC

(To be completed by prospective candidates)

Date of Election.....

CANDIDATE DETAILS

Surname.....

Other Names

Identity Number

Residential Address

Number on Voters' Roll.....in ward.....for

.....(name of Local Authority)

Telephone No: (H).....(W).....

I accept my nomination as a candidate on the party list of
(full name of party)
 and I certify that I have not accepted any other nomination for this election on a
 party list for any other party in this local authority.

Signature of Party Candidate or Agent

NB: THE WRITTEN AUTHORITY OF THE AGENT TO ACCEPT NOMINATION ON
 BEHALF OF THE CANDIDATE MUST ACCOMPANY THIS NOMINATION PAPER.

*Name of TMC

Reg 29(1)

ER 5

..... LOCAL AUTHORITY

The Returning Officer

.....(Local Authority)

.....(Address)

.....

.....

NOMINATION OF CANDIDATE FOR WARD ELECTION

(To be completed by prospective candidates)

Date of Election.....

CANDIDATE DETAILS

Surname.....

Other names.....

Identity Number.....

Residential Address

Number on Voters' Rollin ward.....

This nomination is for Ward.....of the abovementioned Local Authority

Telephone No: (H)(W).....

ACCEPTANCE AND CERTIFICATE BY CANDIDATE OR AGENT

I,
the abovementioned candidate/agent of the abovementioned candidate, duly
authorised to accept nomination on his behalf, accept this nomination and certify
that *I/ such candidate *am/is not disqualified in terms of section 2(1) from being
elected a councillor of the abovementioned Local Authority.

I certify that I have not accepted any other nomination for this election as a ward
candidate in this local authority.

Date

Signature of Candidate or Agent

NB: THE WRITTEN AUTHORITY OF THE AGENT TO ACCEPT NOMINATION ON
BEHALF OF THE CANDIDATE MUST ACCOMPANY THIS NOMINATION PAPER.

VOTERS WHO NOMINATE

We hereby nominate the abovementioned candidate.

Initials and surname

Number of voter on voters' roll

Ward No.

Signature of voter

.....

.....

.....

* Delete whichever is not applicable

Reg 32(1)

ER 6(A)

..... LOCAL AUTHORITY * *

**APPOINTMENT OF VOTING STATION ELECTION OFFICER TRANSITIONAL
METROPOLITAN SUBSTRUCTURE/TRANSITIONAL LOCAL COUNCIL ELECTION**

Election Date:

Surname:

Other Names:

Identity Number:

Voting Station:(address of voting station)

.....
.....
.....

Ward:

I appoint the above person as:

- * Deputy Returning Officer
- Presiding Officer
- Voting Officer
- Counting Officer
- Translation Officer
- Election Officer

at the abovementioned address.

Date_____
Returning Officer

(To be enclosed in envelope * ER 7 or 29)

* (Delete what is not applicable)

**(Name of TMS/TLC)

Reg 32(1)

Form ER 6(B)

.....LOCAL AUTHORITY * *

**APPOINTMENT OF COUNTING STATION ELECTION OFFICER TRANSITIONAL
METROPOLITAN SUBSTRUCTURE/TRANSITIONAL LOCAL COUNCIL ELECTION**

Election Date:

Surname:

Other Names:

Identity Number:

Counting Station:(address of counting station)

.....

.....

.....

Ward:

I appoint the above person as **Counting Officer** at the abovementioned address.

Date

Returning Officer

*(To be enclosed in envelope * ER 7 or 29)*

* *(Delete what is not applicable)*

***(Name of TMS/TLC)*

Reg 32(1)

ER 6(C)

.....TMC * * ELECTION CONDUCTED BY
..... TMS * *

APPOINTMENT OF VOTING STATION ELECTION OFFICER TRANSITIONAL
METROPOLITAN COUNCIL ELECTION

Election Date:.....

Surname:

Other Names:

Identity Number:

Voting Station:(address of voting station)

.....

.....

.....

Ward:

I appoint the above person as:

- * DEPUTY RETURNING OFFICER
- PRESIDING OFFICER
- VOTING OFFICER
- COUNTING OFFICER
- TRANSLATION OFFICER
- ELECTION OFFICER

at the abovementioned address.

Date

Returning Officer

(To be enclosed in envelope *ER 7 or 29)

*(Delete what is not applicable)

** (Name of Authority)

Reg 32(1)

Form ER 6(D)

..... TMC * ELECTION CONDUCTED BT
 TMS *

**APPOINTMENT OF COUNTING STATION ELECTION OFFICER TRANSITIONAL
 METROPOLITAN COUNCIL ELECTION**

Election Date:.....

Surname:

Other Names:

Identity Number:

Counting Station:(address of counting station)

.....

Ward:

I appoint the above person as **COUNTING OFFICER** at the abovementioned address.

 Date

 Returning Officer

(To be enclosed in envelope ER 7 or 29)

*(Name of Authority)

Reg 32(1)(a)
32(1)(b)
35(2)(d)(i)

Envelope ER 7

.....LOCAL AUTHORITY**

Date.....

*Ward/Voting Station

THIS ENVELOPE CONTAINS:

APPOINTMENT OF ELECTION OFFICER (ER 6)

DECLARATION OF SECRECY (ER 9)

**Delete what is not applicable*

***Name of Transitional Metropolitan Substructure*

(To be enclosed in Parcel ER 23)

Reg 34(3)(a)
35(2)(c)

ER8(A)

..... LOCAL AUTHORITY

APPOINTMENT OF AGENTS AND MESSENGERS FOR A WARD CANDIDATE

(To be completed by Candidate)

The Returning Officer

.....Local Authority

I appoint the following persons as my agents at the voting stations indicated below and/or to be present at the counting of votes at the indicated counting stations.

VOTING STATION COUNTING STATION WARD NO:	NAME OF AGENT IN FULL	I.D. NO.	*CAPACITY(i.e) MESSENGER/SPECIAL AGENT/ GENERAL AGENT/COUNTING AGENT

Date

Signature of Candidate

* (Every candidate at an election may appoint

(a) One General Agent who can go to all voting stations as well as counting of votes.

(b) Two special agents per voting station.

(c) One messenger per voting station.

(d) One agent to be present at the count.)

Reg 34(3)(a)
35(2)(c)

ER8(B)

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

APPOINTMENT OF AGENTS AND MESSENGERS FOR A PARTY - TRANSITIONAL METROPOLITAN COUNCIL

(To be completed by authorised party representative)

The Returning Officer

.....*(Local Authority)**

I,.....*(print full names)*
.....*(Identity Number)* authorised representative of.....
..... *(party name)*, appoint the following persons to
represent the party at the voting station(s) *(indicated below)* and to be present at
the counting of the votes for the election to be held on*(date)*.

VOTING STATION COUNTING STATION	NAME OF AGENT IN FULL	I. D. NO.	**CAPACITY (i.e.) MESSENGER/SPECIAL AGENT/ GENERAL AGENT/COUNTING AGENT

Date

Signature of authorised party representative

** *(Every party at an election may appoint*

- (a) One General Agent who can go to all voting stations as well as counting of votes.*
- (b) Two special agents per voting station.*
- (c) One messenger per voting station.*
- (d) One agent to be present at the count.)*

**Name of Authority*

Reg 34(3)(a)
35(2)(c)

ER 8(C)

..... LOCAL AUTHORITY*

**APPOINTMENT OF AGENTS AND MESSENGERS FOR A PARTY -
TRANSITIONAL METROPOLITAN SUBSTRUCTURE/TRANSITIONAL LOCAL
COUNCIL**

(To be completed by authorised party representative)

The Returning Officer

.....(Local Authority)*

I,..... (print full names)
.....(Identity Number) authorised representative
of..... (party name), appoint the
following persons to represent the party at the voting station(s) (indicated
below) and to be present at the counting of the votes, for the *ward/propor-
tional election to be held on(date).

VOTING STATION COUNTING STATION	NAME OF AGENT IN FULL	I.D. NO.	*CAPACITY (i.e.) MESSENGER/SPECIAL AGENT/ GENERAL AGENT/COUNTING AGENT

Date

Signature of authorised party representative

- * (Every party at an election may appoint
(a) One General Agent who can go to all voting stations as well as counting of votes.
(b) Two special agents per voting station.
(c) One messenger per voting station.
(d) One agent to be present at the count.)

*Name of TMC/TLC

Reg 35(1)
40(1)(c)

ER 9

..... LOCAL AUTHORITY

DECLARATION OF SECRECY

(To be completed by Returning Officer, Deputy Returning Officer, Presiding Officer, Polling Officer, Election Officer, Translation Officer, Counting Officer, candidate's/party agents and messengers)

Declaration of secrecy regarding the election to be held on

.....(date) for

.....*(name of TMC/TLC/TMS) for

.....*(ward)

.....(voting station)

I, *(full names and Identity Number)* have read and fully understand regulation 102 of the Election Regulations and undertake not to do anything forbidden thereby and to maintain and aid in the secrecy of the voting.

Signature

Date

Designation *(Returning Officer, agent, counting agent, messenger, etc.)*

Made and signed before me at.....this.....day of
.....19.....

*Commissioner of Oaths/Returning Officer/
Deputy Returning Officer/Presiding Officer

*(Delete what is not applicable)

*(To be enclosed in envelope *ER 7 or 29)*

Reg 35(1)
40(1)(c)

ER 9

..... LOCAL AUTHORITY

DECLARATION OF SECRECY

(To be completed by Returning Officer, Deputy Returning Officer, Presiding Officer, Polling Officer, Election Officer, Translation Officer, Counting Officer, candidate's/party agents and messengers)
Declaration of secrecy regarding the election to be held on

.....(date) for

.....*(name of TMC/TLC/TMS) for

.....*(ward)

.....(voting station)

I, (full names and Identity Number) have read and fully understand regulation 102 of the Election Regulations and undertake not to do anything forbidden thereby and to maintain and aid in the secrecy of the voting.

Signature

Date

Designation (*Returning Officer, agent, counting agent, messenger, etc.*)

Made and signed before me at.....this.....day of
.....19.....

*Commissioner of Oaths/Returning Officer/
Deputy Returning Officer/Presiding Officer

*(Delete what is not applicable)

*(To be enclosed in envelope *ER 7 or 29)*

Reg 38(1)(c)
40(1)(i)

Envelope ER 10(A)

.....LOCAL AUTHORITY*

OFFICIAL MARK INSTRUMENTS - TMS/TLC ELECTION

To: Presiding Officer

Voting Station

Number of official mark instruments issued.....

Date

Ward/Voting Station

Returning Officer

(Contents of this envelope to be opened and used for marking ballot papers)

**(Name of TMS/TLC)*

Reg 38(1)(c)
40(1)(i)

Envelope ER 10(B)

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

OFFICIAL MARK INSTRUMENTS - TMC ELECTION

To: Presiding Officer
Voting Station

Number of official mark instruments issued.....

Date

Ward/Voting Station

Returning Officer

(Contents of this envelope to be opened and used for marking ballot papers)

**(Name of Authority)*

Reg 39(b)

ER 11

.....LOCAL AUTHORITY

The Presiding Officer

..... Voting Station

NOTIFICATION REGARDING COUNTING VENUE

The counting of votes in respect of your voting station will take place at
.....(*counting venue*)

Please deliver all election material into the hands of the Returning Officer or his authorized representative at the above counting venue immediately after your voting station closes and after you have completed the prescribed procedures regarding the election material.

Signature of Returning Officer

Date

Reg 47(b)
50(2)(a)

ER 12(A)

DIRECTIONS FOR GUIDANCE OF VOTERS

WARD CANDIDATE *(WHITE BALLOT PAPER)*

- Make a mark in the empty square next to the name and symbol of the candidate you wish to vote for.
- Fold your ballot paper so that the **official mark stamp** on the back of your ballot paper is **on the outside**.

PARTY CANDIDATE *(YELLOW BALLOT PAPER)*

- Make a mark in the empty square next to the name and symbol of the party you want to vote for.
- Fold your ballot paper so that the **official mark stamp** on the back of your ballot paper is **on the outside**.

After completing the above steps, take both ballot papers to the person standing at the ballot box, show the **official mark** and put the ballot papers inside the ballot box.

IF YOU MAKE A MISTAKE ON THE BALLOT PAPER

- Take your spoilt ballot paper to an official in the polling station and tell him or her that you made a mistake on the paper.
- Hand that official only your spoilt ballot paper and go with him or her to get a new one.
- Go back to the polling booth with your new paper, complete your vote and take your ballot papers to the person at the ballot box.

Reg 47(b)
50(2)(a)

ER12(B)

METROPOLITAN COUNCIL VOTING (GREEN BALLOT PAPER)

- Make a mark in the empty square next to the name and symbol of the party you want to vote for.
- Now fold your ballot paper so that the **official mark stamp** on the back of your ballot paper is **on the outside**.
- Go to the person standing at the ballot box , **show the official mark** and put the ballot paper inside the ballot box.

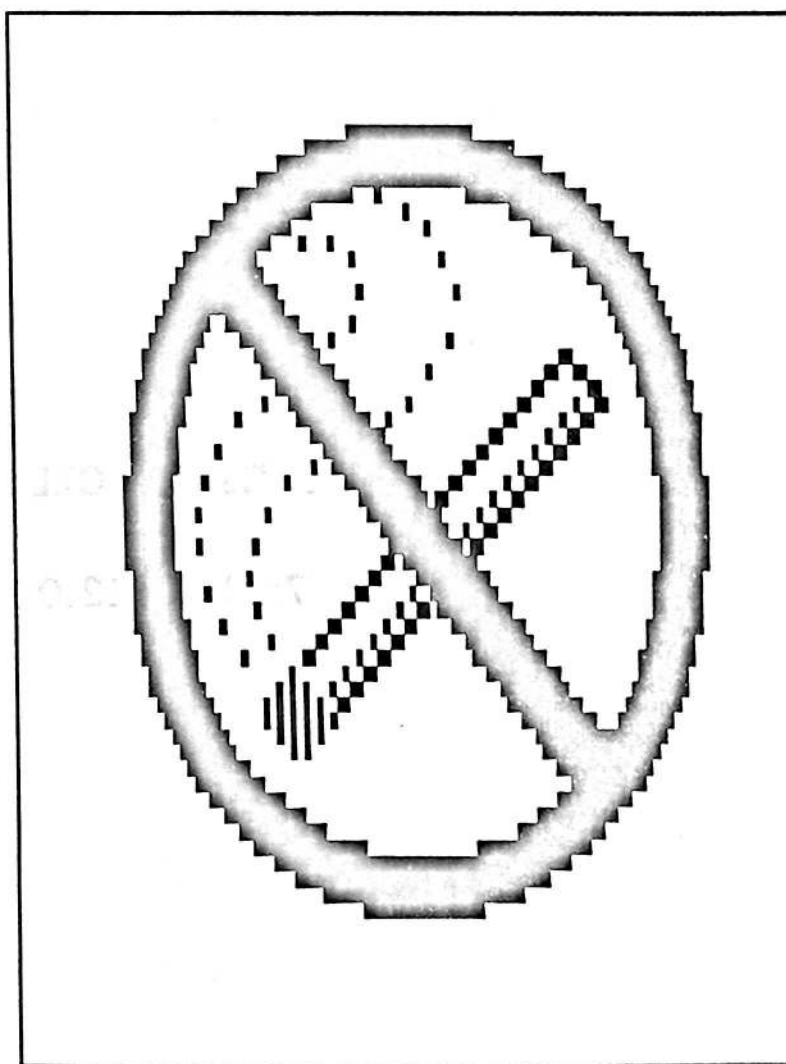
IF YOU MAKE A MISTAKE ON THE BALLOT PAPER

- Take your spoilt ballot paper to an official in the polling station and tell him or her that you made a mistake on the paper.
- Hand that official only your spoilt ballot paper and go with him or her to get a new one.
- Go back to the polling booth with your new paper complete your vote and take your ballot papers to the person at the ballot box.

Reg 46(3)

ER 13

NO SMOKING OR LIGHTING OF INFLAMMABLE MATERIAL INSIDE VOTING STATION



Reg 46(2)

ER 14(B)

.....TRANSITIONAL METROPOLITAN COUNCIL

VOTING STATION

HOURS OF POLLING

7:00 TO 22:00

Reg 46(1)

ER 14(A)

.....LOCAL AUTHORITY

VOTING STATION

HOURS OF POLLING

7:00 TO 22:00

Reg 53(1)
53(2)

ER 15

..... LOCAL AUTHORITY

QUESTIONS WHICH MAY BE PUT TO A PERSON APPLYING FOR A BALLOT PAPER

Date.....

Ward/Voting Station

1. Are you..... (*full names*)
.....(*Identity Number*) whose name appears
opposite No.....on the voters' roll of this
ward/voting station?

Answer:

2. Have you already voted under this name and under this voters' roll number
in this election at this or any other voting station ?

Answer:

3. Are you disqualified from voting on any of the grounds set out in regu-
lation 2 ?

Answer:

I declare that the provisions of regulation 2 have been explained to me and that
my answers recorded above are true and correct.

Signature of person applying for ballot paper

Date

The above declaration was made and signed before me at
this day of19.....

A ballot paper was/was not* issued to the applicant.

Signature of Presiding Officer

**Delete if not applicable*

(To be enclosed in Envelope ER 18)

Reg 59(1)

ER 16

.....LOCAL AUTHORITY

OBJECTION TO PERSON EXERCISING VOTE

Date

Ward/Voting Station

I,..... (full name)
(Identity Number) believe and undertake to prove
 that the person who has applied for/who has been issued with* a ballot paper
 in the name of (full names)
(Identity Number) opposite No..... in the Voters'
 Roll of this..... (ward/voting station) is not such person.

 Signature of Objector

The above declaration was made, signed and sworn to/affirmed before me at
this.....day of.....19.....

 Signature of Presiding Officer

(To be enclosed in Envelope ER 18)

*Delete what is not applicable

Reg 59(2)(b)

ER 17

..... LOCAL AUTHORITY

DECLARATION BY PERSON OBJECTED TO

Date

Ward/Voting Station

I declare that I am..... (*full name*)
.....(*Identity Number*) whose name appears opposite
No..... in the voters' roll of this ward/voting station and that the statement
that I am not such person made by
..... (*full name*) in the objection which has been
read to me, is false.

Signature of declarant_____
Date

The above declaration was made, signed and sworn to/affirmed before me at
.....this day of19.....

Signature of Presiding Officer

A ballot paper was/was not* issued to the declarant.

* *Delete what is not applicable*

(To be enclosed in Envelope ER 18)

Reg 59(5)
60(2)(b)

Envelope ER 18(A)

.....LOCAL AUTHORITY

TMS/TLC ELECTION

Date.....

Ward/Voting Station

THIS ENVELOPE CONTAINS: *

COMPLETED REPLIES TO QUESTIONS (FORMS ER 15)

**COMPLETED OBJECTIONS TO PERSONS EXERCISING VOTE
(FORMS ER 17)**

**COMPLETED DECLARATIONS BY PERSONS OBJECTED TO
(FORMS ER 18)**

**CANCELLED BALLOT PAPERS AND IMPOUNDED BALLOT
PAPERS**

**Delete where there is no applicable form enclosed.*

(To be enclosed in Parcel ER 23)

Reg 59(5)
60(2)(b)

Envelope ER 18(B)

.....TMC**ELECTION - CONDUCTED BY
.....TMS**

Date.....

Ward/Voting Station

THIS ENVELOPE CONTAINS: *

COMPLETED REPLIES TO QUESTIONS (FORMS ER 15)

**COMPLETED OBJECTIONS TO PERSONS EXERCISING VOTE
(FORMS ER 17)**

**COMPLETED DECLARATIONS BY PERSONS OBJECTED TO
(FORMS ER 18)**

**CANCELLED BALLOT PAPERS AND IMPOUNDED BALLOT
PAPERS**

**Delete where there is no applicable form enclosed.*

***Name of Authority*

(To be enclosed in Parcel ER 23)

Reg 62(3)(a)&(c)

Envelope ER19(A)

.....LOCAL AUTHORITY

TMS/TLC - ELECTION

Date

Ward/Voting Station

THIS ENVELOPE CONTAINS:

**UNUSED BALLOT PAPERS AND
COUNTERFOILS
COUNTERFOILS OF USED BALLOT PAPERS
MARKED COPIES OF VOTERS' ROLL**

(To be enclosed in Parcel ER 23)

Reg 62(3)(a)&(c)

Envelope ER19(B)

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

Date

Ward/Voting Station

THIS ENVELOPE CONTAINS:

UNUSED BALLOT PAPERS AND
COUNTERFOILS
COUNTERFOILS OF USED BALLOT PAPERS
MARKED COPIES OF VOTERS' ROLL

****Name of Authority****(To be enclosed in Parcel ER 23)*

Reg 72(1)(c)

ER 20(B)

.....LOCAL AUTHORITY*

BALLOT PAPER ACCOUNT**PROPORTIONAL VOTING**

Date

Ward/Voting Station

BALLOT PAPERS - PROPORTIONAL VOTING (YELLOW)

- A** Ballot Papers received from Returning Officer
 Counter Foil Numbers **From**.....**To**.....**Total**.....
- B** Ballot Papers issued to voters:
 Counter Foil Numbers **From**.....**To**.....**Total**.....
- C** Ballot Papers spoilt/cancelled impounded in voting
 station:**Total**.....
- D** Total ballot papers to be in box (B minus C) **Total**

Signature of Presiding Officer*(To be enclosed in Envelope ER 21)*

* Name of TMS/TLC

Reg 72(1)(c)

Form ER 20(C)

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

BALLOT PAPER ACCOUNT - PROPORTIONAL VOTING - TMC

Date

Ward/Voting Station

BALLOT PAPERS - TMC VOTING (GREEN)

Ballot Papers received from Returning Officer

A Counter Foil Numbers From.....To.....Total.....

B Ballot Papers issued to voters:
Counter Foil Numbers From.....To.....Total.....

C Ballot Papers spoilt/cancelled impounded in voting
station: Total.....

D Total ballot papers to be in box (B minus C) Total

Signature of Presiding Officer

(To be enclosed in Envelope ER 21)

* Name of Authority

Reg 63(1)
68(b)&(d)

Envelope ER21(A)

.....TMC*ELECTION - CONDUCTED BY
.....TMS*

**BALLOT PAPER ACCOUNT (FORM ER 20) TRANSITIONAL METROPOLITAN
COUNCIL VOTING**

Date.....

Ward/Voting Station

(To be enclosed in Parcel ER 23)

**Name of the Authority*

Reg 63(1)
68(b)&(d)

Envelope ER21(B)

.....LOCAL AUTHORITY

**BALLOT PAPER ACCOUNT (FORM ER 20) TRANSITIONAL METROPOLITAN
SUBSTRUCTURE VOTING**

Date.....

Ward/Voting Station

(To be enclosed in Parcel ER 23)

Reg 63(1)
63(b)&(d)

Envelope ER21(C)

.....LOCAL AUTHORITY

**BALLOT PAPER ACCOUNT (FORM ER 20) TRANSITIONAL LOCAL COUNCIL
VOTING**

Date.....

Ward/Voting Station

(To be enclosed in Parcel ER 23)

Reg 62(4)
63(1)

Label ER 22(A)

.....LOCAL AUTHORITY*

UNUSED FORMS, STATIONERY AND OTHER ELECTION MATERIAL - TMS/TLC

Date

Ward/Voting Station

(Contents of this package to be opened and re-used after election)

* Name of TMS/TLC

Reg 62(4)
63(1)

Label ER 22(B)

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

UNUSED FORMS, STATIONERY AND OTHER ELECTION MATERIAL - TMC

Date

Ward/Voting Station

(Contents of this package to be opened and re-used after election)

* *Name of Authority*

Reg 62(3)(c)
63(1)

Label ER 23(A)

.....LOCAL AUTHORITY*

Date

Ward/Voting Station

PARCEL CONTAINING ENVELOPES - TMS/TLC ELECTION

ER 7

ER 18

ER 19

(To be sealed in bag/box under label ER 30 by Returning Officer after counting of votes is completed)

**Name of TMS/TLC*

Reg 62(3)(c)
63(1)

Label ER 23(B)

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

Date

Ward/Voting Station

PARCEL CONTAINING ENVELOPES - TMC ELECTION

ER 7

ER 18

ER 19

(To be sealed in bag/box under label ER 30 by Returning Officer after counting of votes is completed)

**Name of Authority*

Reg 40(1)(k)
62(3)(d)

Envelope ER 24(A)

.....LOCAL AUTHORITY*

OFFICIAL SEAL - TMS/TLC ELECTION

To: Returning Officer

Seal in envelope: YES/NO**

Date

Ward/Voting Station

Polling Station

Signature of Presiding Officer

(Contents of this package to be opened and re-used after election)

* Name of TMS/TLC

** Delete what is not applicable

Reg 40(1)(k)
62(3)(d)

Envelope ER 24(B)

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

OFFICIAL SEAL - TMC ELECTION

To: Returning Officer

Seal in envelope: YES/NO**

Date

Ward/Voting Station

Polling Station

Signature of Presiding Officer

(Contents of this package to be opened and re-used after election)

* *Name of Authority*

***Delete what is not applicable*

Reg 62(3)(a)&(b)

Envelope ER 25(A)

To: Returning Officer

.....LOCAL AUTHORITY*

TMS/TLC ELECTION

INSTRUMENTS FOR MARKING OFFICIAL BALLOT PAPERS WITH OFFICIAL MARK

(Number of instruments in envelope)

Date.....

Ward/Voting Station.....

(To be sealed with official seal by Presiding Officer)

**Name of TMS/TLC*

Reg 62(3)(a)&(b)

Envelope ER 25(B)

To: Returning Officer

.....TMC* ELECTION - CONDUCTED BY
..... TMS*

INSTRUMENTS FOR MARKING OFFICIAL BALLOT PAPERS WITH OFFICIAL MARK

(Number of instruments in envelope)

Date.....

Ward/Voting Station.....

*(To be sealed with official seal by Presiding Officer)***Name of Authority*

Reg 65(c)
73(1)(c)&(e)

ER26(A)

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

DECLARATION OF NUMBER OF VOTES - PARTIES - TMC

Date

Ward

I declare that at the election in the abovementioned ward the total number of votes given for each party is as follows:

PARTY	TOTAL NUMBER OF VOTES
.....
.....
.....
.....
.....
.....

Date

Signature of Returning Officer

* Name of Authority

Reg 65(c)
73(1)(c)&(e)

ER 26(B)

.....LOCAL AUTHORITY*

DECLARATION OF RESULT (PARTIES) -TMS/TLC ELECTION

Date

I declare that at the election for proportional representation the total number of votes given for each party in the order in which they appeared on the ballot paper is as follows:

PARTY	NUMBER OF VOTES	
.....	
.....	
.....	
.....	TOTAL

The number of votes cast for each party in each ward will be made available upon request.

The quota of votes per seat is

The number of seats awarded for each party in the order in which they appeared on the ballot paper is as follows:

PARTY	SEATS
.....
.....
.....

The following candidates in alphabetical order appearing on the party list shall now serve as councillors representing the above parties.

NAME	PARTY
.....
.....
.....
.....
.....
.....
.....

Date

Signature of Returning Officer

*Name of TMS/TLC

Reg 65(c)
73(1)(c)&(e)

ER 26(C)

.....TRANSITIONAL METROPOLITAN COUNCIL

DECLARATION OF RESULT (PARTIES)

Date.....

I declare that at the election for proportional representation in the metropolitan council the total number of votes given for each party is as follows:

PARTY	NUMBER OF VOTES
.....
.....
.....
.....
.....

TOTAL NO OF VOTES

The number of votes cast for each party in each substructure will be made available upon request.

The quota of votes per seat is

The number of seats awarded for each party is as follows:

PARTY	SEATS
.....
.....
.....
.....

The following candidates in alphabetical order on the party list shall now serve as councillors representing the above parties.

NAME	PARTY
.....
.....
.....
.....
.....
.....
.....

Signature of Returning Officer

Reg 65(c)
73(1)(c)&(e)

ER26(D)

.....LOCAL AUTHORITY

DECLARATION OF RESULT (WARD CANDIDATES)

Date

Ward

I declare that at the election in the abovementioned ward the total number of votes given for each candidate in the order in which they appear on the ballot paper is as follows:

CANDIDATES**TOTAL NUMBER OF VOTES**

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

The following candidates has/have been elected as Councillor(s) for the above ward.

.....

.....

.....

.....

.....

Date

Signature of Returning Officer

Reg 72(1)(a)
72(2)(c)

Label ER 27(A)

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

COUNTED BALLOT PAPERS - TRANSITIONAL METROPOLITAN COUNCIL

Date.....

Voting Station

**Name of Authority*

(To be placed in bag/box ER 33)

Reg 72(1)(a)
72(2)(c)

Label ER 27(B)

.....LOCAL AUTHORITY

COUNTED BALLOT PAPERS - PROPORTIONAL VOTING - *TRANSITIONAL
METROPOLITAN SUBSTRUCTURE/TRANSITIONAL LOCAL COUNCIL

Date.....

Ward/Voting Station

**Delete what is not applicable*

(To be placed in bag/box ER 33)

Reg 72(1)(a) .
72(2)(c)

Label ER 27(C)

.....LOCAL AUTHORITY

COUNTED BALLOT PAPERS - WARD CANDIDATES

Date.....

Ward/Voting Station

(To be placed in bag/box ER 33 by Returning Officer after counting of votes)

Reg 72(1)(b)
72 (1) (c)

Label ER28(A)

.....LOCAL AUTHORITY

REJECTED BALLOT PAPERS - PROPORTIONAL VOTING

Date.....

Ward/Voting Station.....

(To be placed in bag/box ER 33)

Reg 72(1)(b)
72(2)(c)

Label ER28(B)

.....LOCAL AUTHORITY

REJECTED BALLOT PAPERS - TRANSITIONAL METROPOLITAN COUNCIL

Date.....

Voting Station.....

(To be placed in bag/box ER 33)

Reg 72(1)(b)
72(2)(c)

Label ER 28(C)

.....LOCAL AUTHORITY

REJECTED BALLOT PAPERS - WARD CANDIDATES

Date.....

Ward/Voting Station.....

(To be placed in bag/box ER 33 by Returning Officer after counting of votes)

Reg 32(1)(c)&(d)
35(2)(a)&(b)

Envelope ER 29(A)

.....LOCAL AUTHORITY

Date.....

Ward/Voting Station.....

THIS ENVELOPE CONTAINS:

**APPOINTMENT OF ELECTION OFFICERS
(FORMS ER 6)**

**DECLARATIONS RELATING TO SECRECY (FORMS ER9)
HANDED TO RETURNING OFFICER.**

(To be placed in bag/box ER 33 by Returning Officer after counting of votes)

Reg 32(1)(c)&(d)
35(2)(a)&(b)

Envelope ER 29(B)

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

Date.....

Voting Station.....

THIS ENVELOPE CONTAINS:

APPOINTMENT OF ELECTION OFFICERS (FORMS ER 6)

DECLARATIONS RELATING TO SECRECY (FORMS ER 9)
HANDED TO RETURNING OFFICER.

**Name of Authority*

Reg 72(1)(a)
Reg 81(3)(a)
Reg 81(4)

ER 30(A)

.....TRANSITIONAL AUTHORITY*

COUNTED BALLOT PAPER ACCOUNT

WARD VOTING

Date

Transitional Authority**; or

Ward**; or

Voting Station**

A Total Ballot Papers counted from
Ballot Box (Reg.69(2)(d)) Total.....

B Total Ballot Papers rejected and
not counted (Reg. 71) Total.....

C Total valid ballot papers
counted: (A minus B) Total.....

Signature of Returning Officer/Deputy Returning Officer

* Name of TMS/TLC

** Identify and name whether this account relates to a voting station only; or to a ward i.e., comprising a total of voting stations; or to a transitional authority i.e., comprising a total of wards.

Reg 72(1)(a)
 Reg 81(3)(a)
 Reg 81(4)

ER 30(B)

.....TRANSITIONAL AUTHORITY*

COUNTED BALLOT PAPER ACCOUNT

PROPORTIONAL VOTING

Date

Transitional Authority**.....; or
 Ward**.....; or
 Voting Station**.....

A	Total Ballot Papers counted from Ballot Box (Reg.69(2)(d))	Total.....
B	Total Ballot Papers rejected and not counted (Reg. 71)	Total.....
C	Total valid ballot papers counted: (A minus B)	Total.....

 Signature of Returning Officer/Deputy Returning Officer

* Name of TMC/TMS/TLC

** Identify and name whether this account relates to a voting station only; or to a ward i.e., comprising a total of voting stations; or to a transitional authority i.e., comprising a total of wards.

Reg 72(1)(a)

Envelope ER31(A)

.....TMS/TLC*

COUNTED BALLOT ACCOUNT (FORM ER 30A) WARD VOTING

Date

Transitional Authority**

Ward**

VotingStation**

*Name of Authority
 **Identity and name whether this account relates to a voting station only; or to a ward i.e., comprising a total of voting stations; or to a transitional authority i.e., comprising a total of wards.

Reg 72(1)(a)

Envelope ER31(B)

.....TMS/TLC*

COUNTED BALLOT ACCOUNT (FORM ER 30 B) PROPORTIONAL VOTING

Date

Transitional Authority**

Ward**

Voting Station**

Name of Authority**Identity and name whether this account relates to a voting station only; or to a ward i.e., comprising a total of voting stations; or to a transitional authority i.e., comprising a total of wards.*

Reg 72(1)(a)

Envelope ER31(C)

.....TMC* ELECTION CONDUCTED BY

.....TMS

COUNTED BALLOT ACCOUNT (FORM ER 30 B) TRANSITIONAL METROPOLITAN COUNCIL VOTING

Date

Transitional Authority**

Ward**

VotingStation**

**Name of Authority*

***Identity and name whether this account relates to a voting station only; or to a ward i.e., comprising a total of voting stations; or to a transitional authority i.e., comprising a total of wards.*

Reg 81(3)(a)
Reg 81(4)

ER32(A)

.....TMS/TMC* ELECTION - CONDUCTED BY
.....TMS*

DECLARATION OF NUMBER OF VOTES - PARTIES - TMC

Date

Ward**

Voting Station**

I declare that at the election in the abovementioned ward the total number of votes given for each party is as follows:

PARTY	TOTAL NUMBER OF VOTES
.....
.....
.....
.....
.....
.....

Date

Signature of Returning Officer

* Name of TMS/TLC
**Identify and name whether this result relates to a voting station only; or to a ward i.e., comprising a total of voting stations; or to more than one ward.

Reg 81(3)(a)
Reg 81(4)

ER32(B)

.....LOCAL AUTHORITY

DECLARATION OF NUMBER OF VOTES (WARD CANDIDATES)

Date

Ward *.....

Voting Station *.....

I declare that at the election in the abovementioned ward the total number of votes given for each candidate in the order in which they appear on the ballot paper is as follows:

CANDIDATES

TOTAL NUMBER OF VOTES

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Date

Signature of Deputy Returning Officer

** Identity and name whether this result relates to a voting station only; or to a ward i.e., comprising a total of voting stations; or to more than one ward.*

Label ER33(A)

FOR USE BY RETURNING OFFICER

.....LOCAL AUTHORITY

BAG/BOX CONTAINING ALL ELECTION DOCUMENTS

Election Date.....

Ward/Voting Station.....

ELECTION TYPE:***TRANSITIONAL METROPOLITAN SUBSTRUCTURE****TRANSITIONAL LOCAL COUNCIL******Delete what is not applicable***

Label ER 33(B)

FOR USE BY RETURNING OFFICER

.....TMC* ELECTION - CONDUCTED BY
.....TMS*

BAG/BOX CONTAINING ALL ELECTION DOCUMENTS

Election Date

Ward/Voting Station.....

** Name of Authority*

Reg 77(2)&(3)

ER34

.....LOCAL AUTHORITY*

RESULT TRANSMITTAL FORM (PARTY)

To: Metropolitan Returning Officer
Transitional Metropolitan Council

From: The Returning Officer

..... Local Authority*

The result of the TMC election held on(date) under my jurisdiction is as follows:

Party	Number of Votes received
.....
.....
.....
.....
.....
.....
.....

No of spoilt ballot papers =

Signature of Returning Officer

Date

*(Name of TMS conducting election)

Reg 77(3)

ER 35

From: Metropolitan Returning Officer
.....TMC

To: Returning Officer
.....TMS

NOTIFICATION OF PLACE TO WHERE TMC ELECTION RESULTS MUST BE TRANSMITTED

The results of the TMC election held under your jurisdiction must be transmitted to:

.....(Name of M.R.O.)

.....(Venue)

.....(Facsimile No.)

.....(Tel. no.)

Signature: TMC Returning Officer

Date

Schedule 1

Division of Seats

No of Seats	60%	40%	No of Seats	60%	40%
6	4	2	64	38	26
7	4	3	65	40	25
8	4	4	66	40	26
9	6	3	67	40	27
10	6	4	68	40	28
11	6	5	69	42	27
12	8	4	70	42	28
13	8	5	71	42	29
14	8	6	72	44	28
15	10	5	73	44	29
16	10	6	74	44	30
17	10	7	75	46	29
18	10	8	76	46	30
19	12	7	77	46	31
20	12	8	78	46	32
21	12	9	79	48	31
22	14	8	80	48	32
23	14	9	81	48	33
24	14	10	82	50	32
25	16	9	83	50	33
26	16	10	84	50	34
27	16	11	85	52	33
28	16	12	86	52	34
29	18	11	87	52	35
30	18	12	88	52	36
31	18	13	89	54	35
32	20	12	90	54	36
33	20	13	91	54	37
34	20	14	92	56	36
35	22	13	93	56	37
36	22	14	94	56	38
37	22	15	95	58	37
38	22	16	96	58	38
39	24	15	97	58	39
40	24	16	98	58	40
41	24	17	99	60	39
42	26	16	100	60	40
43	26	17	101	60	41
44	26	18	102	62	40
45	28	17	103	62	41
46	28	18	104	62	42
47	28	19	105	64	41
48	28	20	106	64	42
49	30	19	107	64	43
50	30	20	108	64	44
51	30	21	109	66	43
52	32	20	110	66	44
53	32	21	111	66	45
54	32	22	112	68	44
55	34	21	113	68	45
56	34	22	114	68	46
57	34	23	115	70	45
58	34	24	116	70	46
59	36	23	117	70	47
60	36	24	118	70	48
61	36	25	119	72	47
62	38	24	120	72	48
63	38	25	121	72	49

PREMIER'S NOTICE

Premier's Notice 10

27 December 1994

DEPARTMENT OF HOUSING AND LOCAL GOVERNMENT

LOCAL GOVERNMENT TRANSITION ELECTION REGULATIONS, 1993

In terms of regulation 3 (1) of the Regulations, I, Ouneas Pakes Dikgetsi, hereby determine **27 January 1995** to be the date envisaged in the said subregulation.

O. P. DIKGETSI,

Member of the Executive Council for Housing and Local Government.


Use it

Don't abuse  it

water is for everybody



Werk mooi daarmee

Ons leef  daarvan

water is kosbaar

PROKLAMASIE

PROKLAMASIE

No. 65, 1994

DEPARTEMENT VAN BEHUISING EN PLAASLIKE REGERING

OORGANGSWET OP PLAASLIKE REGERING, 1993
(WET No. 209 VAN 1993)

VERKIESINGSREGULASIES

Die Lid van die Uitvoerende Raad vir Plaaslike Regering het kragtens artikel 9 van die Oorgangswet op Plaaslike Regering, 1993 (Wet No. 209 van 1993), die regulasies gemaak soos uiteengesit in die Bylae hiertoe.

O. P. DIKGETSI,

Verantwoordelike Lid van die Uitvoerende Raad.

NOTA:

Bylaes in die ander amptelike tale van die Provinsie sal so gou as dit prakties moontlik is gepubliseer word.

INHOUDSOPGAWEVERKIESINGSREGULASIES VIR PLAASLIKE REGERING

REGULASIE	ITEM	
1	WOORDOMSKRYWING	HOOFSTUK 1
		HOOFSTUK 2
		KWALIFIKASIE VAN KIESERS
2	Stemreg	
		HOOFSTUK 3
		KIESERSLYS
3	Saamstel van lys	
4	Eise en Besware	
5	Instelling van Hersieningshof	
6	Bevoegdhede, Werkzaamhede en pligte van Hersieningshof	
7	Sertifisering en ondertekening van kieserslys	
8	Hersiening van Kieserslyste	
9	Weglating	
10	Kieserslys - uitgawes	
11	Verteenwoordiging deur plaaslike Regeringsliggaam	
12	Oortredings	
		HOOFSTUK 4
		SETELS EN WYKE
13	Inleiding	
	Getal setels	

HOOFSTUK 5

KWALIFIKASIES: STEMMING EN NOMINASIES

Stemming volgens Wyke

Stemming volgens Proporsionele
Verteenwoordiging

Stembriewe

Kwalifikasies vir Nominasie en Verkiesing

HOOFSTUK 6

REGISTRASIE EN NOMINASIE

Verkiesing deur Proporsionele
Verteenwoordiging en deur Wyke

Kennisgewing ten opsigte van Nominasies en
Registrasie

Registrasie van Partye: Verkiesing volgens
Proporsionele Verteenwoordiging

Verwerping van Aansoeke

Publikasie van lyste

Nominasie vir Wyksverkiesings

HOOFSTUK 7

AANSTELLING, MAGTE EN PLIGTE VAN VERKIESINGSBEAMPTES

Aanstelling en Verantwoordelikhede

Verkiesingsbeamptes

Verkiesingsbeamptes moet onpartydig wees

Agente en bodes

Verklarings wat Verband hou met
Geheimhouding

REGULASIE	ITEM
	HOOFSTUK 8
	VOORBEREIDING VIR VERKIESING
36	Druk van Stembriewe vir Wyke
36(4)	Druk van Stembriewe vir Proporsionele Verteenwoordiging
37	Stembusse
38	Amptelike Merk en Instrumente
39	Bepaling van Tyd en Plek vir Telling en van Plek vir Aflewering van Verkiesingsmateriaal
40	Voorsiening van Verkiesingsmateriaal
	HOOFSTUK 9
	BEHEER, VOORBEREIDING EN OPENING VAN STEMLOKALE
41	Stemgebiede
42	Persone wat Stemlokale mag betree
43	Toerusting en Meubels vir Stemlokale
44	Rangskikking Binne 'n Stemlokaal
45	Ure van stemming en Aankoms by Stemlokaal
46	Plakkaat buite Stemlokaal
47	Voorbereiding van Stemkompartemente
48	Seël van Stembusse
49	Opening van Stemlokale en Amptelike Merkkoeverte
	HOOFSTUK 10
	HOU VAN STEMMING
50	Periodieke Inspekjsie van Stemburo en Stemkompartemente
51	Toelating tot Stemkompartemente
52	Inmenging met Kiesers
53	Vrae aan kiesers

REGULASIE	ITEM
54	Uitreiking van Stembriewe
55	Bystand aan kiesers deur Verkiesingsbeampes
56	Merk en Verwydering van Stembriewe
57	Inspeksie van Stembriewe en Stembriewe sonder Amptelike Merk
58	Ongeletterde, Blinde of Gestremde kiesers
59	Beswaar teen kieser
60	Bedorwe stembriewe
	HOOFSTUK 11
	AFSLUITING VAN STEMMERY EN DIE OPMAAK EN AFLEWERING VAN VERKIESINGSMATERIAAL
61	Afsluiting van Stemmer
62	Opmaak van Verkiesingsmateriaal
63	Aflewering van Verkiesingsmateriaal aan Stembeampes
	HOOFSTUK 12
	TEL VAN STEMME EN AANKONDIGING VAN UITSLAE
64	Beheer van Plek vir die Tel van Stemme
65	Vereistes vir die Tel van Stemme
66	Tel
67	Pligte en Funksies van Telbeampes
68	Kontrole van Verkiesingsmateriaal
69	Prosedure by Tel van Stemme
70	Tel van Stemme
71	Kiesbeampes besluit oor Stembriewe wat Opsygesit is
72	Afsluiting van Stemtelling

REGULASIE	ITEM
	HOOFSTUK 13
	VASSTELLING VAN DIE UITSLAG
	STEMMING VOLGENS WYKE
73	Aankondiging van die uitslag: Wyke
	Stemming volgens proporsionele verteenwoordiging Plaaslike Oorgangsraad of Metropolitaanse Oorgangsubstruktuur
74	Vasstelling van Kwota
75	Toekenning van Setels
	Metropolitaanse Oorgangsraad Bepaling van stemming en die kwota
77	Oorsending en Ontvangs van Teltotale
78	Vasstelling van die Kwota
79	Aanvulling van Lys en Vakatures
80	Ampsaanvaarding en Ampstermyn
	Adjunkkiesbeampte
81	Funksies en oordrag van Uitslae en Totale
	HOOFSTUK 14
82	Die vul van verkose en genomineerde Setels
	HOOFSTUK 15
	NOMINASIES UIT SUBSTRUKTURE VIR METROPOLITAANSE OORGANGSRAAD
84	Persentasie en Kwotas
	HOOFSTUK 16
	ALGEMEEN EN OORTREDINGS/MISSTAPPE
89	Opening of Inspeksie van Verkiesingsmateriaal
90	Verkiesingskomitee
91	Aanplakbiljette en Plakkers

REGULASIE	ITEM
92	Skadeloosstelling
93	Gelde betaalbaar aan Verkiesingsbeampes
94	Vorms, Etiketie en Koeverte
95	Bevoegdheid om by Versuim op te Tree
96	Bevoegdhede van die Hof
97	Geldigverklaring
98	Kieser mag nie versoek word om te openbaar hoe hy gestem het nie
99	Geheimhouding
100	Verbod op sekere Politieke Bedrywighede Gedurende Sekere Tydperk Voor en Na die Verkiesingstydperk
HOOFSTUK 17	
MISDRYWE EN STRAWWE	
101	Inmenging met Verkiesingsprosedure
102	Skending van geheimhouding
103	Onbehoorlike beïnvloeding
104	Omkopery
105	Uitgee vir ander
106	Verbod op bemoeiing met stemmateriaal en verkiesingsmateriaal
107	Verbod op ongemagtigde druk, vervaardiging en verskaffing van stemmateriaal en verkiesingsmateriaal
108	Verbod op Bemoeiing met vrye politieke werwing en veldtogvoering
109	Verbod op doen van opsetlik vals verklarings of publisering van vals inligting
110	Ander oortredings
111	Strawwe
112	Diverse Oortredings
113	Oortredings gerapporteer aan die staatsaanklaer
114	Toepassing van Regulasies

[illegible]

HOOFSTUK 1

WOORDOMSKRYWING

- 1 (1) In hierdie regulasies, tensy uit die samehang anders blyk, beteken;
 - (i) "adres", 'n wyse van identifikasie van 'n plek wat presies voldoende is om 'n persoon soos bedoel in regulasie 2, en wat gewoonlik in die regsgebied van 'n oorgangsraad woonagtig is of regtens aanspreeklik is vir die betaling van eiendomsbelasting, huurgeld, dienstegeld of heffings aan daardie oorgangsraad, op 'n kieserslys te registreer, ten einde sy of haar stem by 'n stemburo in 'n wyk of gedeelte van 'n wyk geleë, uit te oefen;
 - (ii) "adverteer", publiseer;
 - (iii) "amptelike taal", enige taal wat kragtens artikel 3(5) van die Grondwet tot amptelike taal verklaar is;
 - (iv) "bestel", met betrekking tot 'n kennisgewing of ander kommunikasie gerig aan 'n persoon;
 - (a) aflewering per hand aan hom persoonlik; of
 - (b) aflewering by sy jongste bekende woonplek, besigheid of beroep aan 'n persoon wat blykbaar 18 jaar of ouer is en woonagtig of in diens is of by daardie plek sake doen; of
 - (c) aan hom of haar by sy jongste bekende woonplek, besigheid of beroep per voorafbetaalde geregistreerde of aangetekende pos, gepos;
- en het "beteken" dieselfde betekenis;
- (v) "dag", 'n tydperk van vier en twintig opeenvolgende ure wat om middernag begin en 'n Saterdag, Sondag of openbare vakansiedag soos bedoel in die Wet

op Openbare Feesdae soos bedoel in die Wet op Openbare Feesdae, 1952 (Wet 5 van 1952), insluit;

- (vi) **"gewoonlik woonagtig"**, met betrekking tot enige persoon, die tuiste of plek waar hy of sy gewoonlik woon en waarheen hy of sy na enige tydperk van tydelike afwesigheid gereeld terugkeer;
- (vii) **"Grondwet"**, die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet 200 van 1993);
- (viii) **"hoof-uitvoerende beampte"**, die hoof-uitvoerende beampte of waarnemende hoof-uitvoerende beampte van 'n oorgangsraad ongeag die benaming van die pos wat daardie beampte beklee;
- (ix) **"identiteitsdokument"**,
 - (a) 'n identiteitsdokument of tydelike identiteitsertifikaat kragtens die Wet op Identifikasie, 1986 (Wet 72 van 1986) of enige ander toepaslike wet van die Republiek, na gelang van die geval uitgereik;
 - (b) 'n bewysboek kragtens die herroepe Wet op Swartes (Afskaffing van Passe en Koördinering van Dokumente), 1952 (Wet 67 van 1952) uitgereik;
 - (c) 'n identiteitsdokument bedoel by artikel 13 van die Bevolkingsregistrasiewet, 1950 (Wet 30 van 1950); of
 - (d) 'n geldige reisdokument kragtens enige wet van die Republieke van Transkei, Bophuthatswana, Venda en Ciskei uitgereik.
- (x) **"identiteitsnommer"**, die amptelike reeksnommer op 'n identiteitsdokument aangebring;
- (xi) **"kandidaat"**, enige persoon soos bedoel by regulasie 26(2) of 29(4) wie se nominasie aanvaar is en ten opsigte van wie se party of met betrekking tot wie 'n stemming gehou sal word;
- (xii) **"kiesbeampte"**, die persoon kragtens regulasie 30(1) aangestel en sluit enige verkiesingsbeampte wat wettig in sy plek optree, in;

- (xiii) **"kieserslysbeampte"**, die persoon kragtens regulasie 3(2) aangestel en sluit enige persoon wat wettig in sy of haar plek optree in;
- (xiv) **"metropolitaanse kiesbeampte"**, die persoon kragtens regulasie 30(1) as kiesbeampte vir 'n metropolitaanse oorgangsraad aangestel en sluit enige verkiesingsbeampte wat wettig namens hom of haar optree, in;
- (xv) **"metropolitaanse oorgangsubstruktuur"**, 'n metropolitaanse oorgangstruktuur soos bedoel by artikel 1(vi) van die Wet;
- (xvi) **"metropolitaanse oorgangsraad"**, 'n metropolitaanse oorgangsraad soos omskryf by artikel 1(v) van die Wet;
- (xvii) **"naam"**, met betrekking tot 'n kieserslys, 'n van gevolg deur 'n naam of name gewoonlik daaraan voorafgaande;
- (xviii) **"nominasiedag"**, die dag vir die benoeming van kandidate en partye ingevolge regulasie 23(1)(b);
- (xix) **"oorgangsraad"**, 'n plaaslike oorgangsraad, metropolitaanse oorgangsubstruktuur of metropolitaanse oorgangsraad;
- (xx) **"party"**, enige plaaslike organisasie, liggaam of vrywillige vereniging met die oogmerke en doelstellings wat, onder andere, toepaslik is op plaaslike regeringsake en 'n politieke party wat kragtens Hoofstuk IV van die Kieswet, 1993 (Wet 202 van 1993) geregistreer is, insluit;
- (xxi) **"plaaslik"**, met betrekking tot 'n party, 'n party wat binne die regsgebied van die oorgangsraad 'n kantoor bedryf of 'n adres het;
- (xxii) **"plaaslike oorgangsraad"**, 'n plaaslike oorgangsraad soos omskryf by artikel 1(xi) van die Wet;
- (xxiii) **"Premier"**, die Premier soos bedoel by Artikel 144 (1) van die Grondwet, en sluit die bevoegde gesag deur hom of haar vir doeleindes van die administrasie van die Wet aangewys, in;

- (xxiv) "**publiseer**", 'n publikasie in elke amptelike taal van die Provinsie in een of meer koerante wat sodanige taal substansieel gebruik of tensy anders blyk, in een of meer koerante wat algemeen binne die gebied van die oorgangsraad sirkuleer;
 - (xxv) "**raad**", die raad van 'n oorgangsraad;
 - (xxvi) "**stemburo**", enige plek soos bedoel by regulasie 41(1)(a);
 - (xxvii) "**verkiesing**", 'n verkiesing soos beoog by artikel 9(1) van die Wet;
 - (xxviii) "**verkiesingsbeampte**", die metropolitaanse kiesbeampte, die kiesbeampte en enige beampte soos bedoel by regulasie 31;
 - (xxix) "**verkiesingsmateriaal**", enige vorm, verklaring of item soos bedoel by regulasie 40;
 - (xxx) "**verkiesingstydperk**", die tydperk vanaf nominasiedag totdat die stemburo's sluit; en
 - (xxxi) "**Wet**", die Oorgangswet op Plaaslike Regering, 1993 (Wet 209 van 1993).
- (2) Enige term of uitdrukking in hierdie regulasies gebruik wat nie hierin omskryf is nie, sal die betekenis dra wat deur die Wet aan daardie term of uitdrukking geheg is.

HOOFSTUK 2

KWALIFIKASIE VAN KIESERS

Stemreg

- 2 (1) Enige natuurlike persoon wat;
- (a) (i) 'n Suid-Afrikaanse burger is; of
 - (ii) nie 'n Suid-Afrikaanse burger is nie maar wat kragtens 'n wet van die Parlement die reg tot stemreg verleen is; en

(b) 18 jaar oud of ouer is; en

(c) gewoonlik woonagtig is binne die regsgebied van 'n oorgangsraad of kragtens wet aanspreeklik is vir die betaal van eiendomsbelasting, huur, dienstegeld of heffings aan die betrokke oorgangsraad,

sal geregtig wees om op die kieserslys ingesluit te word van daardie oorgangsraad en sal geregtig wees om in 'n verkiesing vir lede van 'n oorgangsraad te stem: Met dien verstande dat enige persoon kragtens hierdie regulasies geregtig is om een stem vir so 'n oorgangsraad uit te bring.

(2) Ondanks die bepalings van subregulasie (1), sal geen persoon daarop geregtig wees om ingesluit te word op die kieserslys van 'n oorgangsraad of daarop geregtig wees om te stem in 'n verkiesing vir lede van 'n oorgangsraad nie, indien hy of sy;

(a) aan 'n hofbevel wat hom swaksinnig of geestelik versteurd of ongesteld verklaar onderworpe is;

(b) as 'n geestesongestelde kragtens die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973), of enige ander toepaslike wet van die Republiek, na gelang van die geval aangehou word;

(c) kragtens die Wet op Voorkoming en Behandeling van Dwelmafhanklikheid, 1992 (Wet 20 van 1992), of enige ander toepaslike wet van die Republiek, na gelang van die geval aangehou word; of

(d) in 'n gevangenis op grond van 'n skuldigbevinding en vonnis tot gevangenisstraf sonder die keuse van 'n boete ten opsigte van enige van die volgende misdrywe waarby geweld of oneerlikheid betrokke is, ongeag enige ander straf ten opsigte van 'n misdryf nie hieronder vermeld nie, gelyklopend met die eersgenoemde uitdien, aangehou word;

(i) moord, strafbare manslag, verkragting, onsedelike aanranding, kinderroof, aanranding met die opset om ernstig te beseer, roof,

kwaadwillige saakbeskadiging en inbraak by enige perseel met die opset om 'n misdryf te pleeg; of

- (ii) enige poging om enige misdryf te pleeg soos bedoel in subparagraaf (i).

(3) Vir doeleindes van subregulasie (1)(c) beteken die woord;

- (a) "aanspreeklik", aanspreeklik met betrekking tot 'n adres binne die regsgebied van 'n oorgangsraad kragtens artikel 8(2) van die Wet afgebaken en word enige groter regsgebied kragtens enige ander wet ingestel, uitgesluit; en
- (b) "regsgebied", die regsgebied kragtens artikel 8(2) van die Wet afgebaken.

(4) Die onus om as kieser geregistreer te word, rus op die betrokke kieser.

HOOFSTUK 3

KIESERSLYS

Saamstel van Lys

- 3 (1) Elke oorgangsraad sal nie later nie as 'n datum of datums wat deur die Premier by kennisgewing in die Provinsiale Koerant afgekondig is, publiseer dat hy van voorneme is om 'n kieserslys saam te stel en enige natuurlike persoon wat daarop geregtig is om in sodanige kieserlys ingesluit te word, oproep om binne 'n tydperk van nie minder nie as negentig dae vanaf bogenoemde datum of datums as kieser geregistreer te word: Met dien verstande dat met die goedkeuring van of in opdrag van die Premier deur publikasie van 'n verdere kennisgewing sodanige tydperk verleng sal word.
- (2) Elke oorgangsraad moet die volgende aanstel of aanwys :

- (a) 'n kieserslysbeampte in sy diens wat namens hom verantwoordelik sal wees vir die opstel van 'n kieserslys asook
 - (b) sodanige werknemers of ander persoon of persone wat nodig mag wees om met die opstel daarvan behulpsaam te wees teen sodanige vergoeding wat hy mag bepaal.
- (3) 'n Persoon wat aansoek doen om as kieser geregistreer te word sal 'n eis in ooreenstemming met vorm ER1 indien.
- (4) Enige persoon wat eis om as 'n kieser geregistreer te word, moet die inligting in vorm ER1 verlang, verskaf en indien die kieserslysbeampte tevrede is dat sodanige persoon ingevolge regulasie 2 kwalifiseer om as kieser te registreer, word sodanige persoon se naam en besonderhede op die kieserslys ingesluit.
- (5)
 - (a) By verstryking van die tydperk bedoel in subregulasie (1), sal elke oorgangsraad 'n lys voorberei met die name van gekwalifiseerde persone om as kiesers vir die verkiesing geregistreer te word en sodanige lys moet :
 - (i) 'n reeksnommer uniek ten opsigte van elke naam bevat;
 - (ii) die identiteitsnommer van elke persoon wat aanspraak maak op registrasie, bevat;
 - (iii) in alfabetiese volgorde volgens vanne wees;
 - (iv) die adres waarmee die aanspraak verband hou vermeld; en
 - (v) die gronde vir kwalifikasie of aanspraak aandui..
 - (b) Elke bladsy van 'n kieserslys sal opeenvolgend genummer en die naam van die oorgangsraad en die jaar waarmee dit verband hou, aandui; en waar sodanige lys in dele verdeel is, moet elke bladsy van sodanige deel ook die wyk en stemburo waarmee dit verband hou, aandui.
- (6)
 - (a) 'n Kieserslys soos gesertifiseer en goedgekeur vir 'n plaaslike oorgangsraad of vir 'n metropolitaanse oorgangsubstruktuur sal verdeel word in dele volgens die wyke waarin die regsgebied van sodanige plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur verdeel is.

- (b) Elke wyk sal, tensy skriftelike magtiging deur die Premier tot die teendeel verleen is, in dele in ooreenstemming met die voorskrifte vervat in regulasie 41(3)(c) verdeel word en die kieserslys van enige wyk aldus verdeel, sal in sodanige dele verdeel word.
 - (c) 'n Kieserslys soos gesertifiseer en goedgekeur vir 'n metropolitaanse oorgangsraad sal verdeel word in dele in ooreenstemming met die regsgebied van elke metropolitaanse oorgangsubstruktuur binne die metropolitaanse oorgangsraadgebied, en daarna verder in dele wat presies ooreenstem met die wyke en dele van sodanige wyke, indien enige, vir elke sodanige metropolitaanse oorgangsubstruktuur.
 - (d) 'n Kieserslys in dele verdeel, moet aan die vereistes van subregulasie (5)(a) ten opsigte van elke sodanige deel voldoen.
 - (e) 'n Kieser sal in 'n wyk of deel daarvan by die stemburo waar sy naam op die kieserslys vir sodanige wyk of deel daarvan verskyn, stem.
- (7) Wanneer enige eiser;
- (a) kragtens wet aanspreeklik is vir die betaling van belasting, huur, dienstegeld of heffings ten opsigte van meer as een adres; of
 - (b) aldus aanspreeklik is ten opsigte van 'n adres behalwe die plek waar hy of sy gewoonlik woonagtig is; of
 - (c) gewoonlik op meer as een plek woonagtig is
- binne die regsgebied van dieselfde oorgangsraad, sal sodanige eiser daarop geregtig wees om slegs een keer opgeneem te word op die kieserslys van sodanige oorgangsraad en sal hy of sy tydens eis om registrasie, een sodanige adres identifiseer as die plek vir opname, by gebreke waaraan die verkiesingslysbeampte sodanige identifikasie sal maak.
- (8) (a) Die kieserslysbeampte mag die name en besonderhede van enige persoon ten opsigte van wie 'n eis op vorm ER1 nie gemaak of ontvang is nie, maar wie se besonderhede die benodigde inligting vir subregulasie 5(a) verskaf, op grond waarvan die kieserslysbeampte

oortuig is dat sodanige persoon ingevolge regulasie 2 kwalifiseer om as kieser geregistreer te word, op die kieserslys insluit.

- (b) 'n Eis op 'n vorm wesenlik in ooreenstemming met vorm ER1 ontvang voor die datum of datums kragtens subregulasie (1) afgekondig, is 'n geldige eis en sal deur die kieserslysbeampte in berekening gebring word.
- (9) Die kieserslysbeampte sal gedurende die tydperk bedoel in regulasie 3(1), verseker dat;
 - (a) 'n voldoende voorraad vorms ER1 en ER2, en een of meer prominente plekke of veilige bewaarplekke vir die aflewering van eise per hand, duidelik geïdentifiseer, beskikbaar en te alle tye gedurende normale kantoorure toeganklik vir die publiek, by elke kantoor van die betrokke oorgangsraad is; en
 - (b) 'n redelike hoeveelheid vorms ER1 op versoek, aan 'n party of persoon wat die kieserslysbeampte oortuig van 'n *bona fide* bedoeling om die indiening van eise, kosteloos vir enige eiser, te werf of te vergemaklik, beskikbaar gestel word.
- (10) Niks hierin vervat, sal vertolk word as vereiste dat enige persoon fisies of persoonlik aanwesig moet wees op enige plek of kantoor ten einde sy of haar eis om registrasie as kieser in te dien, of as verbod op enige persoon om 'n eis per gewone pos aan die kieserslysbeampte by die adres op vorm ER1 vir die toepaslike oorgangsraad gespesifiseer te pos nie.
- (11) Waar geen adres bestaan nie, sal die oorgangsraad stappe neem ter vasstelling of identifikasie van 'n adres vir elke perseel binne sy jurisdiksie vir die doeleindes van eise en die voorbereiding van die kieserslys.
- (12) (a) Vir doeleindes van regulasie 3(1) sal die datum deur die Premier aangekondig, nie minder as agt en twintig dae na die uitvaardiging van hierdie regulasie wees nie.
- (b) Ondanks die bepalinge van paragraaf (a), sal die datum deur die Premier aangekondig nie later as 27 Januarie 1995 wees nie.

Eise en Besware

4 (1) Die kieserslysbeampte publiseer 'n kennisgewing;

- (a) wat vermeld dat 'n kopie van sodanige lys gedurende gewone kantoorure ter insae lê by die kantoor of kantore van die oorgangsraad en by enige ander plek of plekke deur die kieserslysbeampte bepaal, gedurende die ure vanaf 06:00 tot 22:00 daaglik, Saterdag, Sondag en enige openbare feesdae ingesluit, vir 'n tydperk van een en twintig dae vanaf 'n datum gespesifiseer in sodanige kennisgewing, welke datum nie later as sewe dae na verstryking van die tydperk waarna in regulasie 3(1) verwys word, sal wees nie;
- (b) wat 'n beroep op elke persoon doen wie se naam nie op sodanige lys verskyn nie en wat glo dat hy of sy daarop geregtig is om as kieser geregistreer te word en enige persoon wat enige beswaar het teen die registrasie van enige persoon wie se naam op sodanige lys verskyn;
 - (i) en 'n skriftelike eis of beswaar op die voorgeskrewe vorm ER1 of ER2 wat by daardie kantoor of plek bedoel by paragraaf (a) beskikbaar sal wees, in te dien; of
 - (ii) ten opsigte van enige persoon wat nie kan skryf nie, persoonlik by 'n vermelde plek en tydstip te verskyn en mondelings beswaar te maak,

by die kieserslysbeampte binne 'n periode van 28 dae na die datums in die kennisgewing bedoel by paragraaf (a) gespesifiseer.

- (c) wat vermeld dat 'n lys bevattende die naam, van en besonderhede met betrekking tot elke eiser en beswaarmaker ingevolge subregulasie (b), gedurende normale kantoorure

nagegaan mag word by die kantoor van die oorgangsraad en ander plek of plekke aangewys in terme van subregulasie (a) gedurende die ure vanaf 06:00 tot 22:00 daaglik, Saterdag, Sondag en enige openbare feesdae ingesluit, tydens 'n tydperk van sewe dae wat begin sewe dae na die verstryking van die tydperk beoog in subregulasie (b);

(d) wat 'n beroep doen op elke persoon wat beswaar wil maak teen registrasie van enige persoon wie se naam op die lys bedoel in subregulasie (b) of (c) verskyn;

(i) om 'n skriftelike beswaar op die voorgeskrewe vorm ER2 in te dien; of

(ii) ten opsigte van enige persoon wat nie kan skryf nie, persoonlik by 'n vermelde plek en tyd te verskyn om 'n mondelinge beswaar in te dien,

by die kieserslysbeampte binne 'n tydperk van sewe dae vanaf die verstryking van die tydperk beoog in paragraaf (c);

(e) wat een of meer dae bepaal, wat nie minder as sewe en nie meer as veertien dae na die verstryking van die tydperk in paragraaf (d) bedoel sal wees nie, en een of meer plekke vir sitting van die hersieningshof om eise en besware aan te hoor : Met dien verstande dat minstens een dag 'n Saterdag of Sondag sal wees en een plek in 'n gebied in regulasie 16(1) (b) bedoel, sal wees.

(2) Die kieserslysbeampte sal;

(a) nie later as sewe dae na die verstryking van die tydperk bedoel in subregulasie (1)(b) nie, 'n lys saamstel waarop die naam van en besonderhede in verband met elke eiser ingevolge subregulasie (1)(b) uiteengesit is; en

(b) nie later as vier dae na die verstryking van die tydperk bedoel in subregulasie 1(d) nie, 'n lys saamstel waarop die naam, van en

besonderhede in verband met elke beswaarmaker ingevolge subregulasie (1)(d) uiteengesit is.

- (3) Die kieserslysbeampte sal besware teen die registrasie van alle eisers wat hy rede het om te vermoed nie daarop geregtig is om as kiesers geregistreer te word nie, by die hersieningshof indien.
- (4) Die kieserslysbeampte sal, nie minder as vier dae voor die dag bepaal vir die sitting van die hersieningshof nie, 'n kennisgewing bestel aan:
 - (a) elke persoon wie se naam op die lys verskyn of 'n lys eisers beoog in subregulasie (2) en teen wie se registrasie 'n beswaar ingedien is;
 - (b) die betrokke beswaarmaker; en
 - (c) enige eiser om registrasie as kieser teen wie se eis beswaar gemaak is, of wat deur die kieserslysbeampte verwerp is;

wat die gronde vir sodanige beswaar of verwerping uiteensit, die datum waarop dit deur die hersieningshof oorweeg sal word, en elke persoon, eiser en beswaarmaker, oproep om teenwoordig te wees; en vermeld dat sodanige beswaar nie deur die hersieningshof oorweeg sal word nie tensy sodanige beswaarmaker sodanige sitting en elke ander sitting van die hersieningshof waarheen oorweging van sodanige beswaar uitgestel word, bywoon nie :

Met dien verstande dat waar die adres van 'n eiser of beswaarmaker nie volledig genoeg is om sodanige bestelling moontlik te maak nie, die kieserslysbeampte 'n kennisgewing ten opsigte van enige een of meer eisers of beswaarmakers wesenlik in ooreenstemming met die bepalinge van hierdie subregulasie sal publiseer, of indien sodanige publikasie as gevolg van beperkings of die nie beskikbaarheid van 'n koerant of koerante nie gedoen kan word nie, die kennisgewing by die munisipale kantore naaste aan die adres van die eiser of beswaarmaker geleë, vertoon word.

- (5) Nie-ontvangs van 'n kennisgewing of gebreke in die publikasie van enige kennisgewing bedoel in subregulasie (4) sal nie die kieserslys of enige verrigting of besluit van die hersieningshof ongeldig maak nie.

- (6) Die Premier mag met inagneming van die verkiesingsdatum 'n kieserslysbeampte gelas om die getal of die ligging van plekke of sittings bedoel in subregulasie (1)(a) of (1)(b) te vermeerder en die Premier mag die vevaldatum bedoel in subregulasie (1)(e), verleng.

Instelling van Hersieningshof

- 5 (1) (a) Daar word hierby vir doeleindes van elke kieserslys 'n hersieningshof met die samestelling, bevoegdhede, werksaamhede en pligte in hierdie regulasies bepaal, ingestel.
- (b) Nieteenstaande die bepalings van subregulasie (1)(a), mag die Premier meer as een hersieningshof ten opsigte van elke lys of enige deel van elke lys magtig en instel.
- (2) Die hersieningshof vir elke lys of deel van sodanige lys sal bestaan uit drie persone aangestel deur die betrokke oorgangsraad, nie later nie as 120 dae na die datum van proklamasie van hierdie regulasies nie, van wie minstens een 'n advokaat, prokureur of ander regsgekwalfiseerde persoon sal wees wat ook die voorsittende beampte van die hof sal wees.
- (3) Die oorgangsraad sal verder sekundi aanstel om die plek in te neem van enige lid van die hersieningshof wat afwesig of ongesteld is en sal die rangorde van sodanige sekundi bepaal : Met dien verstande dat minstens een sodanige sekundus sal voldoen aan die kwalifikasies vereis vir die voorsittende beampte bedoel in subregulasie (2).
- (4) Die aanstel van lede en sekundi tot 'n hersieningshof ingevolge subregulasies (2) en (3) sal beslis word deur 'n besluit van die raad aanvaar met 'n meerderheid van minstens twee derdes van al sy lede.
- (5) (a) Geen persoon sal as lid van sodanige hof aangestel word of aanstelling aanvaar indien hy of sy;
- (i) 'n ampsdraer van 'n party is;
- (ii) 'n lid, raadslid of werknemer van die betrokke oorgangsraad is; of

- (iii) nie daarop geregtig is om kragtens regulasie 2 as kieser geregistreer te word nie.
- (b) 'n Lid van sodanige hof hou op om lid van die hof te wees en sal sy amp ontruim indien hy of sy;
 - (i) onbevoeg raak vir aanstelling as lid van sodanige hof;
 - (ii) sy of haar bedanking by die hoof-uitvoerende beampte indien; of
 - (iii) te sterwe kom;

en enige vakature wat aldus ontstaan, word gevul by wyse van aanstelling deur die oorgangsraad van 'n geskikte plaasvervanger, of by sodanige gebrek, die onverwylde aanstelling van 'n persoon wat oor wesentlik dieselfde kwalifikasies as sy voorganger beskik.

- (6) Die hersieningshof sal die wyse waarop hy sy sake verrig, bepaal.
- (7) Wanneer daar ook al 'n verandering in die lidmaatskap van die hersieningshof plaasvind, sal enige gedeeltelik aangehoorde eis of beswaar, op versoek van die betrokke eiser of beswaarmaker, *de novo* hanteer word.
- (8) Administratiewe werk verbonde aan tot die uitvoer van die werksaamhede van 'n kieserslysbeampte en hersieningshof word uitgevoer deur die hoof-uitvoerende beampte van die betrokke oorgangsraad of deur een of meer beamptes van sodanige owerheid behoorlik skriftelik aangestel en wat optree onder die jurisdiksie en beheer van sodanige hoof-uitvoerende beampte.
- (9) Lede van 'n hersieningshof sal vergoed word op die basis wat deur die Premier vasgestel word, nie later nie as die tyd bedoel in subregulasie (2), of by gebrek, deur besluit van die oorgangsraad.

Bevoegdhede, Werksaamhede en Pligte van Hersieningshof

- 6 (1) Die hersieningshof sal op die dag of dae en by die plek of plekke ingevolge regulasie 4(1)(e) of 4(6) vasgestel, eise en besware teen die registrasie van persone as kiesers aanhoor, oorweeg en bepaal.
- (2) Die hersieningshof sal;
 - (a) die naam van elke eiser op die lys byvoeg of invoeg;
 - (i) wat geregtig is op registrasie en die hof aldus oortuig het;
 - (ii) teen wie se registrasie geen beswaar ingedien is nie; of
 - (iii) wat nieteenstaande enige beswaar, die hof oortuig dat hy of sy daarop geregtig is om as 'n kieser geregistreer te word,of die name van alle sodanige eisers op 'n aanvullende lys wat voldoen aan die bepaling van regulasie 3(5)(a) plaas, en sodanige lys tot die rol by te voeg; of
 - (b) die naam van elke eiser skrap of van die lys verwyder;
 - (i) ten opsigte van wie 'n beswaar ingedien is; en
 - (ii) ten opsigte van wie die hof oortuig is nie daarop geregtig is om as 'n kieser geregistreer te word nie; en
 - (c) enige fout regstel of enige weglating wat oënskynlik vir hom by enige inskrywing op die lys voorgekom het met betrekking tot die besonderhede vereis ingevolge regulasie 3(5)(a), aanvul.
- (3) (a) (i) Waar 'n naam tot die lys ingevolge subregulasie (2)(a) bygevoeg of ingevoeg is, sal die reeksnommer wat ingevolge regulasie 3(5)(a) aan sodanige naam toegeken is, 'n nommer wees wat nie voorheen aan enige ander naam of eiser toegeken is nie; en
- (ii) Waar 'n naam ingevolge subregulasie (2)(b), van die lys geskrap of verwyder is, sal die reeksnommer ingevolge

regulasie 3(5)(a)(i) toegeken aan sodanige naam, nie aan enige ander naam of eiser toegeken word nie.

- (b) Waar 'n kieserslys ingevolge regulasie 3(6), in dele verdeel is, sal die reeksnommer aan 'n naam op die lys ingevolge regulasie 3(5)(a)(i) toegeken, behou word met sodanige naam in enige deel.
- (4) Die hersieningshof sal geen eis of beswaar oorweeg nie tensy;
 - (a) sodanige eis of beswaar wesenlik ooreenkomstig die voorgeskrewe vorm ingedien is; en
 - (b)
 - (i) in die geval van enige eis of beswaar bedoel in regulasie 4(1)(b), sodanige eis of beswaar deur die kieserslysbeampte voor die verstryking van die tydperk daarin bedoel, ontvang is;
 - (ii) in die geval van enige beswaar beoog in regulasie 4(1)(d) sodanige beswaar deur die kieserslysbeampte ontvang is voor die verstryking van die tydperk daarin bedoel;
 - (iii) by gebrek aan voldoening aan subparagraaf (i) of (ii), die hersieningshof oortuig is dat daar uitsonderlike omstandighede met betrekking tot die laat indiening van die betrokke dokument bestaan wat die oorweging van die eis of beswaar regverdig; en
 - (c) in die geval van enige persoon oor wie se registrasie 'n beswaar ingedien is, die beswaarmaker elke sitting van die hersieningshof waarby die beswaar oorweeg gaan word, bywoon om sodanige beswaar te staaf.
- (5) Die kieserslysbeampte is daarop geregtig om alle sittings van die hersieningshof by te woon en sal in die teenwoordigheid van 'n eiser of beswaarmaker aangehoor word.
- (6) Enige persoon wie se eis of beswaar deur die hersieningshof oorweeg word en enige persoon wat sodanige eis of beswaar teenstaan, is daarop geregtig om

persoonlik of deur 'n verteenwoordiger skriftelik daartoe gemagtig, aangehoor te word en om mondelinge getuienis te lewer en getuies te roep.

- (7) Alle getuienis voor die hersieningshof, sal onder eed of bevestiging deur die voorsittende beampte afgeneem, gelewer word.
- (8) Sittings van die hersieningshof sal vir die publiek en die pers toeganklik wees.
- (9) Die hersieningshof mag, onderworpe aan die bepalings van hierdie regulasies, van tyd tot tyd soos wat hy dienstig ag, verdaag.
- (10) Indien geen eise of besware ingevolge regulasies 4(1)(b) of 4(1)(d) of 4(3) binne die tydperk bedoel in regulasie 4(1)(a) ingedien word nie, sal die kieserslysbeampte deur kennisgewing aangebring by die kantore van die oorgangsraad, die sitting van die hersieningshof onverwyld kanselleer.

Sertifisering en ondertekening van kieserslys

- 7 (1) Die lys, indien deur die hersieningshof ingevolge regulasie 6 gewysig, sal binne sewe dae vanaf wysiging of binne sewe dae na die kansellering soos bedoel by regulasie 6(10) deur die voorsittende beampte van sodanige hof gesertifiseer en onderteken word en sal daarna, onderworpe aan die bepalings van regulasies 8 en 9, die kieserslys vir die betrokke oorgangsraad wees totdat 'n nuwe lys wettig opgestel is.
- (2) Enige dokument wat voorgee om die kieserslys te wees soos gesertifiseer en onderteken deur die voorsitter van die hersieningshof ingevolge subregulasie (1) of as 'n ware afskrif van sodanige lys deur die hoof-uitvoerende beampte gesertifiseer deur die uitreiking van 'n sertifikaat tot daardie effek, sal, tensy bewys word dat sodanige dokument nie sodanige kieserslys of sodanige ware afskrif is nie, na gelang van die geval, as bewys dien dat die persone wie se name daarop verskyn daarop geregtig is om enige reg wat aan kiesers by hierdie regulasies verleen is, uit te oefen.
- (3) Die gesertifiseerde kieserslys sal by die kantore van die oorgangsraad gelewer word en sal gedurende normale kantoortyd van die oorgangsraad of gedurende sodanige verlengde tyd en tyd soos wat dit deur besluit mag bepaal, beskikbaar wees vir insae deur lede van die publiek.

- (4) Enige kieser of kandidaat of party mag 'n kopie van die kieserslys of deel daarvan van toepassing op 'n wyk, teen sodanige pryse soos wat die oorgangsraad deur besluit bepaal, bekom.

Hersiening van Kieserslyste

- 8 (1) Elke oorgangsraad sal nie minder nie as ses maande voor die verstryking van die ampstermyn bedoel in regulasie 80, sy kieserslys bywerk.
- (2) Die bepalings van regulasies 3 tot 7 sal van toepassing wees op elke sodanige hersiening.

Weglating

- 9 Geen weglating van die naam van 'n persoon van die kieserslys sal sodanige lys of enige verkiesing ingevolge hierdie regulasies gehou, ongeldig maak nie.

Kieserslys-uitgawes

- 10 'n Oorgangsraad mag sodanige uitgawe wat nodig mag wees, in verband met die maak, hersien of aanpas van enige kieserslys of enige regsproses wat daaruit spruit, aangaan.

Verteenwoordiging deur Plaaslike Regeringsliggaam

- 11 (1) Die Premier mag, na skriftelike oorlegpleging met die betrokke rade of liggame, 'n oorgangsraad of plaaslike regeringsliggaam of -liggame magtig of beveel om as die verteenwoordiger vir of namens 'n oorgangsraad wat ingevolge artikel 10 van die Wet proklameer is of proklameer gaan word, of vir of namens enige ander plaaslike regeringsliggaam of -liggame, 'n kieserslys ingevolge hierdie regulasies voor te berei, en om die pligte wat sodanige owerheid ingevolge hierdie regulasies opgelê is, in die geheel of ten dele uit te voer.
- (2) Enige voorskrif deur die Premier ingevolge subregulasie (1) hierbo gelas mag sodanige opdragte en ander reëlins insluit soos wat die Premier nodig of

wenslik mag ag om uitvoering te kan gee aan die voorbereiding van sodanige kieserlys en sal opdragte insluit, in verband met die toedeel en verhaal van kostes.

Oortredings

12 Enige persoon wat;

- (a) vals inligting in enige eis of beswaar ingevolge regulasie 3 of 4 ingedien, of ten opsigte van enige besonderhede wat nodig is vir die saamstel van die kieserslys verstrek;
- (b) weier of nalaat om enige inligting ten opsigte van enige sodanige besonderhede te verstrek;
- (c) vals getuienis lewer voor, of die verrigtinge van 'n hersieningshof onderbreek of ontwig; of
- (d) 'n hersieningshof minag,

is aan 'n misdryf skuldig, en by skuldigbevinding met die strawwe soos voorgeskryf by Hoofstuk 17 van hierdie regulasies strafbaar.

HOOFSTUK 4

SETELS EN WYKE

Inleiding

- 13 (1) Na behoorlike oorweging van die advies en skriftelike aanbevelings van die oorgangsraad indien enige wat op daardie stadium geraak mag word en na behoorlike oorweging van die advies en skriftelike aanbevelings van die Afbakeningsraad vir Plaaslike Regering vir die provinsie ingestel, sal die Premier;
- (a) die regsgebied van sodanige oorgangsraad afbaken;

- (b) die getal setels in sodanige oorgangsraad bepaal, met inagneming van die reg van enige tradisionele leier van 'n gemeenskap wat 'n stelsel van inheemse reg toepas en woonagtig is op grond binne die regsgebied van 'n oorgangsraad soos bedoel in paragraaf (a) om *ex officio* lid van sodanige oorgangsraad te wees;
- (c) die regsgebied van sodanige plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur in wyke afbaken; en
- (d) die getal setels in elke wyk bepaal : Met dien verstande dat 'n gelyke getal setels aan elke wyk binne die regsgebied van enige individuele plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur, toegeken sal word,

en die bepaling van sodanige afbakening en bepaling, sal in die proklamasie beoog by artikel 10 van die Wet, vervat wees.

- (2) Enige afbakening of bepaling soos beoog by subregulasie (1)(a), (b) of (c) mag van tyd tot tyd, maar nie later as 'n datum drie maande voor die dag deur die Minister ingevolge artikel 9(1) van die Wet bepaal, deur die Premier in ooreenstemming met subregulasie (1) hersien word nie.

Getal Setels

- 14 Waar die getal setels van 'n oorgangsraad en by wyse van 'n verkiesing gevul moet word, nie op die vereiste manier toegedeel kan word;

- (a) vir 'n metropolitaanse oorgangsraad ingevolge regulasie 22; of
- (b) vir 'n plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur ingevolge regulasie 16 en 22,

sonder dat dit breuke tot gevolg het nie, sal sodanige toedeling ingevolge Bylae 1 tot hierdie regulasies gemaak word.

Wyke

- 15 Die getal wyke sal bepaal word kragtens die bepaling van regulasies 13(1)(b) en (d), 16, 17 en 22.

Toedeling van wyke

- 16 (1) Waar die regsgebied van enige plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur;
- (a) die regsgebied van enige instelling of liggaam bedoel by Artikel 84(1)(f) van die herroepe Wet op Provinsiale Bestuur, 1961 (Wet 32 van 1961); en
- (b) enige ander gebied wat nie binne die regsgebied van die instelling of liggaam bedoel in paragraaf (a) val nie,
- insluit, aan geen gebied bedoel in paragraaf (a) of (b) minder as die helfte van die totale getal wyke van so 'n plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur toegewys word nie : Met dien verstande dat vir doeleindes van afbakening van wyke ingevolge regulasie 15 geen gebied in paragraaf (a) bedoel, enige gebied insluit van;
- (i) enige plaaslike owerheid soos omskryf in artikel 1(1) van die Wet op Swart Plaaslike Owerhede, 1982 (Wet 102 van 1982);
- (ii) enige plaaslike owerheidsliggaam ingestel uit hoofde van die bepalings van artikel 20(2)(a) van die Swart Administrasie Wet, 1927 (Wet 38 van 1927); of
- (iii) enige raad of komitee ingestel kragtens die bepalings van die Regulasies vir die Administrasie en Beheer van Sekere Stedelike Gebiede in Natal, 1982 (Proklamasie 86 van 1982) en die Regulasies vir die Administrasie en Beheer van Sekere Stedelike Gebiede in Natal, 1983 (Proklamasie 67 van 1983).
- (2) 'n Oorgangsraad sal aan die Afbakeningsraad vir Plaaslike Regering binne sodanige tyd as wat dit mag bepaal sodanige kaarte en inligting as wat die Raad redelikerwys mag benodig, beskikbaar stel, ten einde sy verpligtinge ingevolge regulasie 17 na te kom.

Kriteria om Wyke af te Baken

- 17 (1) Die advies en skriftelike aanbevelings van die Afbakeningsraad vir Plaaslike Regering ten opsigte van die afbaken van enige sodanige regsgebied in wyke, sal die volgende kriteria in aanmerking neem;
- (a) topografiese en fisiese kenmerke van die gebied insluitend mensgemaakte eienskappe;
 - (b) die toeganklikheid en beskikbaarheid van persele wat geskik is vir een of meer stemlokale;
 - (c) die getal kiesers in elke wyk; en
 - (d) die bepalings van regulasies 13, 14, 16 en 22.
- (2) (a) Behoudens die bepalings van paragraaf (c) hieronder, sal elke wyk 'n geraamde gelyke getal kiesers bevat en tensy die Premier in 'n spesifieke geval anders bepaal, sal geen wyk 'n aantal kiesers bevat wat vyftien persent meer of minder as die kwota is nie.
- (b) Vir doeleindes van subregulasie (2)(a) sal die kwota vasgestel word deur die totale aantal kiesers op die kieserslys met die totale getal wyke te deel.
- (c) Waar dit onmoontlik is om aan die vereistes van subregulasie (2)(a) te voldoen weens die verskil in die totale aantal kiesers binne die gebied bedoel in regulasie 16(1)(a) en die totale aantal kiesers binne die gebied bedoel in regulasie 16(1)(b);
- (i) word die bepalings van subregulasie (2)(a) afsonderlik ten opsigte van elke sodanige gebied toegepas; en
 - (ii) word 'n kwota vir elke gebied vasgestel deur die totale aantal kiesers in die kieserslys in daardie gebied met die totale getal wyke in daardie gebied te deel.

HOOFSTUK 5

KWALIFIKASIES : STEMMING EN NOMINASIES

Stemming volgens Wyke

- 18 Elke kieser wie se naam op die kieserslys vir 'n wyk verskyn, is daarop geregtig om 'n stem uit te bring vir 'n raadslid ten opsigte van elke vakature wat in sodanige wyk bestaan.

Stemming volgens Proporsionele Verteenwoordiging

- 19 Afgesien daarvan dat 'n kieser ingevolge regulasie 18 stem, sal elke kieser wie se naam op die toepaslike kieserslys vir 'n plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur of die toepaslike kieserslys vir 'n metropolitaanse oorgangsraad vir 'n verkiesing van raadslede ooreenkomstig proporsionele verteenwoordiging verskyn, ook daarop geregtig wees om 'n stem vir 'n party wie se naam op die toepaslike stembrief vir sodanige oorgangsraad verskyn, uit te bring.

Stembriewe

- 20 Daar sal een stembrief ooreenkomstig vorm ER3(A) met die oogmerk om op die wyse soos by regulasie 18 bepaal; en een stembrief ooreenkomstig Vorm ER3(B) vir elke oorgangsraad met die oogmerk om op die wyse soos by regulasie 19 bepaal, te stem, wees.

Kwalifikasies vir Nominasie en Verkiesing

- 21 (1) Enige persoon wat op die toepaslike kieserslys soos beoog in regulasie 2 ingeskryf is, sal daarop geregtig wees om as 'n lid van 'n oorgangsraad benoem en verkies te word tensy;
- (a) hy of sy 'n verkose lid van die Nasionale Vergadering of die Senaat is;
- (b) hy of sy ingevolge artikel 42(1) van die Grondwet gediskwalifiseer is om verkies te word as 'n lid van die Nasionale Vergadering naamlik indien hy of sy;

- (i) ten tye van die verkiesing 'n vonnis van gevangenisstraf van meer as 12 maande sonder die keuse van 'n boete uitdien;
- (ii) te eniger tyd na 9 Maart 1994 is aan 'n misdryf in die Republiek skuldig bevind is, of buite die Republiek skuldig bevind is, indien die optrede wat sodanige misdryf uitmaak 'n oortreding in die Republiek sou uitgemaak het, en daarvoor gevangenisstraf van meer as 12 maande sonder die keuse van 'n boete gevonniss is, tensy hy of sy kwytskelding ontvang het: Met dien verstande dat geen persoon geag word aan 'n oortreding skuldig bevind te wees totdat 'n appél teen die skuldigbevinding of vonnis beslis is of, indien geen appél teen die skuldigbevinding of vonnis aangeteken is nie, die tyd om so 'n appél aan te teken verstryk het;
- (iii) 'n ongerehabiliteerde insolvent is;
- (iv) in sy of haar geestesvermoë gekrenk is en deur 'n bevoegde hof aldus verklaar is;
- (v) 'n winsbetrekking onder die Republiek bekleë: Met dien verstande dat die volgende persone geag word nie 'n winsbetrekking onder die Republiek te bekleë vir die doel van hierdie paragraaf nie, te wete:
 - (aa) 'n Uitvoerende Adjunkpresident, 'n Minister of 'n Adjunkminister;
 - (bb) 'n persoon wat 'n pensioen ontvang wat betaal word uit openbare fondse of uit 'n pensioenfonds wat deur openbare fondse ondersteun word;
 - (cc) 'n vrederegter of taksateur; of
 - (dd) 'n lid van 'n raad, bestuur, komitee, kommissie of soortgelyke liggaam wat by of kragtens wet ingestel is of 'n komitee van die nasionale Vergadering wat vergoeding ontvang wat nie meer is

nie as 'n bedrag gelykstaande met sy of haar salaris as 'n lid van die Nasionale Vergadering;

- (c) hy of sy deur 'n bevoegde hof gediskwalifiseer is om verkies te word;
 - (d) hy of sy om 15:00 op die dag wat nominasiedag onmiddellik voorafgaan, 'n bedrag aan die betrokke oorgangsraad verskuldig is ten opsigte van enige eiendomsbelasting, huur, dienstegeld of enige ander gelde vir 'n tydperk langer as drie maande; of
 - (e) hy of sy 'n werknemer van die betrokke oorgangsraad of 'n ander oorgangsraad is : Met dien verstande dat die Uitvoerende Raad soos bedoel in artikel 149 van die Grondwet enige sodanige persoon kan vrystel as hy oortuig is dat sodanige vrystelling in die openbare belang is en bewys van so 'n vrystelling die benoeming vergesel.
- (2) (a) Geen persoon wat as kandidaat vir 'n wyk genomineer is sal as kandidaat vir enige ander wyk, en geen persoon wat as 'n kandidaat op 'n partylys genomineer is sal as kandidaat vir enige ander partylys by dieselfde oorgangsraad tydens dieselfde verkiesing genomineer word nie.
- (b) (i) Behoudens die bepalings van subparagraaf (ii) sal geen persoon genomineer vir verkiesing as 'n lid van 'n oorgangsraad genomineer word vir 'n verkiesing as 'n lid van enige ander oorgangsraad nie.
 - (ii) Nieteenstaande die bepalings van subparagraaf (1), mag 'n persoon vir verkiesing as lid van 'n metropolitaanse oorgangsubstruktuur sowel as lid van dieselfde metropolitaanse oorgangsraad genomineer word.

HOOFSTUK 6

REGISTRASIE EN NOMINASIE

Verkiesing deur Proporsionele Verteenwoordiging en deur Wyke

- 22 (1) (a) Veertig persent van die lede van 'n oorgangsraad sal ooreenkomstig die stelsel van proporsionele verteenwoordiging soos in hierdie regulasie uiteengesit, verkies word; en
- (b) Sestig persent van die lede van 'n plaaslike oorgangsraad of 'n metropolitaanse oorgangsubstruktuur sal verkies word op die grondslag dat elke lid 'n wyk van sodanige plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur sal verteenwoordig.

Kennisgewing ten opsigte van Nominasies en Registrasie

- 23 (1) By die bepaling van die dag van die eerste verkiesing deur die Mininster ingevolge artikel 9 van die Wet, sal die kiesbeampte, deur kennisgewing gepubliseer nie minder nie as 100 dae voor die verkiesingsdag so bepaal;
- (a) kennis gee van die verkiesingsdag en die stemye soos voorgeskryf by regulasie 45(1);
- (b) die nominasiedag beoog deur regulasies 26(2) en 29(4) bepaal, welke dag nie minder nie as 40 dae voor die verkiesingsdag sal wees nie;
- (c) die dag en tyd waarop nominasies van kandidate vir wyksverkiesings aan die kiesbeampte afgelewer moet word ingevolge regulasie 29, spesifiseer, sodanige nominasies vra en die getal vakatures wat gevul moet word, aandui;
- (d) die datum waarop aansoeke vir registrasie van partye aan die kiesbeampte ingevolge regulasie 24 afgelewer moet word, spesifiseer en sodanige aansoeke inwag;
- (e) die plek aanwys waarop nominasies en aansoeke bedoel in paragraaf (c) en (d) hierbo, deur die kiesbeampte ontvang sal word.
- (2) (a) Ten opsigte van verkiesings wat vir metropolitaanse oorgangsubstrukture en 'n metropolitaanse oorgangsraad gehou word, sal die metropolitaanse kiesbeampte die betrokke substrukture raadpleeg en nie minder nie as 120 dae voor

verkiesingsdag met wedersydse ooreenstemming, gemeenskaplike tye en datums vir doeleindes van regulasies 23(1)(b), (c), (d) en (e) bepaal, welke ooreenkoms bindend op sodanige partye sal wees.

- (b) By gebrek aan 'n ooreenkoms ingevolge regulasie 23(2)(a) sal die metropolitaanse kiesbeampste die Premier onverwyld aldus adviseer, wat sodanige tye en datums volgens sy of haar diskresie sal bepaal.

Registrasie van Partye : Verkiesing volgens Proporsionele Verteenwoordiging

- 24 (1) Elke party wat van voorneme is om deel te neem aan 'n verkiesing ooreenkomstig proporsionele verteenwoordiging sal;
 - (a) nie later nie as om twaalf uur die middag 40 dae voor nominasiedag 'n skriftelike aansoek aan die betrokke kiesbeampste vir registrasie as 'n party, aflewer; en
 - (b) die volgende in die aansoek soos bedoel in paragraaf (a), insluit;
 - (i) die naam en onderskeidende merk of simbool van die party wat ingevolge regulasie 36(5)(b) op die stembrief moet verskyn;
 - (ii) die onderskeidende merk of simbool wat deur die betrokke party gebruik word, op 'n afsonderlike bladsy, duidelik identifiseerbaar en geskik vir druk of reproduksie in swart en wit;
 - (iii) die adres van die party binne die regsgebied van die betrokke oorgangsraad waarmee die aansoek verband hou;
 - (iv) die grondwet van die party in die geval van 'n party wat nie ingevolge die Kieswet, 1993 (Wet 202 van 1993) geregistreer is nie;

- (v) die name, identiteitsnommers en adresse van die plaaslike ampsdraers van die party wat gewoonlik binne die regsgebied van die betrokke oorgangsraad waarmee die aansoek in verband staan, woonagtig is;
 - (vi) 'n lys van die partykandidate vir die verkiesing, welke lys 'n getal kandidate sal bevat wat nie meer is as die getal setels wat ingevolge subregulasie 22(1)(a) gevul moet word nie, tesame met die volle name, identiteitsnommer en adres van elke sodanige kandidaat asook 'n aanvaarding van elke kandidaat op vorm ER4;
 - (vii) 'n deposito in die vorm van kontant of 'n bank gewaarborgde tjek wat nie minder nie as 55 dae voor nominasiedag deur die kiesbeampte bepaal is, wat 'n akkurate beraming van een persent van die getal kiesers op die kieserslys wat in rand uitgedruk is en enige sente verontagsaam verteenwoordig, of die bedrag van R500 welke ookal die grootste is, welke deposito ingevolge subregulasie (3) hieronder terugbetaalbaar mag wees; en
 - (viii) die naam en adres van 'n gemagtigde party verteenwoordiger.
- (2) Die kiesbeampte sal later nie as 24 uur na die uur by subregulasie (1) bedoel, 'n lys bevattende die name en adresse van elke party ten opsigte waarvan 'n aansoek om registrasie ontvang is, tesame met elk se lys van partykandidate buite die plek van nominasie soos bedoel by regulasie 23(1)(e) aanbring en dit tot 12 uur die middag van nominasiedag vertoon.
- (3) By ontvangs van 'n aansoek vir registrasie soos bedoel by regulasie 24(1), stel die kiesbeampte vas of;
- (a) die party se adres binne die regsgebied van die oorgangsraad waarmee die aansoek in verband staan, geleë is;
 - (b) die grondwet van die party wesenlik aan die woordomskrywing van 'n party soos bedoel by regulasie 1, voldoen; of

- (c) die party ingevolge die Kieswet, 1993 (Wet 202 van 1993) geregistreer is; en
 - (d) die kandidate op die lys ingesluit is op die kieserslys van die oorgangsraad waarmee die aansoek in verband staan en nie ingevolge regulasie 21 gediskwalifiseer is nie.
- (4) (a) Die kiesbeampte sal, nie later as sewe dae na verkiesingsdag nie, 'n deposito ingevolge subregulasie (1)(b)(vii) gemaak terugbetaal aan 'n party wat in sodanige verkiesing nie minder nie as 25 persent van die kwota stemme ontvang het vir 'n setel soos bepaal ingevolge regulasie 74(2) of 78(2) na gelang van die geval, of wat in sodanige verkiesing voldoende stemme verkry het om geregtig te wees op verteenwoordiging in 'n vakante setel.
- (b) 'n Party wat nie ingevolge subregulasie (3)(a) op 'n terugbetaling geregtig is nie, verbeur sy deposito aan die betrokke oorgangsraad.

Verwerping van Aansoeke

- 25 Die kiesbeampte sal, nie minder as 30 dae voor nominasiedag nie, by skriftelike kennisgewing aan die aansoeker, enige aansoek wat ingevolge regulasie 24 gemaak is, verwerp indien;
- (a) sodanige aansoek nie wesenlik die inligting bevat of nie die deposito insluit wat ingevolge regulasie 24(1)(b) vereis word nie; of
 - (b) die party nie wesenlik voldoen aan die woordomskrywing van 'n party soos bedoel in regulasie 1 nie; of
 - (c) die party se adres nie in die regsgebied van die oorgangsraad waarmee die aansoek in verband staan, geleë is nie; of
 - (d) een of meer persone op die lys van partykandidate kragtens regulasie 21 gediskwalifiseer is, of nie op die toepaslike kieserslys ingesluit is nie; of
 - (e) die naam van een of meer persone op die lys van kandidate van meer as een party verskyn met 'n aanvaarding op vorm ER4 vir die betrokke oorgangsraad; of

- (f) die onderskeidende merk of simbool weens die redes in regulasie 29(5)(f), (g) of (h) uiteengesit, verwerp is.

Met dien verstande dat waar die verwerping ingevolge paragraawe (a), (c), (d), (e), of (f) is, die kiesbeampte die party skriftelik geleentheid sal bied om die gebrek nie minder nie as 5 werksdae voor nominasiedag reg te stel, deur aan sodanige beampte die reggestelde inligting of adres of deposito te voorsien of 'n ander naam of name van bevoegde persone in die plek te stel of ander regstellings te maak, na gelang van die geval. By behoorlike voldoening daaraan, sal die kiesbeampte die aansoek goedkeur en die party registreer : Met dien verstande dat waar 'n party in gebreke bly om slegs 'n tekortkoming ingevolge subregulasies (d), (e) of (f) reg te stel, die kiesbeampte die betrokke persoon of persone of, behoudens die bepalings van regulasie 90(1)(e)(iii), die betrokke onderskeidende merk of simbool sal verwerp en die aansoek andersins goedkeur en die party registreer.

- 26 (1) Die kiesbeampte sal alle aansoeke van alle partye wat aan die voorskrifte van regulasie 24 voldoen, goedkeur en registreer.
- (2) Om 12 uur die middag van nominasiedag sal die kiesbeampte by die plek van nominasie soos bedoel by regulasie 23(1)(a) in die openbaar;
- (a) die name van partye wie se nominasies in terme van regulasie 25 verwerp is, verklaar;
- (b) die name van partye wie se nominasies aanvaar is en ten opsigte van wie 'n verkiesing gehou sal word, verklaar;
- (c) die name van die aanvaarde kandidate op die partylys van elke party in paragraaf (b) vermeld, verklaar; en
- (d) die onderskeidende merk of simbool van elke party indien enige en deur die kiesbeampte aanvaar en deur die verkiesingskomitee in terme van regulasie 90(1)(e)(iii) beslis, vertoon.
- (3) Die nominasie van 'n party wie se nominasie kragtens subregulasie (2) verklaar is, mag nie onttrek word nie.

Publikasie van lyste

- 27 (1) Die kiesbeampte sal, binne 16 dae na nominasiedag en na aansoeke vir registrasie ingevolge regulasie 24(1) hanteer is, ingevolge regulasie 24, 25 en 26, die volgende publiseer;
- (a) die volle naam en adres van die geregistreerde partye;
 - (b) die onderskeidende merk of simbool van die geregistreerde partye, indien enige
 - (c) die lys van partykandidate,
- en 'n kopie van sodanige kennisgewing buite die plek van nominasie bedoel in regulasie 23(1)(e), aanbring.
- (2) Die aansoek van elke geregistreerde party sal vir 'n tydperk van sewe dae wat volg op die datum van publikasie in subregulasie (1), van 08:00 tot 17:00 by die plek van nominasie bedoel in regulasie 23(1)(e), vir publieke insae beskikbaar wees.
- (3) Indien die kiesbeampte nie die hoof-uitvoerende beampte is nie, sal die kiesbeampte 'n kopie van sodanige kennisgewing aan die hoof-uitvoerende beampte voorsien.
- 28 Die metropolitaanse kiesbeampte sal, vir doeleindes van 'n verkiesing vir 'n metropolitaanse oorgangsraad, die funksies en pligte van die kiesbeampte ingevolge regulasies 23 tot en met 27 uitoefen en enige verwysing na die kiesbeampte sal vertolk word as 'n verwysing na sodanige metropolitaanse kiesbeampte.

Nominasie vir Wyksverkiesings

- 29 (1) Geen persoon mag by enige wyksverkiesing 'n kandidaat vir 'n raad wees nie tensy 'n nominasie op die voorgeskrewe vorm ER5 behoorlik voltooi en geteken is deur;
- (a) die voornemende kandidaat of sy verteenwoordiger behoorlik skriftelik daartoe gevolmag is, welke volmag die nominasie sal vergesel, wat sodanige kandidaat se aanvaarding van die nominasie bevestig; en

- (b) ten minste die getal kiesers ingevolge subregulasie (10) bepaal, wie se name op die kieserslys vir daardie wyk ingesluit is, anders as sodanige voornemende kandidaat of agent, en;

aan die kiesbeampste afgelewer is nie later nie as om twaalf uur die middag, 40 dae voor nominasiedag, vergesel van die onderskeidende merk of simbool van die kandidaat wat kragtens regulasie 36(2) op die stembrief moet verskyn, op 'n afsonderlike bladsy aangebring, duidelik identifiseerbaar en geskik vir druk of reproduksie in swart en wit;

- (2) Geen nominasie of enige besonderhede daarin bevat, sal, na aflewering van sodanige nominasie aan die kiesbeampste ingevolge subregulasie (1), aan enige persoon anders as 'n verkiesingsbeampste deur die kiesbeampste bekend gemaak word voor die uur bedoel in subregulasie (1) nie.
- (3) Nie later as vier en twintig uur na die uur bedoel in subregulasie (1) nie, sal die kiesbeampste buite die plek van nominasie bedoel in regulasie 23(1)(e) 'n lys aanbring wat die naam en adres van elke persoon ten opsigte van wie 'n nominasie ontvang is, toon en sodanige lys so aangebring, vertoon tot om twaalf uur die middag op nominasiedag.
- (4) Om twaalf uur die middag op nominasiedag sal die kiesbeampste, op die plek van nominasie soos bedoel in regulasie 23(1)(e), in die openbaar;
- (a) die name van die voornemende kandidate wie se nominasies deur hom ingevolge subregulasie (5) verwerp is, verklaar;
- (b) die name van die kandidate wie se nominasies aanvaar is verklaar wat, ingevolge subregulasie (6) as behoorlik verkose geag word;
- (c) die name van die kandidate wie se nominasie aanvaar is verklaar en ten opsigte van wie verkiesing ingevolge subregulasie (7) gehou sal word;
- (d) die naam van die tradisionele leier van 'n gemeenskap wat 'n stelsel van inheemse reg toepas en woonagtig is op grond binne die regsgebied van 'n oorgangsraad en *ex officio* lid van die raad is, verklaar; en

- (e) die onderskeidende merk of simbool van elke kandidaat indien enige deur die kiesbeampte aanvaar of deur die verkiesingskomitee in terme van regulasie 90(1)(e)(iii) beslis, vertoon.

(5) Die kiesbeampte sal die volgende verwerp;

- (a) die nominasie van enige persoon wat tot sy tevredenheid bewys is, nie ingevolge regulasie 21 as 'n kandidaat benoembaar is nie;
- (b) enige nominasie wat nie aan die vereistes van subregulasie (1) voldoen nie;
- (c) die nominasie van enige persoon ten opsigte van wie die kiesbeampte, voordat die verklaring soos bedoel by subregulasie (4) gemaak is, 'n skriftelike terugtrekking van sy of haar kandidaatskap ontvang het, geteken deur daardie persoon en gestaaf deur ten minste twee ander persone as getuies;
- (d) die nominasie van 'n persoon wat vir meer as een wyk in dieselfde oorgangsraad benoem is, indien meer as een van sodanige nominasies voldoen aan die vereistes van subregulasie (1);
- (e) die nominasie van 'n persoon wat, na die wete van die kiesbeampte, na aflewering van sy nominasievorm ingevolge subregulasie (1) maar voordat die verklaring ingevolge subregulasie (4) gemaak is, te sterwe gekom het;
- (f) 'n onderskeidende merk of simbool wat die onderskeidende merk van 'n party is of voorgee om te wees wat nie vergesel is van 'n skriftelike en getekende magtiging van die behoorlik daartoe gemagtigde verteenwoordiger van sodanige party nie;
- (g) onderskeidende merke of simbole wat identies of nie duidelik en maklik onderskeibaar is nie; en

- (h) 'n onderskeidende merk of simbool wat onweloweglik, beledigend, misleidend, ontheiligend of andersins waarskynlik aanstoot kan gee of wesenlik ooreenstem met 'n kruis of regmerk:

Met dien verstande dat geen nominasie op grond van enige tekortkoming soos beoog in paragraaf (b), (d), (f), (g) of (h) verwerp sal word nie tensy;

- (i) die kiesbeampste, nie later nie as 30 dae voor nominasiedag, aan die betrokke persoon 'n skriftelike kennisgewing bestel het wat hom inlig oor sodanige tekortkoming; en
- (ii) sodanige persoon versuim het;
- (aa) om sodanige tekortkoming reg te stel; en
- (bb) indien sodanige tekortkoming reggestel is, om tot die bevrediging van die stembeampste te bewys dat sodanige tekortkoming reggestel is,

nie later nie as vyf werksdae voor nominasiedag: Met dien verstande verder dat waar sodanige persoon nalaat om 'n gebrek in terme van paragraaf (f), (g) of (h) reg te stel sal die kiesbeampste die betrokke onderskeidende merk of simbool behoudens die bepalinge van Regulasie 90(1)(e)(iii) verwerp en andersins die nominasie aanvaar.

- (6) (a) Indien die aantal kandidate vir 'n wyk waarvan nominasies aanvaar is, gelyk is aan, of minder is as die getal vakatures in daardie wyk, sal sodanige kandidate as verkose geag word en 'n tussenverkiesing ten opsigte van die vulling van enige oorblywende vakatures sal binne 90 dae vanaf die datum van die verkiesing gehou word, wesenlik op die wyse soos in hierdie regulasies voorgeskryf vir die hou van verkiesings.
- (b) Indien onvoldoende nominasies om die oorblywende vakatures in paragraaf (a) bedoel, te vul, aanvaar word vir die tussenverkiesing bedoel in die genoemde subregulasie, sal die kiesbeampste, binne sewe

dae van die verklaring wat ingevolge subregulasie (4) gemaak is ten opsigte van sodanige tussenverkiesing, die Premier skriftelik daarvan in kennis stel, en die Premier mag daarop óf voorskryf dat 'n tussenverkiesing gehou sal word om die balans van die oorblywende vakatures te vul, óf persone as raadslede aanstel om sodanige balans te vul en enige persone wat sodanig aangestel is, sal vir alle doeleindes as raadslid geag word.

- (7) Indien die aantal kandidate wie se nominasies aanvaar is, die getal vakatures oorskry, sal die kiesbeampte onmiddelik, deur kennisgewing aangebring buite die plek van nominasie bedoel in regulasie 23(1)(e) en binne 16 dae na nominasiedag, die volle name van elke kandidaat tesame met sy of haar onderskeidende merk of simbool indien enige, ten opsigte van wie 'n stemming op verkiesingsdag gehou sal word, publiseer.
- (8) Die kiesbeampte sal, indien oortuig dat 'n kandidaat soos bedoel by subregulasie (4)(c), die enigste kandidaat ten opsigte van 'n verkiesing of tussenverkiesing vir 'n vakature in 'n wyk is, gesterf het voor die dag van die verkiesing, alle verrigtinge beëindig en deur 'n kennisgewing in die pers gepubliseer, alle kennisgewings wat in hierdie hoofstuk ten opsigte van die betrokke wyk uitgereik is, onttrek, waarna 'n tussenverkiesing binne 90 dae van die datum van die verkiesing vir die betrokke wyk wesenlik in ooreenstemming met die wyse in hierdie regulasies vir die hou van verkiesings bepaal, gehou sal word : Met dien verstande dat sodanige beëindiging en kennisgewing op geen manier vertolk sal word as die beëindiging of opskorting van enige ander gelyklopende verkiesingsverrigtinge insluitend die nominasie van leiers van metropolitaanse oorgangstruktuur tot 'n oorgangsraad nie.
- (9) Die kiesbeampte sal vir doeleindes van subregulasie 1(b) hierbo, nie minder nie as 55 dae voor nominasiedag ten opsigte van elke wyk, 'n syfer wat 'n akkurate raming van twee persent van die kiesers op die kieserslys vir elke betrokke wyk is, bepaal en beskikbaar stel.

HOOFSTUK 7

AANSTELLING, MAGTE EN PLIGTE VAN VERKIESINGSBEAMPTES**Aanstelling en Verantwoordelikhede**

- 30 (1) (a) Die hoof-uitvoerende beampte sal *ex officio* die kiesbeampte van die betrokke oorgangsraad wees tensy daardie raad kragtens 'n raadsbesluit aanvaar deur 'n meerderheid van ten minste twee derdes van al sy lede, 'n ander persoon as kiesbeampte aanstel nie later nie as 180 dae voor die verkiesingsdag soos deur die Minister kragtens artikel 9 van die Wet bepaal.
- (b) Die oorgangsraad sal die *ex officio* of ander aanstelling van die kiesbeampte nie later nie as 7 dae na sodanige aanstelling skriftelik bevestig.
- (2) Die kiesbeampte vir 'n plaaslike oorgangsraad is verantwoordelik vir die administrasie, organisasie, toesig en voer van die verkiesing vir daardie plaaslike oorgangsraad.
- (3) Die kiesbeampte aangestel vir 'n metropolitaanse oorgangsubstruktuur is verantwoordelik vir;
- (a) die administrasie, organisasie, toesig en voer van die verkiesing vir beide daardie metropolitaanse oorgangsubstruktuur en die metropolitaanse oorgangsraad volgens proporsionele verteenwoordiging wat binne sodanige metropolitaanse oorgangsubstruktuur gevoer word;
- (b) verseker dat die verkiesing vir die metropolitaanse oorgangsraad in dieselfde stemburo as die verkiesing vir die metropolitaanse oorgangstruktuur gehou word; en
- (c) sodanige ander pligte en verantwoordelikhede soos by hierdie regulasies voorgeskryf.
- (4) Die kiesbeampte vir 'n metropolitaanse oorgangsraad aangestel, is verantwoordelik vir;

- (a) die oproep, ontvangs en beslissing oor aansoeke vir die registrasie van partye en registrasie van partye ten opsigte van 'n metropolitaanse oorgangsraadsverkiezing ooreenkomstig die bepalings van regulasie 23 tot en met 27;
 - (b) die druk en versending van stembriewe ten opsigte van sodanige verkiesing aan elke toepaslike kiesbeampte van elke metropolitaanse oorgangsubstruktuur ooreenkomstig die bepalings van regulasie 36(4) tot en met (6) asook 40(3);
 - (c) die ontvangs vanaf die kiesbeampte vir elke metropolitaanse oorgangsubstruktuur soos bedoel by regulasie 77, of die verantwoordelike adjunkkiesbeampte soos bedoel by regulasie 81, van 'n berig van die totale getal stemme uitgebring en die totale getal stemme uitgebring ten gunste van elke party;
 - (d) die bepaling van die uitslag van die verkiesing vir die metropolitaanse oorgangsraad volgens proporsionele verteenwoordiging kragtens regulasie 78;
 - (e) die bepaling kragtens hierdie regulasies, van die getal genomineerdes vereis van metropolitaanse oorgangsubstrukture vir die metropolitaanse oorgangsraad en die uitslag van sodanige nominasie kragtens regulasie 84 tot en met 88;
 - (f) enige ander pligte en verantwoordelikhede wat in terme van hierdie regulasies hom of haar opgelê mag word.
- (5) (a) Die oorgangsraad sal, onderworpe aan die lewering van noodsaaklike dienste, die kiesbeampte toelaat om vir die tydperk of tydperke en in die hoedanigheid of hoedanighede as wat hy of sy redelikerwys vereis as nodig vir die behoorlike voorbereiding en voer van die verkiesing, sodanige van sy werknemers te werf, aan te stel of te sekondeer.
- (b) Sodanige werknemers sal vir hierdie doel deur die oorgangsraad gemagtig word om afwesig te wees van hul normale werksplek met volle betaling sonder benadeling van enige ander diensvoorwaarde en vir 'n tydperk van nie meer as

twee dae nie, geregtig wees op enige gelde wat deur sodanige oorgangsraad ingevolge regulasie 93 bepaal mag word.

- (c) Die kiesbeampte mag van buite die diens van die oorgangsraad sodanige bykomende persone wat hy of sy as noodsaaklik ag, werf en aanstel teen nie meer nie as die fooie vir enige ander verkiesingsbeampte in regulasie 93 bepaal.
- (d) Niks hierin vervat, sal vertolk word as 'n verbod op die oorgangsraad om sodanige bykomende voorsiening of reëlins as wat hy nodig mag ag, te maak ten opsigte van indiensneming of bemanning vir die behoorlike voorbereiding en voer van die verkiesing nie.

Verkiesingsbeamptes

- 31 (1) Die kiesbeampte sal sodanige verkiesingsbeamptes wat hy of sy nodig mag ag vir die behoorlike en doeltreffende voer van die verkiesing aanstel en mag na sy of haar goeddunke enige aanstelling aldus gemaak terugtrek.
- (2) Geen persoon sal as 'n verkiesingsbeampte aangestel word of sodanige aanstelling aanvaar nie indien hy of sy;
 - (a) 'n kandidaat in die verkiesing is;
 - (b) 'n benoemde lid is van, of op die aanvullende lys vir aanstelling tot die oorgangsowerheid is;
 - (c) direk of indirek, met of sonder vergoeding deur enige party of kandidaat in verband met die verkiesing in diens geneem is; of
 - (d) 'n ampsbekleër van 'n party is.
- (3) (a) Die kiesbeampte sal, waar toepaslik, een verkiesingsbeampte of meer aanwys as 'n adjunkstembeampte, voorsittende beampte, kiesbeampte, vertalingsbeampte of kiesersassistent soos bedoel in subregulasie (4), telbeampte, en/of ander verkiesingsbeampte : Met dien verstande dat enige verkiesingsbeampte meer as een aanwysing gegee mag word.

- (b) Die kiesbeampte vir enige metropolitaanse oorgangsubstruktuur sal een of meer adjunkvoorsittende beamptes ten opsigte van 'n stemburo aanwys.
 - (4) Die kiesbeampte sal verseker dat;
 - (a) nie minder nie as een verkiesingsbeampte wat in die amptelike taal vaardig is, te alle tye gedurende die stemming maklik beskikbaar is by elke stemburo; en
 - (b) voldoende verkiesingsbeamptes spesifiek aangestel, opgelei en toegewys is om ongeletterde, blinde of gebrekklike kiesers ingevolge regulasies 53, 58 en 59 by te staan.
 - (5) By die aanstelling en benoeming van verkiesingsbeamptes sal die kiesbeampte positiewe en regstellende pogings aanwend om rasse- en geslagsverteenvoording te verseker.
 - (6) Die bepaling van hierdie regulasie is *mutatis mutandis* op die metropolitaanse kiesbeampte van toepassing.
 - (7) Verkiesingsbeamptes wat ingevolge hierdie regulasie aangestel is, sal onder die beheer wees en die instruksies uitvoer van die toepaslike aanstellingsbeampte.
- 32 (1) Die kiesbeampte sal aan elke verkiesingsbeampte 'n aanstellingsbrief ooreenkomstig die toepaslike vorm ER6 uitreik en sodanige aanstellingsbrief sal :
- (a) in die geval van 'n voorsittende beampte met die sluit van stemming in koevert ER7 ingevolge regulasie 62(3) ingesluit wees;
 - (b) in die geval van 'n kiesbeampte of ander verkiesingsbeampte toegewys aan 'n stemburo, aan die verantwoordelike voorsittende beampte vir ondertekening oorhandig word, nie later nie as die oomblik waarop sodanige kiesbeampte of ander verkiesingsbeampte eerste die stemburo binnegaan, en daarna behou deur sodanige kiesbeampte of ander verkiesingsbeampte totdat dit deur die voorsittende beampte vir insluiting in koevert ER7 soos bedoel by regulasie 62(3) benodig word;

- (c) in die geval van 'n telbeampte aan die kiesbeampte vir ondertekening oorhandig word nie later nie as die tydstip waarop sodanige telbeampte eerste die plek vir die tel van die stemme binnegaan, en daarna deur sodanige telbeampte behou totdat dit vir insluiting in die toepaslike koevert ER29 soos bedoel by regulasie 72(2)(b) benodig word; en
 - (d) in die geval van enige ander verkiesingsbeampte, op 'n tyd en plek deur sodanige kiesbeampte gespesifiseer vir ondertekening aan die kiesbeampte oorhandig word, en daarna deur die verkiesingsbeampte behou word totdat dit deur die kiesbeampte benodig word vir insluiting in die toepaslike koevert ER29 soos bedoel by regulasie 72(2)(b).
- (2) Elke verkiesingsbeampte sal, onderworpe aan enige opdrag deur die kiesbeampte uitgereik, die magte uitoefen en die pligte en funksies uitvoer soos deur hierdie regulasies aan hom opgedra en verplig, of soos deur die kiesbeampte aan hom toegewys.
- (3) (a) Indien die kiesbeampte afwesig of onbevoeg is of nalaat of weier om op te tree, sal die adjunkkiesbeampte die bevoegdheid, pligte en funksies wat deur wetgewing aan die kiesbeampte opgedra en verplig is, uitoefen.
- (b) Waar twee of meer adjunkkiesbeamptes aangewys is, plaas die kiesbeampte hulle tydens aanwysing volgens senioriteit in rangorde.

Verkiesingsbeamptes moet Onpartydig wees

- 33 Alle verkiesingsbeamptes sal streng onpartydigheid in die uitvoering in van hul magte en die uitvoering in van hul pligte en funksies handhaaf en sal deur niks in hul optrede, gedrag, manier of spraak rede gee tot die teendeel nie.

Agente en Bodes

- 34 (1) Elke kandidaat vir 'n wyk in 'n verkiesing en wie se naam op die stembriefie vir daardie stemburo voorkom, mag;

- (a) een algemene agent om hom of haar te verteenwoordig of hom of haar by enige sodanige stemburo en by die plek vir die tel van die stemme te vergesel;
- (b) nie meer nie as twee spesiale agente vir elke sodanige stemburo;
- (c) een spesiale agent en een bode om teenwoordig te wees by die plek vir die tel van die stemme; en
- (d) een bode vir elke sodanige stemburo;

aanstel:

Met dien verstande dat slegs een agent en een bode van enige kandidaat op dieselfde tyd in die stemburo toegelaat word, met dien verstande verder dat agente en bodes op die kieserslys van 'n oorgangsraad ingesluit moet wees.

- (2) Die bepalings van regulasie 34(1) is *mutatis mutandis* op elke party vir 'n verkiesing geregistreer en wie se naam op die stembrief vir daardie stemburo voorkom van toepassing: Met dien verstande dat enige verwysing na 'n algemene agent uitgelê word as verwysing na 'n partyverteenwoordiger.
- (3) (a) Elke kandidaat en elke party in 'n verkiesing sal, ten minste 14 werksdae voor verkiesingsdag, die kiesbeampte ooreenkomstig die toepaslike vorm ER8 skriftelik in kennis stel van die name, indien enige, van agente en bodes wat ingevolge regulasie 34(1) aangestel is.
- (b) Die naam van enige behoorlik aangestelde agent mag met soortgelyke kennisgewing aan die kiesbeampte, nie later nie as die middag op die tweede dag voor verkiesingsdag, onttrek of vervang word.
- (4) Waar dieselfde stemburo gebruik word vir 'n verkiesing ten opsigte van 'n metropolitaanse oorgangsraad en 'n metropolitaanse oorgangsubstruktuur sal die bepalings van hierdie regulasie afsonderlik ten opsigte van elke sodanige verkiesing toegepas word.

Verklarings wat Verband hou met Geheimhouding

- 35 (1) Elke persoon wat daarop geregtig is om in 'n stemburo of die plek vir die tel van die stemme teenwoordig te wees behalwe as 'n kieser of as 'n polisiebeampte aan diens, sal 'n verklaring ooreenkomstig vorm ER9 aflê, in die geval van;
- (a) die kiesbeampte of 'n adjunkkiesbeampte, voor 'n Kommissaris van Ede;
 - (b) 'n voorsittende beampte, voor die kiesbeampte, 'n adjunkkiesbeampte of 'n Kommissaris van Ede; en
 - (c) enige ander persoon, voor die kiesbeampte, 'n adjunkkiesbeampte, 'n voorsittendebeampte of 'n Kommissaris van Ede.
- (2) Die verklaring soos beoog by subregulasie (1) sal;
- (a) in die geval van die kiesbeampte, in die toepaslike koevert ER29 ingevolge regulasie 72(2)(b) ingesluit wees;
 - (b) in die geval van 'n voorsittende beampte, oorhandig word aan die kiesbeampte wanneer sodanige voorsittende beampte voorsien word van sy verkiesingsmateriaal ingevolge regulasie 40, vir insluiting in die toepaslike koevert ER29 soos bedoel by regulasie 72(2)(b);
 - (c) in die geval van 'n kandidaat, agent of bode, oorhandig word aan die kiesbeampte ingevolge regulasie 34(3) tesame met die toepaslike vorm ER8, vir insluiting in die toepaslike koevert ER29 soos bedoel by regulasie 72(2)(b);
 - (d) in die geval van enige ander persoon, oorhandig word aan die kiesbeampte op 'n tyd en plek deur daardie kiesbeampte gespesifiseer, vir insluiting in die toepaslike koevert ER29 soos bedoel by regulasie 72(2)(b) of, indien geen tyd of plek gespesifiseer is nie, oorhandig word aan;
 - (i) die voorsittende beampte wanneer sodanige persoon vir die eerste keer die stemburo betree, vir insluiting in koevert ER7 soos bedoel by regulasie 72(2)(b); of

- (ii) die kiesbeamppte wanneer sodanige persoon die eerste keer die plek betree waar stemme getel word, vir insluiting in die toepaslike koevert ER29 soos bedoel by regulasie 72(2)(b).

HOOFSTUK 8

VOORBEREIDING VIR VERKIESING

Druk van Stembriewe vir Wyke

- 36 (1) Onmiddellik nadat die kiesbeamppte die name van kandidate wie se nominasie vir verkiesing in 'n wyk kragtens regulasie 29(4) aanvaar en met betrekking tot wie 'n verkiesing gehou sal word op verkiesingsdag, aangekondig het, sal die kiesbeamppte 'n voldoende aantal stembriewe op wit papier ooreenkomstig vorm ER(3)(A) laat druk vir gebruik in 'n verkiesing volgens wyke.
- (2) Elke stembrief gedruk kragtens regulasie 36(1) sal;
- (a) die naam van elke kandidaat in alfabetiese volgorde van die vanne soos vermeld op die nominasievorms bevat en, indien daar twee of meer kandidate met dieselfde van is, hulle name in alfabetiese volgorde; en
 - (b) langs die naam van elke kandidaat die onderskeidende merk of simbool van daardie kandidaat, indien enige, ooreenkomstig regulasie 29(4)(e) bevat; en
 - (c) op die teenblad opeenvolgend genummer wees met die nommer van sodanige teenblad op die voorkant van die teenblad.
- (3) 'n Aparte reeks stembriewe met opeenvolgend genummerde teenblaaie sal vir elke wyk gedruk word.

Druk van Stembriewe vir Proporsionele Verteenwoordiging

- (4) Onmiddellik na die verklaring soos bedoel by regulasie 26(2) deur die kiesbeampte van die name van die partye wie se nominasies aanvaar is en ten opsigte waarvan 'n verkiesing op verkiesingsdag gehou sal word sal;
- (a) die kiesbeampte ooreenkomstig vorm ER3(B) vir gebruik in 'n verkiesing volgens proporsionele verteenwoordiging in 'n plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur, na gelang van die geval, 'n voldoende aantal stembriewe op geel papier laat druk; en
 - (b) die metropolitaanse kiesbeampte ooreenkomstig vorm ER3(B) vir gebruik in 'n verkiesing volgens proporsionele verteenwoordiging in 'n metropolitaanse oorgangsraad, 'n voldoende aantal stembriewe op groen papier laat druk.
- (5) Elke stembrief ingevolge regulasie 36(4)(a) en 36(4)(b) gedruk, sal;
- (a) die name van die betrokke partye soos vermeld op die nominasievorms in alfabetiese volgorde bevat en, indien daar twee of meer partye met dieselfde eerste naam is, hul ander name in alfabetiese volgorde en, indien daar twee of meer partye met dieselfde eerste letter van die alfabet is, in alfabetiese volgorde van die tweede en indien nodig, daaropvolgende letters;
 - (b) langs elke sodanige naam, die onderskeidende merk of simbool indien enige van daardie party, soos ooreenkomstig regulasie 26(2)(d) vertoon, bevat; en
 - (c) op die teenblad vanaf een opeenvolgend genommer wees met die nommer van die teenblad op die voorkant van die teenblad.
- (6) 'n Aparte reeks stembriewe met opeenvolgend genommerde teenblaaië sal vir elke oorgangsraad gedruk word.
- (7) Vir doeleindes van regulasie 36(5)(a) sal die aanvangsletter van die alfabet in die alfabetiese volgorde bepaal word deur die naam van die party eerste getrek deur loting uitgevoer ooreenkomstig regulasie 73(1)(b)(i) tot en met (iii) deur die kiesbeampte in die aanwesigheid van die gemagtigde verteenwoordigers van nie minder nie as die helfte van geregistreerde partye, of indien sodanige

aantal versuim om teenwoordig te wees na 'n skriftelike uitnodiging, in die teenwoordigheid van sodanige verteenwoordigers wel teenwoordig plus nie minder nie as vyf onafhanklike getuies, indien nodig, deur die kiesbeamppte uitgenooi.

Stembusse

- 37 (1) Die kiesbeamppte sal voor verkiesingsdag 'n voldoende aantal stembusse voorsien of reël dat dit voorsien word.
- (2) Elke stembus sal;
- (a) oor 'n deksel met skarniere daaraan vasgeheg, beskik;
 - (b) oor 'n groot genoeg gleuf beskik om die plasing van stembriewe daarin toe te laat;
 - (c) so saamgestel en van sodanige materiaal vervaardig wees dat stembriewe nie daaruit verwyder kan word sonder om die deksel daarvan oop te maak nie;
 - (d) van 'n slot of ander toestel ten einde dit te sluit wanneer toegemaak voorsien wees;
 - (e) aan die buitekant duidelik met 'n nommer of simbool uniek aan daardie bus gemerk wees op so 'n wyse dat dit nie geredelik uitgewis of verwyder kan word nie; en
 - (f) aan die buitekant duidelik en noukeurig gemerk wees op 'n wyse wat onafhanklike identifikasie;
 - (i) van die naam van die betrokke oorgangsraad;
 - (ii) van die betrokke wyk; en
 - (iii) van 'n gekombineerde stembus vir 'n verkiesing volgens wyke en volgens proporsionele verteenwoordiging; of

- (iv) van 'n stembus slegs vir 'n verkiesing volgens proporsionele verteenwoordiging vir 'n metropolitaanse oorgangsraad, toelaat.

Amptelike Merk en Instrumente

- 38 (1) Die kiesbeampte sal voor verkiesingsdag;
- (a) besluit oor die amptelike merk of merke wat op stembriewe geplaas word;
 - (b) 'n voldoende aantal instrumente voorsien vir die plasing van sodanige merk of merke op stembriewe; en
 - (c) elke instrument in 'n toepaslik aparte koevert ER10 plaas en met sy amptelike seël verseël voor oorhandiging aan 'n voorsittende beampte, soos bedoel by regulasie 40.
- (2) Die kiesbeampte sal aan geen persoon hoegenaamd enige besonderhede van die amptelike merk of merke deur hom besluit, meedeel nie.

Bepaling van Tyd en Plek vir Telling en van Plek vir Aflewering van Verkiesingsmateriaal

- 39 Die kiesbeampte sal voor verkiesingsdag;
- (a) die plek of plekke, datum en tyd vir die tel van stemme, wat 'n aanvang sal neem nie later nie as 09:00 op die dag onmiddellik na die verkiesing bepaal, en skriftelike kennis daarvan aan elke kandidaat, party en algemene agent gee;
 - (b) elke voorsittende beampte op vorm ER11 in kennis stel van die plek of plekke waar stembusse en ander verkiesingsmateriaal afgelewer moet word aan sodanige kiesbeampte na die sluiting van stemlokale; en
 - (c) (i) skriftelik 'n adjunkstembeampte aanstel om namens hom of haar op te tree in enige geval waar sodanige kiesbeampte besluit het dat 'n plek of

plekke vir stembolling nie onder sy of haar direkte toesig en beheer sal wees nie; en

- (ii) elke adjunkkiesbeampte skriftelik in kennis stel van die plek waar die uitslag van die telling ooreenkomstig regulasie 81 en die verkiesing materiaal aan die kiesbeampte na voltooiing van die telling gelewer moet word.

Voorsiening van Verkiesingsmateriaal

- 40 (1) Die kiesbeampte sal nie later as 17:00 op die dag voor die verkiesing aan elke voorsittende beampte die volgende verkiesingsmateriaal vir gebruik by sy of haar stemlokaal voorsien;
- (a) 'n lys van die kandidate vir die wyk toegeken aan sodanige voorsittende beampte;
 - (b) 'n lys van die partye vir die verkiesing;
 - (c) 'n lys van kandidate en party-agente en bodes wie se name met betrekking tot sy stemlokaal op die toepaslike vorm ER8 ingevolge regulasie 34 oorhandig en in verband met wie 'n vorm ER9 ingevolge regulasie 35 oorhandig is, voorkom;
 - (d) een kopie van die kieserslys of toepaslike deel daarvan wat die name van stemgeregtigdes by sy stemlokaal bevat;
 - (e) 'n kopie van hierdie regulasies;
 - (f) drie kopieë van elke plakkaat soos bedoel in regulasie 46;
 - (g) 'n voldoende aantal stembusse soos benodig, ingevolge regulasie 37 geïdentifiseer en gemerk;
 - (h) 'n voldoende voorraad stembriewe;
 - (i) 'n voldoende voorraad instrumente vir die plasing van die amptelike merk op stembriewe, elk in 'n aparte koevert ER10;

- (j) een amptelike seël;
 - (k) 'n voldoende voorraad vorms, koeverte en etikette ER7 en ER12 tot en met die toepaslike vorm ER25;
 - (l) 'n voldoende aantal penne en potlode vir die merk van stembriewe;
 - (m) 'n voldoende aantal potlode, potloodskerpmakers, liniale, sny-instrumente, ink en inkkussings, koeverte, seëlwas of ander seëlmateriale, vuurhoutjies, bande, bruinpapier, kartonhouers, sakke, kleefband, lyn, gom, drukspykers, kerse, tou of band en ander materiale nodig vir die instandhouding van die identiteit van die binne-omtrek van die stemgebied, en waar van toepassing deur die kiesbeampte beskou, een of meer funksionerende batteryflits; en
- (2) By ontvangs van die stembriewe vanaf die kiesbeampte sal die voorsittende beampte in die teenwoordigheid van die kiesbeampte onmiddellik die teenbladnommers van die stembriewe ontvang op vorm ER20 aanteken en 'n kwitansie vir die ontvangs van alle stemmateriaal in terme van subregulasie (1) waarop die volgorde van die reeksnommers op die teenblaaie van die stembriewe ontvang asook die merke en simbole van stembusse soos bedoel by regulasie 37(2)(e), ontvang aangebring is, uitreik. Die voorsittende beampte sal 'n afsirf van die kwitansie deur die kiesbeampte onderteken, behou.
- (3) (a) Die metropolitaanse kiesbeampte sal nie later nie as 12:00 op die dag voor Verkiesingsdag aan elke kiesbeampte die verlangde aantal stembriewe voorsien soos bedoel in regulasies 36(4)(b), (5) en (6), waarvan die aantal skriftelik deur sodanige kiesbeampte aan die metropolitaanse kiesbeampte gespesifiseer sal word nie later nie as die tydstop van goedkeuring en registrasie van partye kragtens regulasie 26.
- (b) Elke kiesbeampte sal aan die metropolitaanse kiesbeampte 'n kwitansie gee waarop die reeksnommers van die teenblaaie van die stembriewe aan hom voorsien ingevolge subregulasie (3)(a), aangebring is en sal 'n

duplikaat van sodanige kwitansie deur die metropolitaanse kiesbeampte onderteken, behou.

HOOFSTUK 9

BEHEER, VOORBEREIDING EN OPENING VAN STEMLOKALE

Stemgebiede

41 (1) 'n Stemgebied sal bestaan uit:

- (a) 'n Stemburo wat 'n plek is wat deur die kiesbeampte aangewys is, waarbinne 'n kieser toegelaat sal word om sy of haar stem uit te bring;
- (b) 'n binne-omtrek rondom die stemburo aangrens met 'n omtrek met 'n radius van 500 meter, of sodanige vorm of kleiner gebied as wat prakties genoodsaak word, deur die kiesbeampte toegewys en duidelik met grense deur die kiesbeampte afgebaken;
 - (i) waarbinne persone toegelaat sal word vir stemdoeleindes;
 - (ii) waarbinne alle politieke aktiwiteit anders as stemming verbied is;
 - (iii) waarvandaan persone behalwe dié bedoel in regulasie 42(1),(2) en (3), uitgesluit is; en
- (c) 'n beheerde gebied rondom die stemburo omgrens met 'n omtrek met 'n radius van 1 000 meter, of sodanige vorm of kleiner gebied as wat prakties genoodsaak word, deur die kiesbeampte toegewys ten opsigte waarvan 'n voorsittende beampte alle politieke aktiwiteit behalwe stemming, mag verbied.

(2) Vir doeleindes van subregulasie (10)(b)(ii), sluit politieke aktiwiteit in;

- (a) die dra of vertoon van enige armband of roset ontwerp of bedoel om 'n besondere persoon met 'n besondere party of simbool te identifiseer;

- (b) die vertoon of verspreiding van enige plakkaat, banier, pamflet, omsendskrywe of brief bedoel of daarop gerig is om 'n kieser te beïnvloed om vir 'n spesifieke kandidaat of party te stem;
 - (c) die maak van enige aankondiging, lewer van enige toespraak of hardop lees van enige toespraak of brief bedoel of daarop gerig is om 'n kieser te beïnvloed om vir 'n spesifieke kandidaat of party te stem; en
 - (d) steunwerwing vir enige kandidaat of party;
- (3) (a) Die kiesbeampte sal, onderworpe aan die bepalings van hierdie regulasies die getal en plekke van stemburo's binne elke wyk en met in agneming van die getal kiesers, toeganklikheid, sekuriteit, beskikbaarheid van geskikte plekke en ander soortgelyke faktore wat die suksesvolle en behoorlike voer van die verkiesing kan beïnvloed, bepaal.
- (b) Ten minste een stemburo sal vir elke wyk of elke deel van 'n wyk bepaal word.
- (c) In die afwesigheid van 'n spesifieke of algemene skriftelike vergunning deur die Premier tot die teendeel daarvan,
- (i) sal aan geen stemburo in 'n wyk kragtens regulasie 16(1)(b) afgebaken, 'n deel van die kieserslys wat meer as 2 500 ingeskrewe kiesers bevat, toegeken word nie; en
 - (ii) sal aan geen stemburo in 'n wyk ingevolge regulasie 16(1)(a) afgebaken, 'n deel van die kieserslys wat meer as 4 000 ingeskrewe kiesers bevat, toegeken word nie.
- (4) Die kiesbeampte vir 'n metropolitaanse oorgangsubstruktuur sal toesien dat elke stemburo vir doeleindes van 'n verkiesing vir 'n metropolitaanse oorgangsubstruktuur en 'n metropolitaanse oorgangsraad toegewys en gebruik word.
- (5) Die kiesbeampte sal toesien dat daar aan die bepalings van regulasie 3(6) voldoen word.

- (6) Die Premier mag nie later nie as 40 dae voor verkiesingsdag die kiesbeampte beveel om die getal of die ligging van stemburo's bedoel in subregulasie (3), te vermeerder.
- (7) Nie later nie as sestig dae voor verkiesingsdag, sal elke kiesbeampte 'n lys met stemburo's en hul adresse publiseer en 'n kopie van sodanige lys by 'n plek of plekke deur hom of die verkiesingskomitee soos bedoel in regulasie 90, bepaal vir openbare inligting vertoon tot die dag na verkiesingsdag : Met dien verstande dat die kiesbeampte die lys op soortgelyke wyse mag aanvul, publiseer en in stand hou na oorlegpleging met die verkiesingsbeampte nie later nie as 40 dae voor verkiesingsdag.

Sekere magte in verband met Stemgebied

- (8) Die voorsittende beampte by 'n stemlokaal aangestel sal bevoeg wees om;
 - (a) sekere stappe te neem en sodanige aanwysings te gee as wat nodig mag wees vir die ordelike verloop van stemming en die doeltreffende verloop van die verkiesing en die nakoming van hierdie regulasies, insluitende beheer oor die aantal kiesers wat op 'n keer toegelaat word tot die stemlokaal en die binne-omtrek; en
 - (b) alle persone behalwe die ingevolge regulasie 42 toegelaat, die stemlokaal en binne-omtrek te verbied.
- (9) Onderworpe aan regulasie 42, sal geen persoon 'n stemlokaal of binne-omtrek sonder die toestemming van die voorsittende beampte betree of daarin vertoef nie.
- (10) Die voorsittende beampte sal alle redelike stappe vir die beskerming van persone en eiendom en vir die voorkoming van geweld of oproerigheid in of in die omgewing van die stemlokaal tref.
- (11) Die magte deur subregulasie (8), (9) en (10) verleen, sal nie so uitgevoer word dat enige stemgeregtigde persoon die geleentheid ontneem word om sy of haar stem uit te bring nie.

- (12) Die bepalings van hierdie regulasie sal nie so vertolk word dat enige bevoegdhede, pligte en funksies aan die kiesbeampte toegewys of voorgeskryf deur enige ander bepaling van hierdie regulasies beperk word nie.

Persone wat Stemlokale mag Betree

- 42 (1) Slegs die volgende persone mag 'n stemlokaal of binne-omtrek ingevolge regulasies 4(1)(a) en (b) aangewys, betree;
- (a) die kiesbeampte;
 - (b) behoorlik aangestelde verkiesingsbeamptes;
 - (c) polisiebeamptes aan diens;
 - (d) die kandidate;
 - (e) enige persoon wie se naam met betrekking tot sodanige stemlokaal in die lys bedoel in regulasie 40(1)(c) voorkom; en
 - (f) kiesers vir die doel van stemming by sodanige stemlokaal; of
 - (g) 'n persoon kragtens regulasie 58(1) toegelaat.
- (2) Slegs die persone bedoel in subregulasie 1(a) tot en met (e) mag 'n stemlokaal betree voor die aanvangstyd van stemming of daarin vertoef na die sluiting daarvan.
- (3) Ondanks die bepalings van hierdie regulasie mag die kiesbeampte ander benoemde of spesifieke persone met spesifieke verantwoordelikhede skriftelik magtig om 'n stemlokaal of die binne-omtrek van sodanige stemlokaal te betree op sodanige voorwaardes as wat sodanige beampte nodig of geskik mag vind.
- (4) Alle persone insluitend polisiebeamptes aan diens, kandidate en agente wat op toegang tot 'n stemburo of binne omtrek daarvan geregtig of daartoe gemagtig is, is aan die gesag, beheer en voorskrifte van die voorsittende beampte onderhewig.

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p.257

Toerusting en Meubels vir Stemlokale

- 43 (1) Die kiesbeampte sal toesien dat die volgende toerusting en meubels vir elke stemlokaal voor die aanvangstyd van stemming voorsien word;
- (a) voldoende aantal tafels en stoele vir kiesbeamptes en agente vir die kandidate en partye;
 - (b) voldoende aantal stemkompartemente elk met 'n skryfoppervlakte; en
 - (c) stembusse ingevolge regulasie 40(1)(g).
- (2) Die kiesbeampte sal nie toerusting of meubels buite die stemlokaal aan enige kandidaat, party of agent voorsien nie.

Rangskikking Binne 'n Stemlokaal

- 44 (1) Elke stemlokaal sal so gerangskik wees dat;
- (a) daar een of meer verkiesingsbeamptes by die ingang van die stemlokaal en/of binne-omtrek sal wees om te verseker dat elke persoon wat wens om die stemlokaal en/of binne-omtrek te betree, in besit van 'n identiteitsdokument is;
 - (b) daarna, tydens toelating tot die stemlokaal, die kieser eers verwys sal word na 'n aanliggende plek waar stembriewe uitgereik kan word vir die verkiesing van raadslede vir wyke en vir die verkiesing van raadslede volgens proporsionele verteenwoordiging vir 'n plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur, na gelang van die geval en waar die stem vir sodanige verkiesing deur die kieser uitgebring en gedeponeer sal word;
 - (c) daarna, onderhewig aan die bepalings van regulasie 44(3) sal die kieser na 'n aanliggende uitgang afsonderlik van die ingang verwys word; en

- (12) Die bepalings van hierdie regulasie sal nie so vertolk word dat enige bevoegdhede, pligte en funksies aan die kiesbeampte toegewys of voorgeskryf deur enige ander bepaling van hierdie regulasies beperk word nie.

Persone wat Stemlokale mag Betree

- 42 (1) Slegs die volgende persone mag 'n stemlokaal of binne-omtrek ingevolge regulasies 4(1)(a) en (b) aangewys, betree;
- (a) die kiesbeampte;
 - (b) behoorlik aangestelde verkiesingsbeamptes;
 - (c) polisiebeamptes aan diens;
 - (d) die kandidate;
 - (e) enige persoon wie se naam met betrekking tot sodanige stemlokaal in die lys bedoel in regulasie 40(1)(c) voorkom; en
 - (f) kiesers vir die doel van stemming by sodanige stemlokaal; of
 - (g) 'n persoon kragtens regulasie 58(1) toegelaat.
- (2) Slegs die persone bedoel in subregulasie 1(a) tot en met (e) mag 'n stemlokaal betree voor die aanvangstyd van stemming of daarin vertoef na die sluiting daarvan.
- (3) Ondanks die bepalings van hierdie regulasie mag die kiesbeampte ander benoemde of spesifieke persone met spesifieke verantwoordelikhede skriftelik magtig om 'n stemlokaal of die binne-omtrek van sodanige stemlokaal te betree op sodanige voorwaardes as wat sodanige beampte nodig of geskik mag vind.
- (4) Alle persone insluitend polisiebeamptes aan diens, kandidate en agente wat op toegang tot 'n stemburo of binne omtrek daarvan geregtig of daartoe gemagtig is, is aan die gesag, beheer en voorskrifte van die voorsittende beampte onderhewig.

Toerusting en Meubels vir Stemlokale

- 43 (1) Die kiesbeampte sal toesien dat die volgende toerusting en meubels vir elke stemlokaal voor die aanvangstyd van stemming voorsien word;
- (a) voldoende aantal tafels en stoele vir kiesbeamptes en agente vir die kandidate en partye;
 - (b) voldoende aantal stemkompartemente elk met 'n skryfoppervlakte; en
 - (c) stembusse ingevolge regulasie 40(1)(g).
- (2) Die kiesbeampte sal nie toerusting of meubels buite die stemlokaal aan enige kandidaat, party of agent voorsien nie.

Rangskikking Binne 'n Stemlokaal

- 44 (1) Elke stemlokaal sal so gerangskik wees dat;
- (a) daar een of meer verkiesingsbeamptes by die ingang van die stemlokaal en/of binne-omtrek sal wees om te verseker dat elke persoon wat wens om die stemlokaal en/of binne-omtrek te betree, in besit van 'n identiteitsdokument is;
 - (b) daarna, tydens toelating tot die stemlokaal, die kieser eers verwys sal word na 'n aanliggende plek waar stembriewe uitgereik kan word vir die verkiesing van raadslede vir wyke en vir die verkiesing van raadslede volgens proporsionele verteenwoordiging vir 'n plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur, na gelang van die geval en waar die stem vir sodanige verkiesing deur die kieser uitgebring en gedeponeer sal word;
 - (c) daarna, onderhewig aan die bepalings van regulasie 44(3) sal die kieser na 'n aanliggende uitgang afsonderlik van die ingang verwys word; en

Toerusting en Meubels vir Stemlokale

- 43 (1) Die kiesbeampte sal toesien dat die volgende toerusting en meubels vir elke stemlokaal voor die aanvangstyd van stemming voorsien word;
- (a) voldoende aantal tafels en stoele vir kiesbeamptes en agente vir die kandidate en partye;
 - (b) voldoende aantal stemkompartemente elk met 'n skryfoppervlakte; en
 - (c) stembusse ingevolge regulasie 40(1)(g).
- (2) Die kiesbeampte sal nie toerusting of meubels buite die stemlokaal aan enige kandidaat, party of agent voorsien nie.

Rangskikking Binne 'n Stemlokaal

- 44 (1) Elke stemlokaal sal so gerangskik wees dat;
- (a) daar een of meer verkiesingsbeamptes by die ingang van die stemlokaal en/of binne-omtrek sal wees om te verseker dat elke persoon wat wens om die stemlokaal en/of binne-omtrek te betree, in besit van 'n identiteitsdokument is;
 - (b) daarna, tydens toelating tot die stemlokaal, die kieser eers verwys sal word na 'n aanliggende plek waar stembriewe uitgereik kan word vir die verkiesing van raadslede vir wyke en vir die verkiesing van raadslede volgens proporsionele verteenwoordiging vir 'n plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur, na gelang van die geval en waar die stem vir sodanige verkiesing deur die kieser uitgebring en gedeponeer sal word;
 - (c) daarna, onderhewig aan die bepalings van regulasie 44(3) sal die kieser na 'n aanliggende uitgang afsonderlik van die ingang verwys word; en

- (d) daar een of meer verkiesingsbeamptes of polisiebeamptes aan diens sal wees by sodanige uitgang om te verseker dat geen persoon by sodanige uitgang kan binnekom nie.
- (2) Waar 'n persoon soos bedoel in subregulasie 44(1)(a) nie die nodige identiteitsdokument toon nie, sal so 'n persoon nie toegelaat word om die stemlokaal te betree nie of, indien reeds binnegegaan is, sal hy of sy onmiddellik deur 'n verkiesingsbeampte of polisiebeampte aan diens uit die stemlokaal na die uitgang begelei word.
- (3) Waar die verkiesing vir 'n metropolitaanse oorgangsraad uitgevoer word binne dieselfde stemlokaal as die verkiesing vir 'n metropolitaanse oorgangsubstruktuur;
 - (a) 'n kieser wat 'n stem uitgebring het ingevolge regulasie 44(1)(b) sal direk daarna na die plek in regulasie 44(3)(b) bedoel, verwys word;
 - (b) die plek waar 'n stembrief uitgereik en die stem uitgebring en gedeponeer word deur die kieser vir sodanige metropolitaanse oorgangsraadsverkiesing, sal duidelik apart gehou word van die plek waarna verwys word in regulasie 44(1)(b), maar geleë in 'n posisie voor die uitgang bedoel in regulasie 44(1)(c); en
 - (c) sal die voorsittende beampte alle verkiesingsmateriaal soos bedoel by regulasie 40 en uitgereik met betrekking tot sodanige metropolitaanse oorgangsraad, te alle tye apart van enige ander verkiesingsmateriaal in sodanige stemlokaal hou en beheer, totdat dit deur die betrokke gemagtigde kiesbeampte onder bewaring geneem word.

Ure van stemming en Aankoms by Stemlokaal

- 45
- (1) Die stemming begin om 07:00 en duur tot 22:00 op verkiesingsdag.
 - (2) Die voorsittende beampte, kiesbeamptes en enige ander verkiesingsbeampte spesifiek deur die kiesbeampte daartoe aangewys, sal ten minste sestig minute voor die aanvangstyd van stemming in die stemlokaal wees.

Plakkaat buite Stemlokaal

46 Die kiesbeampte plaas voordat stemming 'n aanvang neem, in 'n opvallende posisie buite die stemlokaal;

- (1) plakkaat ER14(A) wat vermeld dat dit 'n stemlokaal vir die verkiesing is, die ure van stemming, die naam van die oorgangsraad, die wyk en stemburo waarvoor stemming ooreenkomstig wyke sal plaasvind; en
- (2) waar toepaslik, plakkaat ER14(B) wat vermeld dat dit 'n stemlokaal vir die verkiesing is, die ure van stemming, die naam van die metropolitaanse oorgangsraad, wyk en stemburo vir wie stemming volgens proporsionele verteenwoordiging sal plaasvind; en
- (3) plakkaat ER13 wat vermeld dat rook of die aansteek van vuurhoutjies of aanstekers in die stemlokaal verbode is.

Voorbereiding van Stemkompartemente

47 Die voorsittende beampte sal, voor die aanvang van stemming:

- (a) elke stemkompartement rangskik sodat geen persoon;
 - (i) dit kan binnekom of verlaat sonder om gesien te word deur die voorsittende beampte of ander verkiesingsbeamptes deur hom gemagtig nie; of
 - (ii) kan waarneem hoe 'n ander persoon 'n stem uitbring nie;
- (b) vorm ER12(A) en (B) binne elke stemkompartement aanbring in 'n posisie sigbaar vir 'n kieser wat sodanige kompartement betree; en
- (c) 'n pen of behoorlik skerp gemaakte potlood deur middel van tou aan die skryfoppervlak in elke kompartement vasheg.

Seël van Stembusse

- (d) daar een of meer verkiesingsbeamptes of polisiebeamptes aan diens sal wees by sodanige uitgang om te verseker dat geen persoon by sodanige uitgang kan binnekom nie.
- (2) Waar 'n persoon soos bedoel in subregulasie 44(1)(a) nie die nodige identiteitsdokument toon nie, sal so 'n persoon nie toegelaat word om die stemlokaal te betree nie of, indien reeds binnegegaan is, sal hy of sy onmiddellik deur 'n verkiesingsbeampte of polisiebeampte aan diens uit die stemlokaal na die uitgang begelei word.
- (3) Waar die verkiesing vir 'n metropolitaanse oorgangsraad uitgevoer word binne dieselfde stemlokaal as die verkiesing vir 'n metropolitaanse oorgangsubstruktuur;
 - (a) 'n kieser wat 'n stem uitbring het ingevolge regulasie 44(1)(b) sal direk daarna na die plek in regulasie 44(3)(b) bedoel, verwys word;
 - (b) die plek waar 'n stembrief uitgereik en die stem uitbring en gedeponeer word deur die kieser vir sodanige metropolitaanse oorgangsraadsverkiesing, sal duidelik apart gehou word van die plek waarna verwys word in regulasie 44(1)(b), maar geleë in 'n posisie voor die uitgang bedoel in regulasie 44(1)(c); en
 - (c) sal die voorsittende beampte alle verkiesingsmateriaal soos bedoel by regulasie 40 en uitgereik met betrekking tot sodanige metropolitaanse oorgangsraad, te alle tye apart van enige ander verkiesingsmateriaal in sodanige stemlokaal hou en beheer, totdat dit deur die betrokke gemagtigde kiesbeampte onder bewaring geneem word.

Ure van stemming en Aankoms by Stemlokaal

- 45 (1) Die stemming begin om 07:00 en duur tot 22:00 op verkiesingsdag.
- (2) Die voorsittende beampte, kiesbeamptes en enige ander verkiesingsbeampte spesifiek deur die kiesbeampte daartoe aangewys, sal ten minste sestig minute voor die aanvangstyd van stemming in die stemlokaal wees.

Plakkaat buite Stemlokaal

46 Die kiesbeampte plaas voordat stemming 'n aanvang neem, in 'n opvallende posisie buite die stemlokaal;

- (1) plakkaat ER14(A) wat vermeld dat dit 'n stemlokaal vir die verkiesing is, die ure van stemming, die naam van die oorgangsraad, die wyk en stemburo waarvoor stemming ooreenkomstig wyke sal plaasvind; en
- (2) waar toepaslik, plakkaat ER14(B) wat vermeld dat dit 'n stemlokaal vir die verkiesing is, die ure van stemming, die naam van die metropolitaanse oorgangsraad, wyk en stemburo vir wie stemming volgens proporsionele verteenwoordiging sal plaasvind; en
- (3) plakkaat ER13 wat vermeld dat rook of die aansteek van vuurhoutjies of aanstekers in die stemlokaal verbode is.

Voorbereiding van Stemkompartemente

47 Die voorsittende beampte sal, voor die aanvang van stemming:

- (a) elke stemkompartement rangskik sodat geen persoon;
 - (i) dit kan binnekom of verlaat sonder om gesien te word deur die voorsittende beampte of ander verkiesingsbeamptes deur hom gemagtig nie; of
 - (ii) kan waarneem hoe 'n ander persoon 'n stem uitbring nie;
- (b) vorm ER12(A) en (B) binne elke stemkompartement aanbring in 'n posisie sigbaar vir 'n kieser wat sodanige kompartement betree; en
- (c) 'n pen of behoorlik skerp gemaakte potlood deur middel van tou aan die skryfoppervlak in elke kompartement vasheg.

Seël van Stembusse

- 48 (1) Die voorsittende beampte sal, nie meer as dertig minute voordat stemming 'n aanvang neem nie;
- (a) bevestig en verseker dat alle stembusse gemerk is soos voorgeskryf by regulasie 37(2)(e) en (f) en regulasie 43(1)(c);
 - (b) aan persone teenwoordig binne die stemlokaal toon dat elke stembus leeg is;
 - (c) elke stembus toemaak en sluit;
 - (d) die deksel van elke stembus stewig sluit en met seëlwas sy amptelike seël aanbring, elke stembus seël en die sleutel, indien enige, aan die kant van die bus heg op so 'n wyse dat sodanige deksel nie geopen of sodanige sleutel nie verwyder kan word sonder dat die seël gebreek of beskadig word nie; en
 - (e) die kandidate of die agente teenwoordig toelaat om hul eie seëls aan alle of enige stembus aan te bring indien so verlang.
- (2) In die geval waar addisionele stembusse agterna by die stemlokaal afgelewer en deur die voorsittende beampte aanvaar sal die prosedure uiteengesit in regulasie 48(1)(a) tot en met (e) onmiddellik na sodanige aflewering gevolg word, en sal die voorsittende beampte die stemburo tydelik sluit vir sodanige beperkte tydperk as wat redelikerwys nodig is om hieraan te voldoen..
- (3) Nadat die stembusse geseël is sal dit nie;
- (a) oopgemaak word behalwe soos voor voorsiening gemaak word in regulasie 69 nie; of
 - (b) van die stemlokaal verwyder word behalwe soos voorgeskryf by regulasie 63(1) nie.
- (4) Die voorsittende beampte sal elke stembus in 'n opvallende posisie plaas waar dit te alle tye deur hom of haar of enige ander verkiesingsbeampte deur hom gemagtig, gesien kan word.

Opening van Stemlokale en Amptelike Merk-koeverte

- 49 (1) Die voorsittende beampte sal verseker dat die stemlokaal geopen word op die tydstip waarop stemming moet begin.
- (2) Die voorsittende beampte sal, op die tydstip waarop stemming moet begin, slegs soveel koeverte wat instrumente vir die plasing van die amptelike merk op stembriewe bevat, oopmaak as wat nodig is vir die stemming.

HOOFSTUK 10

HOU VAN STEMMING

Periodieke Inspeksie van Stemburo en Stemkompartemente

- 50 (1) Die voorsittende beampte sal periodiek gedurende die verloop van die verkiesing sorg dat die stemburo geïnspekteer word om te verseker dat voldoen word aan die bepalings van hierdie regulasies en dat:
- (a) die plakate soos voorgeskryf by regulasies 46 steeds in posisie is en nie beskadig of ontsier is nie;
 - (b) die stemkompartemente nog steeds gerangskik is soos voorgeskryf by regulasie 47(a); en
 - (c) die stembusse steeds in die posisie is soos voorgeskryf by regulasie 48(4).
- (2) Die voorsittende beampte sal periodiek gedurende die verloop van die verkiesing sorg dat elke stemkompartement geïnspekteer word wanneer dit nie beset is nie om te verseker dat:
- (a) die vorm ER12(A) en (B) steeds in posisie is en nie beskadig of ontsier is nie;

- (b) 'n pen of behoorlik skerpgemaakte potlood steeds aan die skryfoppervlak geheg is; en
 - (c) geen ander kennisgewing, dokument, teken, geskrif of simbool in sodanige stemkompartement is nie.
- (3) Die voorsittende beampte sal periodiek gedurende die verloop van die verkiesing sorg dat die binne-omtrek geïnspekteer word om te verseker dat daar voldoen word aan die bepalings van hierdie regulasies en dat die grense van sodanige binne-omtrek korrek en duidelik afgebaken is.

Toelating tot Stemkompartemente

- 51 Behoudens die bepalings van regulasies 50(2) en 58, sal niemand anders as 'n kieser wat wil stem, 'n stemkompartement betree nie, en nie meer as een kieser sal op enige tydstop in 'n stemkompartement wees nie.

Inmenging met Kiesers

- 52 Geen persoon sal, behalwe soos waarvoor in hierdie regulasies voorsiening gemaak is, 'n kieser nader, met hom inmeng, met hom praat of hom bystaan vandat sodanige kieser 'n stembrief of -briewe ontvang het, totdat sodanige kieser sodanige stembrief of -briewe in die toepaslike stembus of -busse geplaas het nie.

Vrae aan Kiesers

- 53 (1) Die voorsittende beampte mag, en sal, indien daartoe versoek deur enige kandidaat of agent, aan die persoon wat om 'n stembrief aansoek doen, in die teenwoordigheid van ten minste twee kandidate of agente, die vrae in vorm ER15 uiteengesit, stel en mag die voorsittende beampte indien dit na sy oordeel toepaslik is die belang en inhoud van vorm ER15 verduidelik.
- (2) Die voorsittende beampte mag na goëddunke die antwoorde van die persoon op vorm ER15 aanteken en van sodanige persoon eis dat hy die verklaring aflê en onderteken of sy of haar merk daarop aan te bring.

- (3) Geen persoon bedoel in subregulasie (1) sal toegelaat word om te stem nie tensy hy of sy die eerste vraag duidelik en beslis positief beantwoord en die tweede en derde vrae duidelik en beslis negatief beantwoord wanneer hy daarom gevra word deur die voorsittende beampte, en daarna die verklaring afgelê en dit onderteken het nie of sy of haar merk daarop aangebring het.
- (4) Geen navraag anders as dié beoog by subregulasie (1) sal by enige stemming na die reg van enige persoon om te stem, gedoen word nie.
- (5) Waar 'n persoon bedoel in subregulasie 53(1) weier of nalaat om 'n vraag te beantwoord of 'n verklaring af te lê of te onderteken of sy of haar merk daarop aan te bring soos vereis in regulasie 53(3), mag daardie persoon deur die voorsittende beampte beveel word om die stemburo te verlaat waarna hy direk uit die stemburo vanaf die uitgang begelei sal word deur 'n verkiesingsbeampte of polisiebeampte wat aan diens is.
- (6) Wanneer 'n persoon namens 'n bepaalde kieser by 'n verkiesingsbeampte om 'n stembrief aansoek doen en 'n streep reeds deur die naam en nommer van die bepaalde kieser op die kieserslys getrek is en die verkiesingsbeampte rede het om te glo dat 'n stembrief reeds in die bepaalde naam uitgereik is, sal die kiesbeampte aan die persoon wat aansoek om die stembrief doen, die vrae soos in vorm ER15 uiteengesit, stel, die nommer van die teenblad van enige stembrief uitgereik, asook die antwoorde van die aansoeker op vorm ER15 aanteken en van die aansoeker vereis om die verklaring te maak en te onderteken. Die bepalings van subregulasie (3) tot en met (5), sal *mutatis mutandis* van toepassing wees.

Uitreiking van Stembriewe

- 54 (1) 'n Verkiesingsbeampte by wie 'n persoon aansoek doen om 'n stembrief, sal die persoon versoek om sy identiteitsdokument te vertoon en sy naam en adres te verskaf, en sal oortuig wees dat;

- (a) in die geval van 'n stembrief vir die verkiesing van raadslede in wyke, sodanige persoon se naam op die kieserslys vir daardie stemburo verskyn;
 - (b) in die geval van 'n stembrief vir die verkiesing van raadslede volgens 'n stelsel van proporsionele verteenwoordiging, sodanige persoon se naam in die kieserslys vir daardie stemburo vir die betrokke oorgangsraad verskyn; en
 - (c) die tipe stembrief waarom aansoek gedoen word, nie reeds by daardie stemburo in die naam van die betrokke kieser nie uitgereik is nie.
- (2) Indien 'n verkiesingsbeampte soos bedoel by regulasie 54(1) aldus oortuig is of indien die voorsittende beampte so beveel, sal die verkiesingsbeampte in die geval van elke stembrief;
- (a) die reeksnommer en naam van die kieser soos aangedui in die kieserslys, uitroep;
 - (b) daardie nommer op die teenblad van die stembrief aanbring;
 - (c) 'n streep deur die naam en nommer van die betrokke kieser in die kieserslys trek om aan te toon;
 - (i) dat 'n stembrief in daardie naam uitgereik is; of
 - (ii) waar 'n enkele kieserslys gebruik word vir die uitreiking van 'n stembrief vir die verkiesing van raadslede in wyke en vir die uitreiking van 'n stembrief vir die verkiesing van raadslede volgens 'n stelsel van proporsionele verteenwoordiging vir 'n plaaslike oorgangsraad of 'n metropolitaanse oorgangsubstruktuur, dat twee stembriewe in daardie naam uitgereik is;
 - (d) elke sodanige stembrief uitskeur en dit met die amptelike merk in die ruimte wat agterop daarvoor aangebring is, merk;

- (e) elke sodanige stembrief een keer in die lengte en daarna dwars vou sodat die amptelike merk aan die buitekant is; en
- (f) elke sodanige stembrief oopvou en dit aan die betrokke kieser oorhandig.

Bystand aan kiesers deur Verkiesingsbeamptes

55 'n Verkiesingsbeampte mag;

- (a) 'n kieser na 'n stemkompartement of stemtafel langsaan verwys;
- (b) 'n kieser inlig dat aanwysings om bystand binne die stemkompartemente aangebring is;
- (c) in enige geval indien hy of sy dit nodig ag, 'n kieser inlig dat hy of sy bystand mag vra van 'n verkiesingsbeampte soos bedoel by regulasies 31(4) of 58, en sodanige kieser na sodanige beampte begelei;
- (d) 'n kieser beveel waar om stembriewe te deponeer nadat daardie kieser sy stemreg uitgeoefen het; of
- (e) 'n kieser na die uitgang van die stemburo verwys nadat sodanige kieser die stemproses voltooi het.

Merk en Verwydering van Stembriewe

56 (1) 'n Kieser aan wie 'n stembrief uitgereik is, sal;

- (a) onmiddellik na 'n onbesette stemkompartement gaan;
- (b) sodra binne 'n stemkompartement sonder verwyd in die geheim 'n kruisie of 'n duidelike aanduiding deur middel van 'n merk of skrifbeeld anders as 'n kruisie op die stembrief in die blok teenoor die naam en simbool van die kandidaat vir wie hy of sy wens in 'n wyksverkiesing te stem maak, asook op die stembrief in die blok teenoor die naam en simbool van die party vir wie hy of sy wens te stem in 'n verkiesing volgens proporsionele verteenwoordiging;

- (c) die stembriewe so vou dat die amptelike merk aan die buitekant is;
 - (d) die amptelike merk op die stembrief of -briewe aan die voorsittende beampte of aan enige ander verkiesingsbeampte deur sodanige voorsittende beampte daartoe gemagtig, toon en daardie stembrief of briewe in die toepaslike stembus plaas; en
 - (e) onmiddellik die stemburo deur die uitgang verlaat.
- (2) Geen stembrief sal uit die stemburo verwyder word behalwe soos voorgeskryf by regulasie 63(1) nie.

Inspeksie van Stembriewe en Stembriewe sonder Amptelike Merk

- 57 (1) Indien 'n verkiesingsbeampte enigsins twyfel of 'n stembrief in besit van enige persoon regmatig aan sodanige persoon uitgereik is, mag daardie verkiesingsbeampte hom vra om die rugkant van sodanige stembrief te toon sodat die amptelike merk daarop sigbaar is.
- (2) Die voorsittende beampte sal toesien dat die amptelike merk op enige stembrief waarop dit weggelaat is, aangebring word, indien hy of sy tevrede is dat sodanige stembrief andersins behoorlik uitgereik is en nog nie in die stembus geplaas is nie.

Ongeletterde, Blinde of Gestremde Kiesers

- 58 (1) By versoek aan die voorsittende beampte deur 'n kieser wat;
- (a) nie in staat is om 'n stembrief te bekom op die wyse soos bedoel in regulasie 54 nie of nie in staat is om te stem op die wyse soos bedoel in regulasie 56 nie omrede daardie kieser ongeletterd, blind, gebreklik of andersins fisies gestremd is; en
 - (b) vergesel is of bygestaan word deur 'n ander persoon wat die ouderdom van agtien jaar bereik het of wat na die mening van die voorsittende beampte die ouderdom van agtien jaar bereik het,

sal die voorsittende beampte as hy of sy tevrede is dat dit die wens van daardie kieser is, aan daardie kieser toestemming verleen om 'n stembrief of briewe te bekom en slegs met die hulp en in die teenwoordigheid van daardie ander persoon te stem, in welke geval enigiets wat deur daardie ander persoon op versoek of met die uitdruklike of stilswyende toestemming van die kieser in verband met die uitoefening van die stem van die betrokke kieser gedoen is, beskou word asof dit deur daardie kieser self gedoen is.

- (2) Indien enige kieser nie in staat is om 'n stembrief te bekom op die wyse in regulasie 54 voorgeskryf nie, of nie in staat is om te stem op die wyse in regulasie 56 voorgeskryf nie, omdat sodanige kieser ongeletterd, blind, gebreklik of andersins fisies gestrem is, en tensy 'n aansoek in terme van regulasie 58(1) gedoen is, sal die voorsittende beampte of sy gematigde verteenwoordiger op versoek van daardie kieser en in teenwoordigheid van slegs daardie agente wat teenwoordig is;
 - (a) 'n stembrief of -briewe vir daardie kieser in terme van regulasie 54 bekom;
 - (b) die stem van sodanige kieser op die stembrief of -briewe op die wyse soos deur die kieser aangedui aangebring;
 - (c) daardie stembrief of -briewe opvou soos in hierdie regulasies vereis; en
 - (d) daardie stembrief of -briewe in die toepaslike stembus plaas.
- (3) Enigiets deur 'n beampte ingevolge subregulasie (2) op die versoek of met die uitdruklike of stilswyende toestemming van die kieser in verband met die uitbring van die stem van die betrokke kieser gedoen, sal beskou word asof dit deur sodanige kieser self gedoen is.

Beswaar teen Kieser

- 59 (1) Enige kandidaat, kandidaatsagent of kieser mag, deur 'n verklaring onder eed of bevestiging in ooreenstemming met vorm ER16 voor die voorsittende beampte gemaak, beswaar aanteken teen 'n persoon in die stemburo wat enige

stem uitbring op grond daarvan dat daardie persoon nie die kieser is in wie se naam sodanige persoon aansoek gedoen het om, of uitgereik is met, stembriewe nie.

- (2) Die voorsittende beampte sal onverwyld;
 - (a) die verklaring beoog in subregulasie (1) voorlees aan die persoon wat die stemreg uitoefen of poog om dit uit te oefen; en
 - (b) sodanige persoon versoek om 'n verklaring in ooreenstemming met die vorm ER17 onder eed voor die voorsittende beampte af te lê; en
 - (c) indien hy of sy dit dienstig ag die belang of inhoud van vorm ER16 en ER17 verduidelik.
- (3) Indien die persoon wat sy stemreg uitoefen of poog om dit te doen, die verklaring by subregulasie 2(b) beoog aflê, onmiddellik nadat hy daartoe versoek is om dit te doen ingevolge die genoemde subregulasie, sal die voorsittende beampte daardie persoon toelaat om sy stemreg kragtens hierdie regulasies uit te oefen.
- (4) Indien die persoon wat sy stemreg uitoefen of poog om dit te doen, weier om die verklaring soos bedoel by subregulasie (2)(b) af te lê, onmiddellik nadat hy daartoe versoek is kragtens die genoemde subregulasie, sal die voorsittende beampte die uitreiking van enige stembrief aan sodanige persoon verbied of, indien 'n stembrief of -briewe reeds uitgereik is aan daardie persoon, maar nog nie verwyder is soos by regulasie 56(1)(d) voorgeskryf nie, beslag lê op daardie stembrief of -briewe, dit kanselleer en die rede vir die kansellering daarop asook op die teenblad aanbring.
- (5) Die voorsittende beampte sal alle verklarings soos beoog by subregulasies (1) en (3) asook alle stembriewe waarop in terme van subregulasie (4) beslag gelê en gekanselleer is, opsy sit in koevert ER18.
- (6) Die voorsittende beampte sal enige eed wat in hierdie regulasie beoog word, afneem.

Bedorwe Stembriewe

- 60 (1) Indien enige kieser 'n stembrief bederf, mag hy of sy dit aan die voorsittende beampte terugbesorg, wat, mits hy of sy tevrede is dat daardie stembrief per abuis bederf is, 'n nuwe stembrief aan daardie kieser sal uitreik.
- (2) Die voorsittende beampte sal, as hy of sy 'n nuwe stembrief uitreik;
- (a) die bedorwe stembrief kanselleer en;
- (i) op die toepaslike kieserslys teenoor die naam van die kieser aandui dat daardie stembrief gekanselleer is en 'n nuwe stembrief uitgereik is; en
- (ii) op die bedorwe stembrief die nommer aanbring van die nuwe stembrief se teenblad op die volgende wyse;
- "kyk nuwe teenblad No."
- en
- (b) die bedorwe stembrief opsysit in koevert ER18.

HOOFSTUK 11

AFSLUITING VAN STEMMERY EN DIE OPMAAK EN AFLEWERING VAN VERKIESINGSMATERIAAL

Afsluiting van Stemmer

- 61 (1) Die voorsittende beampte sal toesien dat;
- (a) die deure van die stemburo gesluit is op die tydstip waarop die stemmer veronderstel is om te sluit, behalwe en uitgesonderd vir daardie persone wat teen sluitingstyd in die binne-omtrek van 'n stemgebied soos bedoel by regulasie 41(1)(b) is; en

- (b) geen persoon na die sluitingstyd in die stemburo toegelaat word nie, behalwe en uitgesonderd daardie persone wat teen die sluitingstyd in die binne-omtrek van die stemgebied soos bedoel in regulasie 41(1)(b) is.
- (2) Die voorsittende beampte sal elke persoon wat teen sluitingstyd in sodanige binne-omtrek is en wat geregtig is om te stem, toelaat om sy stemreg uit te oefen.

Opmaak van Verkiesingsmateriaal

- 62 (1) Die voorsittende beampte sal, onmiddellik nadat elke persoon soos bedoel by regulasie 61(2), sy stemreg uitgeoefen het en in die teenwoordigheid van die persone teenwoordig in die stemlokaal;
- (a) die opening in elke stembus toemaak;
 - (b) elke sodanige opening met sy amptelike seël verseël;
 - (c) enige sluittoestel verseël of enige sleutel aan die bus vasheg en op so 'n wyse verseël, dat dit nie gebruik kan word sonder om daardie seël te breek nie;
 - (d) kandidate of agente toelaat om 'n seël aan enige sodanige opening aan te bring indien so verkies;
 - (e) die toepaslike vorm ER20 voltooi en verseël;
 - (f) die teenblaaie van die gebruikte stembriewe van die ongebruikte stembriewe en hul teenblaaie skei en vir hierdie doel enige deelsgebruikte stembriefboeke in twee verdeel.
- (2) Die voorsittende beampte sal daarna, in die teenwoordigheid van die persone teenwoordig in die stemlokaal, die materiaal wat in die eerste kolom van die onderstaande Tabel gespesifiseer is, in die toepaslike koevert soos gespesifiseer in die tweede kolom van genoemde Tabel plaas en elke koevert toepak, vasheg of andersins hanteer sodat dit veilig toegemaak is:

TABEL

<u>MATERIAAL</u>	<u>KOEVERT</u>
(a)	Vorms ER6 en ER9
(b)	Vorms ER15, ER16 en ER17 plus stembriewe waarop beslag gelê is, bedorwe en gekanselleerde stembriewe
(c)	Ongebruikte stembriewe en teenblaaie
(d)	Teenblaaie van gebruikte stembriewe
(e)	Gemerkte kopieë van die kieserslys
(f)	Vorm ER20
(g)	Instrumente vir die merk van stembriewe met die amptelike merk
	ER7
	ER18
	ER19
	ER21
	ER25

(3) Die voorsittende beamppte sal daarna, in teenwoordigheid van die persone wat in die stemburo aanwesig is;

- (a) die koeverte ER7, toepaslike koeverte ER18, ER19, ER21 en ER25, met sy amptelike seël verseël en die kandidate of agente elkeen toelaat om ook 'n seël daarop aan te bring indien so verkies;
- (b) koeverte ER21 en ER25 afsonderlik behou;
- (c) koeverte ER7, toepaslike koeverte ER18, ER19, in 'n enkele sak of houer wat vir hierdie doel voorsien is, insluit, etiket ER23 daarop aanbring en sodanige enkele sak of houer met sy amptelike seël verseël kandidate of kandidaatsagente toelaat om elkeen ook 'n seël daarop aan te bring indien so verkies; en

- (d) daarna sy amptelike seël in toepaslike koevert ER24 insluit, die flap van sodanige koevert toeplak sodat dit stewig toe is en daarna sodanige koevert teken.
- (4) Die voorsittende beampte sal alle oorblywende ongebruikte skryfbehoeftes, vorms, sny-instrumente, seëllak en soortgelyke verkiesingsmateriaal veilig plaas in die enkele karton of houer wat vir hierdie doel voorsien is en etiket ER22 daaraan vasheg.
- (5) By die verkiesing vir 'n metropolitaanse oorgangsraad en 'n metropolitaanse oorgangsubstruktuur sal die voorsittende beampte die bepalings van regulasie 51(1),(2),(3) en (4) afsonderlik, en, indien van toepassing, opeenvolgend ten opsigte van sodanige substruktuur en raad toepas.

Aflewering van Verkiesingsmateriaal aan Stembeampte

- 63 (1) Die voorsittende beampte sal, onmiddellik nadat voldoen is aan die bepalings van regulasie 62, alle stembusse en materiaal wat by ER21, ER22, ER23, ER24 en ER25, ingesluit is, uit die stemburo verwyder en dit vergesel tot in die hande van die kiesbeampte of adjunkkiesbeampte op die plek daarvoor ingevolge regulasie 39(b) bepaal.
- (2) Die voorsittende beampte sal sonder om afbreuk te doen aan sy of haar verpligtinge in terme van subregulasie (1), daardie kandidate en agente wat onmiddellik teenwoordig en gereed is, toelaat om hom of haar na die plek soos by regulasie 39(b) bepaal, te volg.
- 3 Die kiesbeampte of adjunkkiesbeampte sal vanaf die tydstop waarop stemburo's moet sluit by die plek in terme van regulasie 39(b) bepaal, teenwoordig wees en sal 'n kwitansie aan die voorsittende beampte vir die verkiesingsmateriaal bedoel by subregulasie (1) insluitend 'n verklaring van die nommers of simbole van stembusse in terme van regulasie 37(2)(e), oorhandig, welke kwitansie deur beide beamptes met die kwitansie in terme van regulasie 40(2) uitgereik vergelyk moet word en enige verskil deur beide beamptes daarop aangeteken en onderteken word.

HOOFSTUK 12

TEL VAN STEMME EN AANKONDIGING VAN UITSLAE

Beheer van Plek vir die Tel van Stemme

- 64 (1) (a) Die kiesbeampte is in beheer van die plek waar stemme getel word en sal daardie stappe neem en daardie opdragte aan persone teenwoordig, gee as wat nodig is vir die behoorlike hantering van die telling.
- (b) Die kiesbeampte sal gemagtig wees om alle persone behalwe diegene by subregulasie (2) bedoel van die plek vir die tel van stemme, uit te sluit of te verwyder.
- (c) Onderworpe aan die bepalings van subregulasie (2) sal geen persoon die plek vir die tel van stemme sonder die toestemming van die kiesbeampte binnekom of daarbinne wees nie.
- (d) Die bepalings van hierdie subregulasie sal nie vertolk word as sou dit enige bevoegdhede, pligte en funksies wat aan die kiesbeampte opgedra of voorgeskryf is deur enige ander bepaling van hierdie regulasies, beperk nie.
- (2) Slegs die volgende persone mag teenwoordig wees in die plek waar stemme getel word;
- (a) die kiesbeampte;
- (b) die voorsittende beampte of beamptes;
- (c) verkiesingsbeamptes wat behoorlik aangestel is vir die tel van stemme;
- (d) Polisiebeamptes wat aan diens is;
- (e) elke kandidaat vir 'n wyk;
- (f) enige persoon wie se naam in terme van regulasie 34(1)(a) en (c) op 'n vorm ER8 verskyn om as agent teenwoordig te wees by die tel van stemme en wat behoorlik in terme van regulasie 35(2)(c) oorhandig en

ten opsigte van wie 'n vorm ER9 behoorlik

35(2)(c) oorhandig is; en

(g) persone wat stembusse en ander verkiesingsmateriaal ingevolge regulasie 63 aflewer.

(3) Nieteenstaande die bepalings van hierdie regulasies mag die kiesbeampte skriftelik toegang tot die plek vir die tel van stemme aan ander vermelde of spesifieke persone met spesifieke pligte, op die voorwaardes wat daardie beampte dienstig ag, verleen.

(4) Sonder om af te wyk van die algemeenheid van die voorgaande sal persone, insluitend polisiebeamptes aan diens, kandidate en agente wat daarop geregtig of gemagtig is om in die plek vir die tel van stemme te wees, aan die gesag, beheer en voorskrifte van die kiesbeampte onderworpe wees.

Vereistes vir die Tel van Stemme

65 Die kiesbeampte sal die volgende by die plek waar die stemme getel word inneem:

- (a) 'n afskrif van die Wet; die Grondwet; die Kieswet, 1993 (Wet 202 van 1993); en hierdie regulasies;
- (b) sy amptelike seël;
- (c) voldoende voorraad vorms ER26 tot en met ER31; en
- (d) die toepaslike kwitansie of kwitansies in terme van regulasie 40(2) uitgereik is; en
- (e) seëllak of ander seëlmateriale, vuurhoutjies, waspitte, kerse, potloodskerpmakers, papier, bruin papier, sakke, kartonhouers, tou, gom en sny-instrumente.

Tel

- 66 (1) Tydens die stembolling vir 'n verkiesing vir 'n plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur, sal afsonderlik voldoen word aan die bepalings van regulasies 68 tot en met 72 ten opsigte van;
- (a) stembriewe van elke wyk en elke stemburo binne sodanige wyk geleë; en
 - (b) stembriewe vir die verkiesing van raadslede in wyke en stembriewe vir die verkiesing volgens proporsionele verteenwoordiging van elke sodanige wykstemburo soos bedoel by paragraaf (a).
- (2) Tydens die stembolling vir 'n verkiesing vir 'n metropolitaanse oorgangsraad, sal afsonderlik voldoen word aan die bepalings van regulasies 68 tot en met 72 ten opsigte van elke metropolitaanse stemburo en elke metropolitaanse substemburo, indien enige.
- (3) Die kiesbeampte sal nie met die tel van stemme vir enige wyk of stemburo begin voordat al die stembusse en alle ander verkiesingsmateriaal van al die stemlokale van daardie wyk indien meer as een aan hom gelewer is nie.

Pligte en Funksies van Telbeamptes

- 67 Die kiesbeampte mag enige verkiesingsbeampte onder sy beheer beveel om een of meer pligte en funksies uit te voer soos by hierdie regulasies voorgeskryf.

Kontrole van Verkiesingsmateriaal

- 68 Die kiesbeampte sal afsonderlik soos volg met die verkiesingsmateriaal wat van elke wyk ontvang is, handel:
- (a) Open toepaslike koevert ER24 bevattende die amptelike seël wat deur die voorsittende beampte gebruik is.
 - (b) Ondersoek saam met sodanige kandidate of agente wat so verkies, die stembusse, toepaslike koeverte ER21 en ER25 soos bedoel in regulasie 62(3)(a), en die pakkie onder toepaslike etiket ER23 ten einde vas te stel of die seëls en hegings ongeskonde is.

- (c) Maak 'n aantekening van alle geskende seëls of hegings.
- (d)
 - (i) Open toepaslike koeverte ER21 bevattende toepaslike vorm ER20;
 - (ii) die stembrieffteenbladnommers op vorm ER20 met die verslag van ontvangs van teenbladnommers soos bedoel by regulasie 40(2), vergelyk;
 - (iii) die uitslag van die vergelyking op die toepaslike vorm ER20 aanteken en dit met sy of haar handtekening endosseer en dit daarna aan die kandidate en of agente teenwoordig, toon; en
 - (iv) onverwyld voortgaan met die nakoming van die verdere bepalings van hierdie regulasies.

Prosedure by Tel van Stemme

- 69 Na nakoming van die bepalings van regulasie 68, sal die kiesbeamppte elke stembus open, leegmaak en;
- (1) in die geval van 'n verkiesing vir 'n metropolitaanse oorgangsubstruktuur of 'n plaaslike oorgangsraad, eers die stemme tussen dié vir die verkiesing volgens wyke, en dié vir die verkiesing volgens proporsionele verteenwoordiging skei; en daarna
 - (2)
 - (a) enige materiaal daartussen wat nie 'n stembrief is nie, opsysit, insluitende enige stembrief wat oënskynlik in 'n ander stembus geplaas moes wees, om in terme van regulasie 71 mee gehandel te word;
 - (b) die stembriewe oopvou en met die rugkante na bo plaas;
 - (c) enige stembriewe waarop die amptelike merk nie aangebring is nie, opsysit om in terme van regulasie 71 mee gehandel te word;
 - (d) die stembriewe met die rugkant na bo, tel, en totaal aldus vasgestel met die totaal soos aangedui op vorm ER20 vergelyk; en

- (e) die vergelyking van die totale in terme van paragraaf (d) en die toepaslike vorm ER20 aanteken en dit met sy of haar handtekening endosseer en die uitslag daarvan aan die kandidate en of agente teenwoordig, toon; en
- (f) onverwyld voortgaan met die nakoming van die verdere bepalings van hierdie regulasies.

Tel van Stemme

- 70 (1) Die kiesbeamppte sal, nadat aan die bepalings van regulasie 69 voldoen is, soos volg handel met die stembriewe vir die betrokke wyk, wat nie ingevolge regulasies 69(2)(a) en (c) opsygesit is nie, handel
- (a) Draai alle stembriewe met die gesigkant na bo.
 - (b) Sit opsy vir hantering soos by regulasie 71 beoog, alle stembriewe wat;
 - (i) stemme aan meer kandidate as die aantal vakatures, of aan meer as een party toeken;
 - (ii) ongemerk is; of
 - (iii) dubbelsinnig of twyfelagtig is met betrekking tot die stem of stemme wat daarop uitgebring is; of
 - (iv) andersins aan verwerping kragtens regulasie 71(1) onderhewig is.
 - (c) Ten opsigte van briewe wat nie ingevolge paragraaf (b) opsygesit is nie, die stemme wat vir;
 - (i) elke kandidaat in die geval van die verkiesing vir raadslede vir wyke; en
 - (ii) elke party in geval van die verkiesing vir proporsionele verteenwoordiging.
 uitgebring is, tel.

- (2) Nadat die stembriewe met die gesigkant na bo gedraai is ingevolge subregulasie (1)(a), word dit met die gesig na bo behou.

Kiesbeampte Besluit oor Stembriewe wat Opsygesit is

- 71 (1) Die kiesbeampte sal, saam met sodanige kandidate of agente wat so verkies elke stembrief wat ingevolge regulasies 69(2)(a) en (c), of 70(1)(b) opsygesit is, noukeurig ondersoek en sal, na oorweging van die voorleggings van enige sodanige kandidaat of agent, enige stembrief verwerp en dit nie tel nie, indien dit;
- (a) nie die amptelike merk op het nie;
 - (b) stemme toeken aan meer kandidate as die getal vakatures, of vir meer as een party;
 - (c) nie gemerk is nie;
 - (d) 'n stem uitbring wat nietig is, omdat dit so gemerk is dat die kiesbeampte nie kan vasstel vir watter kandidaat of kandidate of party die stem of stemme uitbring is nie;
 - (e) 'n stembrief vir 'n ander verkiesing is; of
 - (f) na alle waarskynlikheid nie in die betrokke stemburo uitgereik is nie.
- (2) Die kiesbeampte sal geen stembrief verwerp net omdat 'n merk anders as 'n kruisie, of skrifteken, of 'n handtekening daarop aangebring is nie.
- (3) Die kiesbeampte sal die volgende endosseer;
- (a) die woord "verwerp" op elke stembrief wat deur hom ingevolge subregulasie (1) verwerp is; en
 - (b) die woorde "beswaar teen verwerping" of "beswaar teen aanvaarding", na wat die geval mag wees, op elke stembrief ten opsigte waarvan 'n kandidaat of agent teen sy besluit beswaar aangeteken het.

- (4) Die kiesbeampte sal toesien dat die stemme wat ingevolge regulasie 70(1)(c) getel is, aangepas is met die toevoeging van enige stem wat deur die kiesbeampte ingevolge hierdie regulasie aanvaar is, of daar beswaar teen die aanvaarding van die betrokke stembrief aangeteken is, of nie.

Afsluiting van Stemtelling

- 72 (1) Onmiddellik nadat daar aan die bepalings van regulasie 71(4) voldoen is, sal die kiesbeampte in die teenwoordigheid van sodanige kandidate of agente wat teenwoordig mag wees;
- (a) (i) die toepaslike vorm ER30 ten opsigte van elke stemburo, wyk of oorgangsraad waarvoor hy of sy verantwoordelik is, voltooi en onderteken;
 - (ii) plaas elke vorm ER30 in sy toepaslike ER31 en verseël die koevert met sy of haar amptelike seël;
 - (b) die afgekeurde stembriewe in een pakkie of houer opmaak, toepaslike etiket ER27 na gelang van die geval, daaraan vasheg, en sodanige koevert met sy amptelike seël verseël;
 - (c) die verwerpte stembriewe word in een pakket of houer, waaraan 'n toepaslike etiket ER28 geheg is, geplaas na gelang van die geval en met sy of haar amptelike seël verseël; en
 - (d) elke vorm ER20 in sy toepaslike koevert ER21 terugplaas en daardie koevert met sy amptelike seël herseël.
- (2) Die kiesbeampte sal daarna;
- (a) die inhoud van die houters onder toepaslike etikette ER22, ER24 en ER25 verwyder vir wegdoening of toekomstige gebruik;
 - (b) koevert ER7, bevattende vorms ER6 en ER9, aan hom ingevolge hierdie regulasies oorhandig, alle toepaslike vorms ER6 en ER8, en vorm ER9 bevattende sy eie verklaring van geheimhouding in die

toepaslike koevert ER29 plaas en daardie koevert met sy of haar amptelike seël verseël; en

- (c) alle toepaslike koeverte of houers ER21, ER23, ER27, ER28, ER29 en ER 33 in 'n sak of kartonhouer plaas, toepaslike etiket ER 33 aan die sak of houer heg en daardie sak of houer met sy of haar amptelike seël verseël.
- (3) Die kiesbeampte mag twee of meer sakke of kartonhouers vir doeleindes van subregulasie 2(c) gebruik indien hy of sy dit nodig of wenslik ag, in welke geval hy of sy seker moet maak dat;
- (a) die verkiesingsmateriaal vir die verkiesing in wyke, en vir elke wykstemburo en sublokaal saamgehou word; en
 - (b) die verkiesingsmateriaal vir verkiesing volgens proporsionele verteenwoordiging, saam gehou word; en
 - (c) die verkiesingsmateriaal vir elke metropolitaanse stemburo saam gehou word; en
 - (d) 'n rekord gehou word van elke sak of kartonhouer wat die volgende bevat;
 - (i) die verkiesingsmateriaal in paragraaf (a), (b) en (c) hierbo vermeld; en
 - (ii) toepaslike koevert ER29.
- (4) Die kiesbeampte sal verantwoordelik wees vir die veilige bewaring van alle verkiesingsdokumente wat in die verkiesing gebruik is en hy sal sodanige dokumente behou vir 'n tydperk van een jaar vanaf die dag van die verkiesing, waarna dit, tensy anders beveel deur 'n hoërhof, vernietig word.
- (5) Wanneer die kiesbeampte nie die hoof-uitvoerende beampte is nie, sal die kiesbeampte alle verkiesingsmateriaal en -dokumente vir bewaring aan sodanige hoof-uitvoerende beampte oorhandig waarna die bepalings van

regulasie 72(4) *mutatis mutandis* op daardie hoof-uitvoerende beampte van toepassing sal wees.

HOOFSTUK 13

VASSTELLING VAN DIE UITSLAG

STEMMING VOLGENS WYKE

Aankondiging van die Uitslag : Wyke

- 73 (1) Die kiesbeampte sal, nadat aan die bepalings van regulasie 72 (1) tot en met (3) voldoen is;
- (a) bepaal watter kandidaat of kandidate met 'n meerderheid van stemme verkies is;
 - (b) in die geval waar die aantal stemme vir twee of meer kandidate dieselfde is, op die volgende wyse deur die lot vasstel watter van sodanige kandidate verkies sal wees;
 - (i) die name van die kandidate wat 'n gelyke aantal stemme behaal het op afsonderlike stukkies papier van dieselfde grootte, vorm en voorkoms aanbring, dit so vou dat dit identies lyk en dit in 'n leë stembus plaas in die teenwoordigheid van die kandidate of hulle agente;
 - (ii) die stembus toemaak, dit skud en sonder om daarin te kyk, een van die stukkies papier uit die stembus haal en, in die teenwoordigheid van die kandidate of hulle agente daardie stukkie papier aan die kandidate of hulle agente toon en dit onderteken;
 - (iii) die naam van die kandidaat wie se naam op daardie stukkie papier voorkom aankondig.

- (c) vorm ER26 voltooi;
 - (d) die uitslag van die verkiesing buite die plek waar die stemme getel is, of op 'n ander plek soos wat hy of sy deur 'n kennisgewing aan die pers aangedui het, aankondig deur die wyk, die aantal stemme vir elke kandidaat in daardie wyk, en die kandidaat of kandidaat wat behoorlik verkies is bekend te maak; en
 - (e) in enige geval waar die kiesbeampte nie die hoof-uitvoerende beampte is nie, 'n gesertifiseerde afskrif van voltooide vorm ER26 aan die hoof-uitvoerende beampte oorhandig.
- (2) Die kiesbeampte sal 'n afskrif van die voltooide vorm ER26 by die kantoor of kantore van die betrokke oorgangsraad opplak nie later nie as twee dae na die aankondiging van die uitslag en nie later nie as sewe dae na aankondiging van die uitslag, 'n afskrif daarvan aan die Premier beteken.
 - (3) Die kiesbeampte sal nie later nie as sewe dae na die verklaring soos bedoel by subregulasie (1)(d) die name en betrokke wyk van elke kandidaat verkies, publiseer of laat publiseer.

STEMMING VOLGENS PROPORSIONELE VERTEENWOORDIGING

PLAASLIKE OORGANGSRAAD OF

METROPOLITAANSE OORGANGSUBSTRUKTUUR

Vasstelling van Kwota

- 74
- (1) Die kiesbeampte sal, vir die doeleindes van die vasstelling van die uitslag volgens proporsionele verteenwoordiging, die uitslae van die stemming vir proporsionele verteenwoordiging vir die plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur, na gelang van die geval.
 - (2) Die kwota van stemme per setel sal bepaal word deur die totale hoeveelheid uitgebragte stemme te deel deur die aantal setels wat deur proporsionele

verteenwoordiging gevul moet word, plus een, en die uitslag, plus een, met uitsluiting van breuke, sal die kwota stemme per setel wees.

Toekenning van Setels

- 75 (1) Die totale hoeveelheid stemme ten gunste van 'n party uitgebring, word verdeel deur die kwota stemme per setel en die uitslag sal, onderhewig aan subregulasie (2), die aantal setels bepaal wat aan daardie party toegewys word.
- (2) Waar die berekening in subregulasie (1) 'n surplus lewer, sal daardie surplus meeding met soortgelyke surplusse toegeken aan enige ander party of partye en enige onverspreide setel of setels sal toegeken word aan die betrokke party of partye in volgorde van die hoogste surplus.
- (3) Die verteenwoordigers van 'n party sal, in ooreenstemming met die aantal setels vir daardie party kragtens subregulasies (1) en (2) van die lys van bogenoemde party in die volgorde waarin hulle op sodanige lys voorkom verwyder word.
- (4) In die geval waar die lys minder kandidate bevat as waarop die party geregtig is, sal daardie party;
- (a) die aantal verteenwoordigers op die lys toegeken word; en
- (b) sy reg op enige verdere verteenwoordiging meer as die verteenwoordiging wat so aan hom toegeken is, verbeur.
- (5) In die geval waar 'n party wat sy reg op verteenwoordiging ingevolge subregulasie (4) verbeur het;
- (a) word 'n nuwe kwota op die volgende grondslag vasgestel;
- (i) die totale aantal uitgebragte stemme, minus die stemme wat uitgebring is vir alle partye soos bedoel in subartikel (4), sal deur die oorblywende aantal setels, plus een, wat nog aan die ander partye toegeken moet word, gedeel word; en

- (ii) die resultaat, plus een, met uitsluiting van breuke, sal die nuwe kwota wees.
 - (b) 'n nuwe vasstelling van die toewysing van verteenwoordigers ten opsigte van sodanige ander partye sal daarna *mutatis mutandis* gemaak word soos voorgeskryf by subregulasies (1), (2) en (3) onderskeidelik.
- (6) In die geval waar 'n party geregtig is op 'n addisionele aantal verteenwoordigers ingevolge die bepalings van subregulasie (5), en sy lys van kandidate nie 'n voldoende aantal kandidate bevat nie, sal die proses soos bedoel by subregulasies (4) en (5) herhaal word totdat alle verteenwoordigers aan 'n vakante setel toegewys is.
- (7) (a) Enige verkose kandidaat om 'n wyk van 'n plaaslike oorgangsraad of 'n metropolitaanse oorgangsubstruktuur te verteenwoordig, sal vanaf 22:00 op verkiesingsdag nie verder kwalifiseer om ooreenkomstig die stelsel van proporsionele verteenwoordiging vir dieselfde plaaslike oorgangsraad of metropolitaanse oorgangsubstruktuur verkies te word nie; en
- (b) Vir doeleindes van subregulasies (1) tot en met (6) asook regulasie 76, sal die kiesbeampte met enige sodanige gediskwalifiseerde kandidaat handel asof sy of haar name nie op die lys van partykandidate verskyn nie.
- 76 (1) Die kiesbeampte sal, nadat daar aan die bepalings van regulasie 75 voldoen is;
- (a) vasstel watter persoon of persone ooreenkomstig die stelsel van proporsionele verteenwoordiging verkies is;
 - (b) toepaslike vorm ER26 voltooi;
 - (c) die uitslag van die verkiesing buite die plek waar die stemme getel is, of op 'n ander plek soos wat hy of sy deur kennisgewing aan die pers aangedui het, aangekondig deur die aantal stemme vir elke party en die persoon van die partylys wat behoorlik verkies is ingevolge hierdie regulasies bekend te maak; en

- (d) in enige geval waar die kiesbeampte nie die hoof-uitvoerende beampte is nie, 'n gesertifiseerde afskrif van voltooide toepaslike vorm ER26 aan die hoof-uitvoerende beampte oorhandig.
- (2) Die kiesbeampte sal 'n afskrif van die voltooide toepaslike vorm ER26 by die kantoor of kantore van die betrokke oorgangsraad opplak nie later nie as twee dae na die aankondiging van die uitslag nie en nie later nie as sewe dae na aankondiging van die uitslag, 'n afskrif daarvan aan die Premier beteken.
- (3) Die kiesbeampte sal nie later nie as sewe dae na die verklaring soos bedoel by subregulasie (1)(c) die name en betrokke party van die kandidaat verkies, publiseer of laat publiseer.

METROPOLITAANSE OORGANGSRAAD

BEPALING VAN STEMMING EN DIE KWOTA

Oorsending en Ontvangs van Teltotale

- 77 (1) In die geval van 'n verkiesing ten opsigte van proporsionele verteenwoordiging vir 'n metropolitaanse oorgangsraad, sal die kiesbeampte, nadat daar aan die bepalings van regulasie 72 of 81 voldoen is, die uitslag van sodanige telling aankondig buite die plek vermeld in regulasie 39 deur die aankondiging van die totale aantal stemme vir elke party in sy of haar jurisdiksiegebied.
- (2) Die kiesbeampte sal, nadat aan die bepalings van regulasie 77(1) voldoen is, onmiddellik die totale aantal stemme vir elke party in die jurisdiksiegebied van daardie kiesbeampte, op vorm ER34 tesame met 'n afskrif van die toepaslike vorm ER30 aan die betrokke metropolitaanse kiesbeampte aflewer, of laat aflewer.
- (3) Die plek waar sodanige vorm ER30 en ER34 afgelewer sal word binne die gebied van die metropolitaanse oorgangsraad, word deur die metropolitaanse kiesbeampte bepaal wat elke betrokke kiesbeampte skriftelik op vorm ER35 nie later nie as twaalfuur die dag voor die verkiesing daarvan in kennis sal stel.

- (4) Die metropolitaanse kiesbeampte sal op die plek wat ingevolge regulasie 77(3) bepaal is, vanaf 'n tydstop nie later nie as agt ure nadat die stemlokale veronderstel was om te sluit, teenwoordig wees en hy sal 'n kwitansie aan die kiesbeampte vir die verkiesingsmateriaal waarna in regulasie 77(2) verwys is, uitreik.

Vasstelling van die Kwota

- 78 (1) By ontvangs van oordragvorme ER30 en ER34 soos bedoel by regulasie 77 vanaf elke kiesbeampte binne die jurisdiksiegebied van die metropolitaanse oorgangsraad, sal die metropolitaanse kiesbeampte vorm ER30 ten opsigte van die metropolitaanse gebied voltooi en vir doeleindes van die vasstelling van die uitslag volgens proporsionele verteenwoordiging, die uitslag in gedagte hou van die stemming vir proporsionele verteenwoordiging ten opsigte van die metropolitaanse oorgangsraad.
- (2) Die kwota stemme per setel sal bepaal word deur die totale aantal uitgebragte stemme deur die aantal setels wat gevul moet word deur proporsionele verteenwoordiging, plus een te deel en die uitslag, plus een, met uitsluiting van breuke, sal die kwota wees.
- (3) Die bepalings van regulasies 75 tot en met 76 sal *mutatis mutandis* van toepassing wees op die metropolitaanse kiesbeampte en enige verwysing na die kiesbeampte sal ook 'n verwysing na sodanige metropolitaanse kiesbeampte wees.

AANVULLING VAN LYS EN VAKATURES

- 79 Na vasstelling van die aantal setels vir elke party en die identifisering van die verteenwoordigers van sodanige party, mag daardie party, ten einde enige vakature te vul wat ontstaan het tussen hierdie verkiesing en 'n volgende, die lys vermeld in regulasie 24(1)(b)(vi) en in ooreenstemming met die vereistes van hierdie regulasies aanvul.

AMPSAANVAARDING EN AMPSTERMYN

- 80 Enige persone wat ingevolge hierdie regulasies as raadslid verkies is, sal by die aankondiging daarvan ingevolge regulasie 73(1)(d) en 76(1)(c) onderskeidelik en waar van toepassing, onverwyld diens as raadslid vir die betrokke raad aanvaar vir 'n tydperk van drie jaar vanaf die verkiesing of totdat die volgende verkiesing van die betrokke raad plaasvind.

ADJUNKKIESBEAMPTE

Funksies en oordrag van Uitslae en Totale

- 81 (1) Waar die kiesbeampte besluit het dat 'n plek vir die tel van stemme nie onder sy of haar direkte toesig en beheer sal wees nie, en 'n adjunkkiesbeampte ingevolge regulasie 39(c) aangestel het om namens hom of haar op te tree, sal enige verwysing na die kiesbeampte in regulasies 63 tot en met 72(3) vertolk word as 'n verwysing na die betrokke adjunkkiesbeampte.
- (2) Die adjunkkiesbeampte sal, nadat aan die bepalinge van regulasies 63 tot en met 72(3) voldoen is, die uitslag van sodanige telling buite die plek waar die stemme getel is bekend maak deur;
- (a) in die geval van 'n verkiesing met betrekking tot raadslede in wyke, die naam van elke kandidaat en die aantal uitgebragte stemme ten opsigte van elke kandidaat; en
- (b) in die geval van 'n verkiesing met betrekking tot proporsionele verteenwoordiging vir 'n oorgangsraad, die aantal stemme vir elke party in elke betrokke oorgangsraad,
- aan te kondig.
- (3) Die adjunkkiesbeampte sal onverwyld aan die kieserersbeampte by die plek bedoel by regulasie 39(c);
- (a) die uitslag van die telling ooreenkomstig subregulasie 2(a) en (b) op elke toepaslike vorm ER32 aangebring tesame met elke toepaslike vorm ER30; en
- (b) alle verkiesingsmateriaal en -dokumente oorhandig.

- (4) Die kiesbeampte sal by ontvangs van al die toeplasilike vorms ER32 en ER30;
- (a) die telling van die verkiesingsuitslag vir sy totale regsgebied voltooi deur die onderskeie en ooreenstemmende totale daarvan bymekaar te tel;
 - (b) aan die voorskrifte van regulasie 71(1)(a) voldoen; en
 - (c) voortgaan met die nakoming van die bepalings van regulasie 73 tot en met 77.

HOOFSTUK 14

DIE VUL VAN VERKOSE OF GENOMINEERDE SETELS

- 82 (a) 'n Raadslid wat ooreenkomstig 'n partylys verkies is, se ampstermyn verstryk sodra hy of sy te sterwe kom, skriftelik bedank, nie meer oor die kwalifikasies beskik soos vereis vir nominasie of verkiesing nie, of gediskwalifiseer word of uit die amp verwyder word kragtens enige wet of hofbevel of ophou om 'n lid te wees van die party ten opsigte waarvan hy of sy as partykandidaat aangewys is, en die hoof-uitvoerende beampte van die betrokke raad sal onverwyld die persoon aanstel wie se naam bo-aan die lys soos bedoel in regulasie 27, verskyn of 'n aanvullende lys, soos bedoel by regulasie 79 as die persoon wat 'n verteenwoordiger geword het van die betrokke party in daardie raad.
- (b) Waar 'n vakature soos beoog in subregulasie (a) ontstaan en daar nie 'n lys soos bedoel by regulasie 27 bestaan nie, en ook nie 'n aanvullende lys is nie, of as sodanige lyste uitgeput is, of as die betrokke party nie meer bestaan nie, sal sodanige vakature ongevol bly.

- 83 'n Raadslid wat 'n wyk of 'n metropolitaanse oorgangsraad verteenwoordig, se ampstermyn sal verstryk sodra hy of sy te sterwe kom, skriftelik bedank, nie meer oor die kwalifikasies beskik soos vereis vir nominasie of verkiesing nie, of gediskwalifiseer word of uit die amp verwyder word ingevolge enige wet of hofbevel, en in die geval van sodanige vakature, sal 'n tussenverkiesing *mutatis mutandis* ingevolge hierdie regulasies gehou word.

HOOFSTUK 15

NOMINASIES UIT SUBSTRUKTURE VIR METROPOLITAANSE OORGANGSRAAD

Persentasie en Kwotas

- 84 Sestig persent van die lede van 'n metropolitaanse oorgangsraad sal deur die metropolitaanse oorgangsubstrukture genomineer word uit hulle eie geledere op 'n pro rata-basis ooreenkomstig die aantal geregistreerde kiesers in die jurisdiksiegebied van die betrokke metropolitaanse oorgangsubstrukture: Met dien verstande dat elke sodanige metropolitaanse oorgangsubstruktuur geregtig sal wees op ten minste een verteenwoordiger.
- 85 (a) Binne 7 dae na die laaste aankondiging van die uitslae van die verkiesing ingevolge regulasies 73(1)(d) en 76(1)(c) met betrekking tot die verkiesing van die lede van metropolitaanse oorgangsubstrukture, sal die metropolitaanse kiesbeampte die hoof-uitvoerende beampte van elke betrokke substruktuur gelas om binne 14 dae van die laaste aankondiging, 'n vergadering te belê ten einde 'n lid of lede van die betrokke substruktuur te nomineer om dit op die voorgenoemde metropolitaanse raad volgens die volgende formule te verteenwoordig:
- (i) 'n Kwota stemme per setel sal bepaal word deur die totale aantal kiesers op die kieserslyste vir alle metropolitaanse oorgangsubstrukture te deel deur die aantal setels vir nominasie plus een, vir die metropolitaanse oorgangsraad, en die uitslag plus een, met uitsluiting van breuke, sal die kwota stemme per setel vir sodanige metropolitaanse oorgangsraad wees.

- (ii) Die aantal setels wat aan 'n metropolitaanse oorgangsubstruktuur toegeken word vir die doeleindes van subregulasie (iv) sal, onderhewig aan subregulasie (iii), bepaal word deur die totale aantal kiesers op die kieserslys vir sodanige metropolitaanse oorgangsubstruktuur te deel deur die kwota stemme wat ingevolge subregulasie (i) bepaal is.
 - (iii) Waar die uitslag van die berekening ingevolge subparagraaf (ii) vir enige substruktuur 'n breuk van die syfer 1 oplewer, sal aan so 'n substruktuur een setel toegeken word en daarna nie weer deelneem aan enige berekening of toekenning ingevolge subparagraaf (v) nie.
 - (iv) Waar die uitslag van die berekening ingevolge subparagraaf (ii) plus enige toekenning ingevolge subparagraaf (iii) 'n surplus lewer wat nie opgeneem kan word deur die aantal setels wat aan die betrokke metropolitaanse oorgangsubstruktuur toegeken is nie, sal sodanige surplus meeding met ander soortgelyke surplusse wat enige ander metropolitaanse oorgangsubstruktuur of substrukture toegeval het met betrekking tot die betrokke metropolitaanse oorgangsraad; en enige setel of setels wat nie ingevolge subparagraaf (ii) toegeken is nie, sal aan die betrokke metropolitaanse oorgangsubstruktuur of substrukture toegeken word in volgorde van die hoogste surplus.
 - (v) Die geheel van 'n metropolitaanse oorgangsubstruktuur se toekennings ingevolge subparagraaf (ii) en (iii) sal daardie metropolitaanse oorgangsubstruktuur se seteltoekenning in die betrokke metropolitaanse oorgangsraad aandui.
 - (vi) Indien daar enige verdere surplusse na enige tweede berekening soos bedoel in subparagraaf (iv), bestaan, sal sodanige surplusse verontagsaam word, waarna die berekeninge vir nominasies vir die metropolitaanse oorgangsraad gesluit sal wees.
- (b) Geen persoon wat die amp as Raadslid in die metropolitaanse oorgangsraad beklee, sal genomineer word nie.

86 Die metropolitaanse kiesbeampte vir die metropolitaanse oorgangsraad sal kragtens regulasie 85, elke substruktuur inlig oor die korrekte aantal lede waarop dit ingevolge regulasie 85 geregtig is.

- 87 Indien 'n metropolitaanse oorgangsubstruktuur nie binne 30 dae na die laaste aankondiging van die verkiesingsuitslae in terme van regulasie 85(a) 'n naam of name voorgelê het soos bedoel by regulasie 85 nie, sal die metropolitaanse kiesbeampte die Premier onverwyld in kennis stel wat daarna die bepalings van regulasie 95 kan toepas.
- 88 Nie later nie as 35 dae na die datum van die laaste aankondiging van die verkiesingsuitslae soos bedoel by regulasie 85(a) sal die metropolitaanse kiesbeampte vir die metropolitaanse oorgangsraad met betrekking tot nominasie ontvang;
- (a) elke genomineerde van sy suksesvolle nominasie in kennis stel;
 - (b) 'n lys name van alle genomineerde raadslede en die substrukture wat hulle verteenwoordig, publiseer; en
 - (c) die Premier skriftelik daarvan in kennis stel.

HOOFSTUK 16

ALGEMEEN EN OORTREDINGS/MISSTAPPE

Opening of Inspeksie van Verkiesingsmateriaal

- 89 (1) Indien die kiesbeampte te enige tyd voor die verseëling van die verkiesingsmateriaal in die sak of kartonhouer soos bedoel by regulasie 72(2)(c), rede het om enige onreëlmatigheid te vermoed in verband met enige saak betreffende die verkiesing, of enige versuim om aan hierdie regulasies te voldoen, sal hy of sy elke kandidaat, algemene agent en party skriftelik daarvan in kennis stel, en sodanige persone uitnoui om op 'n vermelde tyd en plek teenwoordig te wees, waar hy of sy in teenwoordigheid van sodanige kandidate of agente wat teenwoordig is;
- (a) die betrokke pakkie of koevert sal oopmaak;

- (b) 'n aantekening van enige sodanige onreëlmatigheid of nie nakoming in duplikaat maak;
 - (c) een kopie van sodanige aantekening behou en die ander kopie in die betrokke pakkie of koevert plaas;
 - (d) die betrokke pakkie heropmaak of die betrokke koevert weer toemaak;
 - (e) die betrokke pakkie of koevert met sy amptelike seël verseël; en
 - (f) die kandidate of agente toelaat om hulle seëls indien so verkies, ook daarop aan te bring.
- (2) Geen verseëelde sak of kartonhouer soos bedoel by regulasie 72(2)(c), of enige pakkie of koevert sal geopen word en geen persoon sal toegelaat word om enige verkiesingsdokument te inspekteer nie, behalwe ooreenkomstig 'n hofbevel van 'n hoërhof nadat daardie hof op grond van beëdigde getuienis tevrede is dat die inspeksie of lewering daarvan nodig is vir die instel of voer van 'n geding ten opsigte van 'n misdryf of vir doeleindes van verrigtinge wat die geldigheid van 'n verkiesing of verkiesingsuitslag bevraagteken, welke bevel aan sodanige voorwaardes soos wat sodanige hof gerade, noodsaaklik of gewens mag beskou, onderhewig gemaak kan word.
- (3) Wanneer 'n bevel vir die lewering deur die kiesbeampte van enige dokument, pakkie, koevert, sak of kartonhouer in sy bewaring betreffende enige spesifieke verkiesing, uitgevaardig is, word;
- (a) die lewering van enige sodanige dokument, pakkie, koevert, sak of kartonhouer deur die betrokke kiesbeampte kragtens bedoelde bevel of in ooreenstemming met 'n hofreëling, sal afdoende bewys wees dat sodanige dokument, pakkie, koevert, sak of houer met die betrokke verkiesing verband hou; en
 - (b) enige aantekening wat op enige dokument, pakkie, koevert, sak of kartonhouer deur hom gelewer, voorkom, sal getuienis wees van die inhoud van die betrokke dokument, pakkie, koevert, sak of houer soos deur daardie aantekening aangedui.

Verkiesingskomitee

- 90 (1) (a) 'n Oorgangsraad sal 'n verkiesingskomitee saamstel wat vir sodanige tydperk as wat die oorgangsraad of die Premier mag bepaal, sal funksioneer, maar in elk geval nie later nie as 24:00 op die dag wat die datum bedoel by artikel 9(1) van die Wet, voorafgaan.
- (b) Sodanige komitee sal uit drie persone van wie minstens een 'n regsgekwalfiseerde persoon sal wees wat as die voorsittende beampte sal optree, en drie plaasvervangende lede aangestel deur 'n besluit van die raad aangeneem deur 'n meerderheid van nie minder nie as twee derdes van al sy lede, bestaan.
- (c) Geen persoon sal as lid van sodanige komitee aangestel word nie indien hy of sy;
- (i) 'n ampsbekleder van 'n party is;
- (ii) 'n lid of werknemer van die betrokke oorgangsraad is;
- (iii) nie ingevolge regulasie 2 bevoeg is om as kieser geregistreer te word vir die betrokke oorgangsraad nie;
- (iv) 'n kandidaat is of op 'n partylys vir die verkiesing voorkom; of
- (v) 'n lid is van 'n hersieningshof soos bedoel by regulasie 5.
- (d) 'n Lid van die komitee sal nie verder lid daarvan bly nie en sal sy setel ontruim indien hy of sy;
- (i) gediskwalifiseer word vir aanstelling as 'n lid van sodanige komitee;
- (ii) sy bedanking by die hoof-uitvoerende beampte indien; of
- (iii) te sterwe kom

en enige vakature wat aldus ontstaan, sal gevul word uit die geskikte plaasvervangende lede, of in die afwesigheid daarvan, so spoedig moontlik deur die oorgangsraad met 'n persoon wat wenslik oor dieselfde kwalifikasies as sy of haar voorganger beskik.

- (e) Sodanige komitee sal;
- (i) poog om enige dispuut of klagte voortspruitend uit 'n besluit deur 'n kieserslysbeampte of 'n kiesbeampte geneem soos onder sy aandag gebring deur sodanige beampte of deur 'n verontregte persoon of party, te besleg;
 - (ii) enige saak deur die kieserslysbeampte of kiesbeampte, voorgelê, oorweeg en daaroor adviseer;
 - (iii) met betrekking tot enige konflik of klagtes rakende die onderskeidende merk of simbool van 'n party of persoon vermeld by regulasie 24(1)(b)(i) en (ii); 25(1)(f); 29(1) of 29(1)(f), (g) of (h) nie later as 12 uur op nominasiedag, beoordeel en beslis
 - (iv) die wyse waarop kiesers in enige wyk van hul toepaslike stemburo's in kennis gestel moet word oorweeg en die kiesbeampte aldus in kennis stel;

Met dien verstande dat die komitee nie enige saak wat binne die bevoegdhede, funksies en pligte van 'n hersieningshof val, sal ontvang of oorweeg nie: Met dien verstande verder dat niks hierin vervat as beperkend of inmengend met betrekking tot die vervulling van die verantwoordelikhede van 'n kieserslysbeampte of kiesbeampte ingevolge hierdie regulasies vertolk sal word nie.

- (f) Lede van die komitee sal vergoed word op die basis deur die Premier bepaal, nie later nie as die datum van aanstelling soos bedoel by subparagraaf (b), of indien nie, deur besluit van die oorgangsraad.

Aanplakbiljette en Plakkate

91 Tydens die verkiesingstydperk;

- (a) sal elke aanplakbiljet, plakkaat, aanplakker, pamflet, omsendbrief of ander gedrukte materiaal wat op die verkiesing betrekking het, op die voorkant daarvan die naam en adres van die drukker en uitgewer daarvan bevat;
- (b) sal geen persoon sodanige materiaal druk, publiseer of pos of veroorsaak dat dit gedruk, gepubliseer of gepos word, of op enige wyse versprei wat nie op die voorkant daarvan die naam en adres van die drukker en uitgewer bevat nie;
- (c) sal die eienaar en publiseerder van elke koerant of tydskrif sorg dra dat die woord "advertensie" as 'n opskrif in sy of haar koerant of tydskrif by enige artikel of paragraaf in sy of haar koerant wat afkomstig is van 'n kandidaat, party of sy agente of ondersteuners gedruk word, die plasing waarvoor betaal is, of sal word, of waarvoor enige vergoeding of kompensasie, of belofte van vergoeding of kompensasie gemaak is of gemaak sal word;
- (d) sal die artikels of paragrawe soos bedoel in paragraaf (c) alle tekste wat *prima facie* blyk of bereken is om die uitslag van die verkiesing te affekteer, en wat enige betaalde advertensie of verslag van 'n toespraak van 'n kandidaat, indien vir die plasing daarvan betaal word, insluit;
- (e) sal aan die einde van elke verslag, brief, artikel, aanplakbiljet, plakkaat, pamflet, omsendbrief, spotprent of ander gedrukte materiaal (hierna in hierdie afdeling na verwys as 'n "verkiesingsartikel") wat *prima facie* bedoel of bereken is om die uitslag van die verkiesing te beïnvloed, in enige koerant geplaas of andersins geproduseer, en in die Republiek gepubliseer is, die volle naam en adres van die persoon of persone deur wie sodanige artikel geskryf of geproduseer is bevat: Met dien verstande dat;
 - (i) enige verkiesings artikel in enige koerant hierbo vermeld, geplaas en wat wenslik deur die redakteur van daardie koerant gewysig is, ook die volle naam van die redakteur sal dra;
 - (ii) in die geval waar enige artikel gesamentlik deur twee of meer persone geskryf is, dit vir doeleindes van hierdie regulasie voldoende sal wees

indien die verslag as geheel die volle name en adresse van die persone deur wie dit geskryf is, bevat; en

(iii) in die geval waar opskrifte van enige verkiesingsartikel in enige voormelde koerant of tydskrif geplaas en van aanplakbiljette, plakkate, aanplakkers of pamflette wat op die verkiesing betrekking het, voorsien en in die normale praktyk van 'n koerant uitgegee is, sal dit vir doeleindes van hierdie regulasie voldoende wees indien die volle name en adresse van die persone deur wie sodanige opskrifte, aanplakbiljette, plakkate, aanplakkers of pamflette geskryf is, in die uitgawe van die koerant waarin sodanige artikel geplaas is, gepubliseer word; en

(f) onderhewig aan die bepalings van die voorbehoud tot subregulasie (e)(iii), sal geen persoon enige koerant of ander gedrukte materiaal druk of publiseer waarby enige artikel ingesluit is wat nie aan die bepalings van subregulasie (e) voldoen nie.

Skadeloosstelling

92 Geen daad of versuim deur 'n hoof-uitvoerende beampte, kieserslysbeampte, verkiesingsbeampte, voorsittende beampte of kiesbeampte sal sodanige persoon persoonlik aanspreeklik stel vir enige verlies of skade wat deur enige persoon gely is as gevolg van 'n daad of versuim: Met dien verstande dat sodanige daad of versuim nie opsetlik of kwaadwillig is nie en enige koste wat redelik of noodsaaklikerwys aangegaan is deur daardie beampte in die teenstaan van enige eis, vordering, aksie of ander wetlike verrigtinge met betrekking tot sodanige verlies of skade deur die betrokke oorgangsraad gedra sal word.

Gelde Betaalbaar aan Verkiesingsbeamptes

93 (1) Elke raad sal, tydens sy eerste gewone vergadering nadat kennis van die dag van die verkiesing kragtens artikel 9(1) van die Wet gegee is, deur besluit die gelde bepaal wat aan verkiesingsbeamptes betaal moet word : Met dien verstande dat sodanige gelde nie verminder sal word voor die finale betaling kragtens daardie besluit gemaak is.

(2) Die gelde bedoel by subregulasie (1) sal nie die volgende bedrae per dag oorskry nie:

(a) In die geval van 'n plaaslike oorgangsraad:

Kiesbeampte:

1 - 10 000 geregistreerde kiesers:

R 400,00

10 001 - 50 000 geregistreerde kiesers:

R 600,00

50 001 - 100 000 geregistreerde kiesers:

R 800,00

100 001 - 250 000 geregistreerde kiesers:

R1 000,00

250 001 en meer geregistreerde kiesers:

R1 250,00

Adjunkkiesbeampte: 70% van die bostaande

Voorsittende beampte

R 240,00

Enige ander verkiesingsbeampte:

R 160,00

Telbeampte:

R 120,00

(b) In die geval van 'n metropolitaanse oorgangstruktuur:

Kiesbeampte:

R1 500,00

Adjunkkiesbeampte:

R1 000,00

Voorsittende beampte:

R 320,00

Adjunk voorsittende beampte:

R 240,00

Enige ander verkiesingsbeampte:

R 160,00

Telbeampte:

R 120,00

(c) In die geval van 'n metropolitaanse oorgangsraad:

Metropolitaanse kiesbeampte:

R1 500,00

Adjunk metropolitaanse kiesbeampte:

R1 000,00

Vorms, Etiket en Koeverte

- 94 (1) Die vorms, etikette en koeverte in hierdie regulasies bedoel, sal wesenlik in ooreenstemming wees met die voorbeelde hierby uiteengesit, en die woord "koevert" sal insluit enige sak of kartonhouer vir daardie doeleindes gebruik word.
- (2) Waar op enige voorbeeld 'n ruimte gelaat is vir die invul van inligting wat regdeur die jurisdiksiegebied van die oorgangsraad of enige wyk dieselfde is mag daardie inligting na gelang van die geval, tydens die druk van die betrokke vorm, etiket of koevert, aangebring word.
- (3) Enige deel van 'n voorbeeld slegs bedoel vir gebruik in die geval van die jurisdiksiegebied van 'n oorgangsraad wat in wyke verdeel is, mag weggelaat word wanneer die betrokke vorm, etiket of koevert gedruk word vir gebruik in die gebied van 'n oorgangsraad wat nie in wyke verdeel is nie.
- (4) Voorsiening mag tydens die druk van 'n vorm, etiket of koevert gemaak word vir die invul of aanvra van inligting wat nie op die betrokke voorbeeld aangedui is nie, indien nodig of wenslik geag vir die hou van die verkiesing.
- (5) Inligting wat op enige etiket of koevert vereis word, mag, na oordeel van die kiesbeampte, getik of duidelik en leesbaar met die hand geskryf word.

Bevoegdheid om by Versuim op te Tree

- 95 (1) (a) Indien 'n oorgangsraad, plaaslike regeringsliggaam, hersieningshof of enige persoon versuim om binne 'n tydperk in hierdie regulasies voorgeskryf, en ooreenkomstig die voorwaardes deur die Premier bepaal, indien enige, enige bepaling te begin, af te dwing, uit te voer, of enige besluit of raadsbesluit daarkragtens te neem, of gehoor te gee aan enige opdrag van die Premier kragtens hierdie regulasies, mag die Premier die uitvoering daarvan begin, gelas, of bepalings of voorskrifte

daarvan uitvoer, vir welke doel en versuim hy enige owerheid, liggaam of persoon skriftelik kan magtig om alle stappe en maatreëls in verband daarmee te neem en te tref.

- (b) Enige uitgawe ten opsigte van 'n oorgangsraad of plaaslike regeringsliggaam deur die Premier kragtens parafráf (a) hierbo aangegaan, sal verhaál mag word van daardie raad of liggaam en die sertifikaat van die provinsiale rekenmeester of persoon wat in sodanige hoedanigheid optree, sal *prima facie* bewys wees van die korrektheid daarvan.
- (2) Indien 'n oorgangsraad, plaaslike regeringsliggaam, hersieningshof of enige persoon versuim, of waarskynlik nie in staat is nie om binne die tydperk by hierdie regulasies voorgeskryf, enige bepaling of vereiste uit te voer wat 'n noodsaaklike voorbereiding of voorvereiste vir die hou van die verkiesing is, mag die Premier sodanige tydperk voorwaardelik of andersins verleng of aanpas: Met dien verstande dat geen sodanige verlenging of aanpassing toegestaan sal word indien dit die hou van die verkiesing op die dag wat deur die Minister kragtens artikel 9 van die Wet vasgestel is, sal verhoed, benadeel of afbreuk daaraan sal doen nie.
- (3) Uitgawes noodsaaklikerwys deur 'n metropolitaanse oorgangsubstruktuur by die hou van 'n verkiesing vir 'n metropolitaanse oorgangsraad aangegaan is van daardie metropolitaanse oorgangsraad verhaalbaar en die sertifikaat van die hoof finansiële beampte van die betrokke metropolitaanse substruktuur of die persoon wat in daardie hoedanigheid optree sal *prima facie* bewys wees van die korrektheid daarvan.

Bevoegdhede van die Hof

- 96 By enige verrigtinge waar die geldigheid van 'n verkiesing of verkiesingsuitslag bevraagteken word, mag die hof, tensy die verkiesing nietig verklaar word, of beveel dat 'n nuwe verkiesing gehou moet word;
 - (a) van die totale aantal stemme deur die kiesbeampte as synde die stemme vir 'n kandidaat of 'n party aangekondig, daardie getal stemme wat na die mening van die hof vir sodanige kandidaat of party uitgebring is voortspruitend uit

enige korrupte praktyk of in stryd met hierdie regulasies of enige ander wet aftrek;

- (b) enige foute wat deur die kiesbeampte begaan is met die tel of toewysing van stemme of by die aanvaarding of verwerping van stembriewe regstel deur daardie stemme wat volgens die regstelling van sodanige foute, in terme van hierdie regulasies in berekening gebring of afgetrek moes wees, in berekening te bring of te verwerp; en
- (c) enige ander optrede volg en enige ander opdrag gelas as wat regverdig en billik blyk.

Geldigverklaring

- 97 Geen verkiesing is ongeldig of sal deur 'n hof tersyde gestel word nie, as gevolg van 'n fout of nie nakoming van hierdie regulasies of van enige bepaling ingevolge hierdie regulasies, indien dit blyk dat die verkiesing wesenlik in ooreenstemming met die beginsels daarin vervat, uitgevoer is en dat sodanige fout of nienakoming nie die uitslag van die verkiesing beïnvloed het nie.

Kieser mag nie versoek word om te openbaar hoe hy gestem het nie

- 98 Daar sal van geen persoon in enige verrigting betreffende 'n verkiesing verwag word om die naam van die persoon of party vir wie hy of sy gestem het openbaar te maak nie.

Geheimhouding

- 99 Elke verkiesingsbeampte, polisiebeampte, kandidaat, kandidaatsagent, of partyagent en bode wat teenwoordig is by 'n stemburo of by die tel van stemme, sal geheimhouding van die stemming handhaaf.

Verbod op Sekere Politieke Bedrywighede Gedurende Sekere Tydperk Voor en Na die Verkiesingstydperk

- 100 (a) Geen persoon sal gedurende die tydperk 48 uur voor tot 24:00 op die dag van die verkiesing enige openbare demonstrasie, optog, openbare vergadering of byeenkoms van politieke aard hou of daaraan deelneem nie.
- (b) Die hou van of deelname aan enige aktiwiteit bedoel by paragraaf (a), is 'n misdryf.

HOOFSTUK 17

MISDRYWE EN STRAWWE

101 **Inmenging met Verkiesingsprosedure**

Iemand wat

- (a) weier of versuim om te voldoen aan 'n lasgewing, opdragte of bevel wettig uitgereik deur of ten behoeve van die kieserslysbeampte, kiesbeampte of enige verkiesingsbeampte;
- (b) weier of versuim om 'n stemburo of plek vir die tel van stemme of binne-perimeter te verlaat wanneer daartoe beveel ingevolge regulasie 41 of 64;
- (c) 'n stemburo of plek vir die tel van stemme of binne-perimeter strydig met regulasie 42 of 64 binnegaan of daarin vertoef; of
- (d) 'n verkiesingsbeampte of party-agent of kandidaat-agent dwarsboom of verhinder in die uitvoering van sy of haar wettige pligte,

is aan 'n misdryf skuldig.

102 **Skending van Geheimhouding**

Enige persoon wat:

- (a) regulasie 52 of 99 oortree;

- (b) wederregtelik poog om vas te stel of direk of indirek enige ander persoon help om vas te stel vir watter kandidaat enige persoon van plan is om te stem of gestem het;
- (c) direk of indirek enige persoon aan wie 'n stembrief uitgereik is oorreed of probeer oorreed om sy stembrief te vertoon nadat hy dit gemerk het, op sodanige wyse om die naam of name van die kandidaat of kandidate vir wie hy of sy gestem het, openbaar te maak;
- (d) op enige ander stembrief as die stembrief wat aan hom uitgereik is, enige merk of skrifteken plaas waardeur die persoon wat sy stem daarop uitbring het, geïdentifiseer mag word;
- (e) behalwe in antwoord op 'n vraag wat wettig aan hom gestel is gedurende die verloop van hofverrigtinge, van 'n bevoegde hof, enige inligting bekendmaak of meedeel wat hy of sy rakende die kandidaat of kandidate vir wie 'n stem uitbring is op enige stembrief mag bekom het; of
- (f) wederregtelik die seël of hegstuk verbreek of op enige wyse die inhoud van 'n stembus, pakkie of koevert oopmaak of verwyder, soos bedoel by regulasies 56(2), 62, 72 of 73,

is aan 'n misdryf skuldig.

Onbehoorlike beïnvloeding

- 103 (1) Iemand wat, direk of indirek, teen of aan enigiemand anders of enige eiendom dwang, geweld of seksuele teistering gebruik of die gebruik daarvan bewerkstellig, of dreig om dit te gebruik of die gebruik daarvan te bewerkstellig of enige leed, skade, verlies of nadeel berokken of dreig om dit te berokken -
- (a) met die opset om sodoende enige persoon te dwing, te oorreed of te beïnvloed;
 - (i) om te stem of hom of haar daarvan te weerhou om te stem, hetsy enigsins, of vir enige party of enige kandidaat of op enige ander wyse; of

(ii) om enige politieke vergadering, optog, betoging of ander gebeurtenis van 'n politieke aard by te woon of daaraan deel te neem, of om hom of haar van bywoning daarvan of deelname daaraan te weerhou, of op 'n ander wyse steun te verleen aan of vir 'n party of 'n kandidaat; of

(b) met die gevolg dat 'n persoon wat;

(i) gestem het, gepoog het om te stem of hom of haar daarvan weerhou het om te stem, hetsy enigsins, of vir 'n bepaalde party, of kandidaat of op enige ander wyse; of

(ii) enige sodanige politieke vergadering, optog, betoging of ander gebeurtenis van 'n politieke aard bygewoon of daaraan deelgeneem het, of hom of haar daarvan weerhou het om dit by te woon of daaraan deel te neem, of steun verleen het soos voormeld,

is aan 'n misdryf skuldig.

(2) Iemand wat enigiemand anders oorreed, beïnvloed of oorhaal om in die verkiesing te stem, in die wete dat sodanige ander persoon nie geregtig is om in die betrokke verkiesing te stem nie, is aan 'n misdryf skuldig.

(3) Iemand wat, direk of indirek, deur dwang of intimidasie;

(a) die vrye uitoefening van stemreg deur enige kieser belemmer of verhinder of dreig om dit te belemmer of te verhinder; of

(b) op enige wyse die uitslag van enige verkiesing beïnvloed, is aan 'n misdryf skuldig.

(4) Iemand wat, direk of indirek, deur dwang, intimidasie of andersins, enige kieser wat reeds by die verkiesing gestem het, dwing of oorreed;

(a) om aan sodanige of enige ander persoon die naam van die party of kandidaat waarvoor die kieser gestem het, mee te deel; of

- (b) om die stembrief waarop sodanige kieser sy of haar stem gemerk het op so 'n wyse te vertoon as om aan sodanige of enige ander persoon die naam van die party of die kandidaat waarvoor die kieser gestem het, bekend te maak,

is aan 'n misdryf skuldig.

Omkopery

104 (1) Iemand wat, direk of indirek -

- (a) enige geldwaardige teenprestasie vir hom- of haarself of vir enige ander persoon aanvaar of daarvoor kontrakteer, sodat hy of sy of sodanige ander persoon stem of instem om te stem, of hom of haar daarvan weerhou, of instem om hom of haar daarvan te weerhou om te stem, hetsy enigsins, of vir enige party of enige kandidaat op enige ander wyse; of
- (b) na die verkiesing, enige geldwaardige teenprestasie aanvaar vir hom- of haarself, of vir enige ander persoon, as gevolg van die oorreding of beïnvloeding van enige persoon om te stem of hom of haar daarvan te weerhou om te stem soos vermeld;
- (c) enige geldwaardige teenprestasie gee, leen of verkry, of instem, aanbied of beloof om dit te gee, leen of verkry, aan of vir enige kieser, of enige ander persoon, ten einde enige persoon te oorreed of beïnvloed -
 - (i) om te stem of hom of haar daarvan te weerhou om te stem, hetsy enigsins, of vir enige party of enige kandidaat of op enige ander wyse; of
 - (ii) enige politieke vergadering, optog, betoging of ander gebeurtenis van 'n politieke aard by te woon of daaraan deel te neem, of hom of haar te weerhou van bywoning daarvan of deelname daaraan, of op 'n ander wyse steun te verleen aan of vir 'n party of 'n kandidaat; of

- (d) as gevolg daarvan dat 'n persoon gestem het of hom of haar daarvan weerhou het om te stem, hetsy enigsins, of vir 'n party of enige kandidaat, op op enige ander wyse, enige geldwaardige teenprestasie gee, leen of verkry of instem, aanbied of beloof om dit te gee, leen of verkry, aan of vir enige ander kieser, of aan of vir enige ander persoon, is aan 'n misdryf skuldig.

- (2) Iemand wat, as gevolg van sy of haar aanvaarding van enige geldwaardige teenprestasie, stem of hom of haar daarvan weerhou om te stem, hetsy enigsins, of vir enige party, of enige kandidaat of op enige ander wyse, is aan 'n misdryf skuldig.

Uitgee vir ander

105 Iemand wat by die verkiesing -

- (a) aansoek doen om 'n stembrief in die naam van 'n ander persoon, hetsy lewend, afgestorwe of denkbeeldig;
- (b) behalwe soos in regulasie 58 bepaal, 'n stem in die naam van 'n ander persoon uitbring;
- (c) nadat hy of sy op die wyse in hierdie regulasies bepaal, gestem het, weer stem of aansoek doen om 'n stembrief in dieselfde verkiesing; of
- (d) stem in die wete dat hy of sy nie geregtig is om in die betrokke verkiesing te stem nie,

is aan 'n misdryf skuldig.

Verbod op bemoeiing met stemmateriaal en verkiesingsmateriaal

- 106 (1) Iemand wat enige stemmateriaal of verkiesingsmateriaal verwyder, vernietig, versteek of skend of bystand verleen by die verwydering, vernietiging, versteking of skending daarvan, behalwe op gesag van hierdie regulasies is aan 'n misdryf skuldig.

- (2) Enige persoon wat van enige ander persoon 'n eis op vorm ER1 of op 'n vorm wesenlik in ooreenstemming met vorm ER1 ontvang of aanvaar, sal toesien dat daardie eis betyds aan die kieserslysbeampste by die adres op vorm ER1 vir die betrokke oorgangsraad aangedui, afgelewer word en enige persoon wat opsetlik of nalatig nalaat om dit te doen, is aan 'n misdryf skuldig.

Verbod op ongemagtigde druk, vervaardiging en verskaffing van stemmateriaal en verkiesingsmateriaal

- 107 Iemand wat, regstreeks of onregstreeks, enige verkiesingsmateriaal in verband met die verkiesing druk, vervaardig of verskaf of die druk, vervaardiging of verskaffing daarvan bewerkstellig, behalwe op gesag van 'n oorgangsraad, is aan 'n misdryf skuldig.

Verbod op bemoeiing met vrye politieke werwing en veldtogvoering

- 108 Iemand wat -

- (a) regstreeks of onregstreeks, deur dwang, geweld, seksuele teistering of andersins te gebruik of daarmee te dreig, die hou van 'n politieke vergadering, optog, betoging of ander gebeurtenis van 'n politieke aard, of enige ander persoon van die bywoning of deelname daaraan, verhinder;
- (b) 'n wenselike ontwigting veroorsaak met die opset om 'n geregistreerde party te verhinder om 'n openbare politieke vergadering te hou;
- (c) die reg van enige kandidaat of verteenwoordiger van 'n party belemmer of verhinder of dreig om dit te belemmer of verhinder om toegang tot kiesers in 'n bepaalde gebied, hetsy openbaar of privaat, te verkry op die wyse en gedurende die ure voorgeskryf, vir die doeleindes van politieke werwing en veldtogvoering, en om lidmaatskap en steun te werf; of
- (d) 'n lid of 'n verteenwoordiger van die oorgangsraad belemmer of verhinder of dreig om hom of haar te belemmer of verhinder om toegang tot kiesers in 'n bepaalde gebied, hetsy openbaar of privaat, te verkry op die wyse en gedurende tydperk of periode voorgeskryf, vir doeleindes van kieserregistrasie,

is aan 'n misdryf skuldig.

Verbod op doen van opsetlike vals verklarings of publisering van vals inligting

109 Iemand wat -

- (a) 'n vals verklaring doen of vals besonderhede verskaf in 'n verklaring wat ingevolge hierdie regulasie vereis word in die wete dat sodanige verklaring of besonderhede vals is of sonder redelike gronde vir oortuiging dat dit waar is; of
- (b) op enige wyse hoe ook al vals inligting publiseer, herhaal of versprei met die doel om -
 - (i) die verkiesing te ontwig of te verhinder;
 - (ii) vyandigheid of vrees te skep ten einde die proses of uitslag van die verkiesing te beïnvloed; of
 - (iii) andersins die proses of uitslag van die verkiesing te beïnvloed,

is aan 'n misdryf skuldig.

Ander oortredings

110 (1) Enige persoon wat;

- (a) enige stembrief of die amptelike merk daarop vervals, namaak of wederregtelik vernietig of verander;
- (b) sonder behoorlike magtiging enige stembrief aan enige persoon uitreik;
- (c) enige vervalste of nagmaakte stembrief of enige stembrief anders as die stembrief wat hy kragtens die wet gemagtig is om in die stembus te plaas, in 'n stembus plaas;

- (d) wederregtelik enige stembrief of ander verkiesingsmateriaal uit die stemburo verwyder; of
- (e) wederregtelik enige stembus of stembrief wat op daardie oomblik in gebruik is vir doeleindes van 'n verkiesing vernietig, oopmaak of andersins daarmee inmeng; of
- (f) rook, of behalwe soos toegelaat ten einde 'n plig ingevolge hierdie regulasies uit te voer, 'n vuurhoutjie trek of aansteker of enige ontvlambare stof in die stemburo gebruik;
- (g) wat die bepalings van regulasies 12, 91 of 101 oortree of versuim om daaraan te voldoen; of
- (h) enige oortreding van hierdie regulasies begaan,

is aan 'n misdryf skuldig.

- (2) Enige persoon wat 'n vals verklaring maak in antwoord op 'n vraag wat gevra is in terme van of in 'n verklaring soos bedoel by regulasies 53 of 59, is skuldig aan 'n misdryf tensy hy of sy bewys dat hy of sy nie geweet het dat sodanige verklaring vals was nie.

Strawwe

- 111 (1) Iemand wat skuldig bevind word aan enige van die misdrywe bedoel in hierdie Hoofstuk is, indien skuldig bevind aan 'n oortreding van 'n bepaling van;
- (a) regulasie 103(1), (3) of (4) of 105, 107, 108(a) of 109(b), strafbaar met 'n boete wat nie R100 000 te bowe gaan nie of met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar, of met daardie boete sowel as daardie gevangenisstraf;
 - (b) regulasie 104, strafbaar met 'n boete of met gevangenisstraf vir 'n tydperk van hoogstens vier jaar, of met daardie boete wat nie R80 000 te bowe gaan nie sowel as daardie gevangenisstraf;

- (c) regulasie 102, 103(2), 106 of 108(b), (c) of (d), strafbaar met 'n boete wat nie R60 000 te bowe gaan nie of met gevangenisstraf vir 'n tydperk van hoogstens drie jaar, of met daardie boete sowel as daardie gevangenisstraf;
 - (d) regulasie 101(d) of 109(a), strafbaar met 'n boete wat nie R40 000 te bowe gaan nie of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar, of met daardie boete sowel as daardie gevangenisstraf; of
 - (e) regulasie 101(a), (b) of (c), strafbaar met 'n boete wat nie R20 000 te bowe gaan nie of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande, of met daardie boete sowel as daardie gevangenisstraf.
- (2) Enige persoon wat skuldig bevind word aan 'n oortreding van hierdie regulasies, sal, indien 'n ander straf nie spesifiek voorgeskryf is nie, strafbaar wees met 'n boete wat nie R40 000 te bowe gaan nie of gevangenisstraf vir 'n tydperk van hoogstens twee jaar, of met daardie boete sowel as daardie gevangenisstraf.

Oortredings Gerapporteer aan die Staatsaanklaer

- 112 Die kiesbeampte sal na afloop van elke verkiesing enige waarskynlike of beweerde oortredings van hierdie regulasies aan die staatsaanklaer rapporteer.

HOOFSTUK 18

TOEPASSING VAN REGULASIES

Koördineringskomitee en vrygestelde liggame

- 113 Die bepalings van hierdie regulasies in soverre dit op 'n plaaslike oorgangsraad van toepassing, is op 'n plaaslike owerheidskoördineringskomitee kragtens artikel 7 van die Wet ingestel en 'n plaaslike owerheidsliggaam in terme van artikel 5 van die Wet vrygestel, van toepassing.

Bylae

- 114 Hierdie regulasies en die bylaes tot hierdie regulasies word saamgelees.

Pre-Interim en Interim Fases

- 115 Hierdie regulasies word gedurende die Pre-Interim en Interim fase soos omskryf by artikel 1(1)(iv) van die Wet, toegepas.

Kort Titel

- 116 Hierdie regulasies heet die Verkiesingsregulasies vir Plaaslike Oorgangsregering, 1994.

Reg 3(9)(a)

ER 2

AAN: DIE KIESERSLYSBEAMPTTE
[ADRES VAN OORGANGSRAAD]

..... OORGANGSRAAD

BESWAAR TEEN EIS OM OP DIE KIESERSLYS GEREGISTREER TE WORD

Ek,

.....
(volle naam)

woonagtig

te

....

.....(volle
dige huisadres),

maak

beswaar

daarteen

dat

.....

.....

(volle naam, identiteitsnommer en adres van die persoon teen wie beswaar gemaak word)

op die kieserslys ingesluit word

My beswaar berus op die volgende gronde:

Handtekening van Beswaarmaker _____ Datum _____

Telefoonnommer van Beswaarmaker (H).....
(W).....

L.W. HIERDIE VORM MOET AAN BOSTAANDE ADRES GEPOS WORD OF MOET
PER HAND BY DIE VOLGENDE KANTORE INGEHANDIG WORD:

- (1)
(2)

Reg 20

ER3(A)

(Voorkant van stembrief)

(Perforasie) *

Teenbladnommer	U mag vir nie meer as kandidate stem nie		
.....			
Oorgangsraad	(KANDIDAAT) *	(SIMBOOL) *	(MERK) *
Verkiesing van wyks- raadslid vir wyk	JONES, Vera Joan		
Datum	MBULE, Mwakhe		
Kieser se nommer op die Kieserslys	SMIT, Jan		

* Inligting tussen hakies moet nie op die stembrief gedruk word nie

(Agterkant van stembrief)

AMPTELIKE
MERK

..... Oorgangsraad

Verkiesing van Wyksraadslid

vir

Wyk

Datum

Reg 20

ER 3(B)

(Voorkant van stembrief)

(Perforasie) *

Teenbladnommer	U mag vir EEN KANDIDAAT stem		
.....	U mag net EEN merk maak		
Oorgangsraad	(PARTY SE NAAM) *	(PARTY SE SIMBOOL) *	(MERK) *
Proporsionele verteenwoordigings- verkiesing	P Q PARTY		
	A Q PARTY		
	B A PARTY		
Datum			
Kieser se nommer op die Kieserslys			

* Inligting tussen hakies moet nie op die stembrief gedruk word nie

(Agterkant van stembrief)

AMPTELIKE MERK

..... Oorgangsraad

Proporsionele Verteenwoordigingsverkiesing

Datum

Reg 24(1)(b)(vi)

ER4(A)

..... OORGANGSRAAD

Die Kiesbeampte

..... (Oorgangsraad)*

..... (Adres)

.....

.....

AANVAARDING VAN NOMINASIE - PARTYKANDIDAAT OP DIE PARTYLYS VIR

..... (naam van MOS/POR)

(Moet deur aspirant-kandidate voltooi word)

Datum

van

Verkiesing

.....

KANDIDAAT SE BESONDERHEDE

Van

.....

.....

Ander

Name

.....

Identiteitsnommer

.....

Woonadres

.....

Nommer op die Kieserslys in wyk

..... vir

..... (naam van

Oorgangsraad)

Telefoonnommer: (H)..... (W)

.....

Ek aanvaar my nominasie as 'n kandidaat op die partylys van

.....

..... (volle naam van party)

en ek sertifiseer dat ek geen ander nominasie vir hierdie verkiesing op 'n partylys vir enige ander party in hierdie Oorgangsraad aanvaar het nie.

Handtekening van Party/Kandidaat of Agent

L.W. DIE GESKREWE MAGTIGING DAT DIE AGENT DIE NOMINASIE NAMENS DIE KANDIDAAT MAG AANVAAR, MOET HIERDIE NOMINASIEVORM VERGESEL.

* Naam van MOS/POR

Reg 24(1)(b)(vi)

ER4(B)

..... METROPOLITAANSE OORGANGSRAAD*

Die Metropolitaanse Kiesbeampte

..... (MOR)*

..... (Adres)

.....

.....

AANVAARDING VAN NOMINASIE - PARTYKANDIDAAT OP DIE PARTYLYS VIR

..... (naam van MOR)

(Moet deur voornemende kandidate voltooi word)

Datum

van

Verkiezing

.....

KANDIDAAT SE BESONDERHEDE

Van

.....

Ander

Name

.....

Identiteitsnommer

.....

Woonadres

.....

Nommer op die Kieserslys in wyk
..... vir..... (naam van
Oorgangsraad)

Telefoonnommer: (H)..... (W)

.....

Ek aanvaar my nominasie as 'n kandidaat op die partylys van
.......... (volle naam
van party)en ek sertifiseer dat ek geen ander nominasie vir hierdie verkiesing op 'n partylys vir
enige ander party in hierdie Oorgangsraad aanvaar het nie.

Handtekening van Party/Kandidaat of Agent

**L.W. DIE GESKREWE MAGTIGING DAT DIE AGENT DIE NOMINASIE NAMENS DIE
KANDIDAAT MAG AANVAAR, MOET HIERDIE NOMINASIEVORM VERGESEL.**

* Naam van MOR

Reg 29(1)

ER5

..... (OORGANGSRAAD)

Die Kiesbeampte

..... (Oorgangsraad) *

..... (Adres)

NOMINASIE VAN KANDIDAAT VIR WYKSVERKIESING

(Moet deur voornemende kandidate voltooi word)

Datum

van

Verkiesing

KANDIDAAT SE BESONDERHEDE

Van

Ander

Name

Identiteitsnommer

Woonadres

Nommer op die Kieserslys in wyk

Hierdie nominasie is vir Wyk van die bogemelde Oorgangsraad

Telefoonnommer: (H)..... (W)

AANVAARDING EN SERTIFIKAAT DEUR DIE KANDIDAAT OF AGENT

Ek,

.....
.....
die bogemelde kandidaat/agent van die bogemelde kandidaat, behoorlik gemagtig om nominasie namens hom te aanvaar, aanvaar hierdie nominasie en sertifiseer dat *ek/sodanige kandidaat nie ingevolge artikel 2(1) gediskwalifiseer is om as 'n raadslid vir die bogemelde Oorgangsraad verkies te word nie.

Ek sertifiseer dat ek geen ander nominasie vir hierdie verkiesing as 'n wykskandidaat of op 'n partylys van enige ander party in hierdie Oorgangsraad aanvaar het nie.

Datum

Handtekening van Kandidaat of Agent

L.W. DIE GESKREWE MAGTIGING DAT DIE AGENT DIE NOMINASIE NAMENS DIE KANDIDAAT MAG AANVAAR, MOET HIERDIE NOMINASIEVORM VERGESEL.

KIESERS WAT NOMINEER

Hiermee nomineer ons die bogenoemde kandidaat.

Voorletters en van kieser	Nommer van kieser op die kieserslys	Wyksnommer	Handtekening van
.....
.....
.....
.....
.....

* Skrap wat nie van toepassing is nie

Reg 32(1)

ER 6(A)

..... OORGANGSRAAD**

**AANSTELLING VAN STEMBURO-VERKIESINGSBEAMPTTE - VERKIESING VIR
METROPOLITAANSE OORGANGSUBSTRUKTUUR/PLAASLIKE OORGANGSRAAD**

Verkiesingsdatum:

Van:

Ander Name:

Identiteitsnommer:

Stemburo: (adres van stemburo)

.....
.....
.....

Wyk:

Ek stel die bogenoemde persoon aan as:

- * Adjunkkiesbeampte
- Voorsittende Beampte
- Telbeampte
- Vertaalbeampte
- Verkiesingsbeampte

by bogenoemde adres.

.....
Datum

.....
Kiesbeampte

(Moet in Koevert *ER 7 of ER 29 ingesluit word)

** (Skrap wat nie van toepassing is nie)

*** (Naam van MOS/POR)

Reg 32(1)

ER 6(B)

..... OORGANGSRAAD**

**AANSTELLING VAN TELBURO-VERKIESINGSBEAMPTTE - VERKIESING VIR
METROPOLITAANSE OORGANGSUBSTRUKTUUR/PLAASLIKE OORGANGSRAAD**

Verkiesingsdatum:

Van:

Ander Name:

Identiteitsnommer:

Telburo: (adres van telburo)

.....
.....
.....

Wyk:

Ek stel die bogenoemde persoon aan as telbeampte by bogenoemde adres.

Datum

Kiesbeampte _____

(Moet in Koevert *ER 7 of ER 29 ingesluit word)

* (Skrap wat nie van toepassing is nie)

** (Naam van MOS/POR)

Reg 32(1)

ER 6(C)

..... MOR* VERKIESING - GEHOU DEUR
..... MOS*

**AANSTELLING VAN STEMBURO-VERKIESINGSBEAMPTTE - VERKIESING VIR
METROPOLITAANSE OORGANGSRAAD**

Verkiesingsdatum:

Van:

Ander Name:

Identiteitsnommer:

Stemburo: (adres van stemburo)

.....
.....
.....

Wyk:

Ek stel die bogenoemde persoon aan as:

- * **Adjunkkiesbeampste**
- Voorsittende Beampste**
- Telbeampste**
- Vertaalbeampste**
- Verkiesingsbeampste**

by bogenoemde adres.

Datum

Kiesbeampste

(Moet in Koevert *ER 7 of ER 29 ingesluit word)

* (Skrap wat nie van toepassing is nie)

** (Naam van Owerheid)

Reg 32(1)(a), (b); 35(2)(d)(i)

ER 7

..... OORGANGSRAAD**

Datum

.....

*Wyk/Stemburo

.....

HIERDIE KOEVERT BEVAT:

AANSTELLING VAN VERKIESINGSBEAMPTE (ER 6)

VERKLARING VAN GEHEIMHOUDING (ER 9)

* Skrap wat nie van toepassing is nie

** Naam van Metropolitaanse Oorgangsubstruktuur

(Moet in Pakket ER 23 ingesluit word)

Reg 32(3)(a); 35(2)(c)

ER8(B)

..... MOR* VERKIESING - GEHOU
DEUR
..... MOS*

**AANSTELLING VAN AGENTE EN BODES VIR 'N PARTY -
METROPOLITAANSE OORGANGSRAAD**

(Moet deur gemagtigde partyverteenwoordiger voltooi word)

Die Kiesbeampte

..... (Oorgangsraad)*

Ek, (volle
name in drukskrif)

..... (identiteitsnommer) gemagtigde
verteenwoordiger Van (naam van party), stel die
volgende persone aan om die party te verteenwoordig by die stemburo('s) (hieronder
aangedui) en om teenwoordig te wees wanneer die stemme getel word by die
aangeduide telburo's vir die verkiesing wat op
..... (datum) gehou sal word.

STEMBURO TELBURO	VOLLE NAAM VAN AGENT	I.D. NO.	HOEDANIGHEID (d.w.s. BODE/SPEZIALE AGENT/ALGEMENE AGENT/TELAGENT

Datum

Handtekening van gemagtigde partyverteenwoordiger

* (Elke party by 'n verkiesing mag die volgende aanstel:

- (a) Een Algemene Agent wat na alle stemburo's sowel as tel van stemme mag gaan
- (b) Twee spesiale agente vir elke stemburo
- (c) Een bode vir elke stemburo
- (d) Een agent wat teenwoordig kan wees wanneer getel word.)

* Naam van Owerheid

Reg 39(b)

ER11

..... OORGANGSRAAD

Die Voorsittende Beampte

..... Stemburo

KENNISGEWING TEN OPSIGTE VAN TELLOKAAL

Die tel van stemme ten opsigte van u stemburo sal te
.....
(tellokaal) plaasvind.

Besorg asseblief alle verkiesingsmateriaal in die hande van die Kiesbeampte of sy
gemagtigde verteenwoordiger by die bogemelde telsentrum onmiddellik nadat u
stemburo
gesluit het en nadat u die voorgeskrewe prosedures met betrekking tot verkiesings-
materiaal voltooi het.

Handtekening van Kiesbeampte_____
Datum

Reg 53(1), (2)

ER 15

OORGANGSRAAD

VRAE WAT GESTEL MAG WORD AAN 'N PERSOON WAT AANSOEK DOEN OM 'N STEMBRIEF

Datum

Wyk/Stemburo

1. Is u
(volle name) (identiteitsnommer) wie se naam
teenoor nommer op die kieserslys
vir hierdie wyk/stemburo verskyn?

Antwoord:

2. Het u reeds onder hierdie naam en kieserslysnommer in hierdie verkiesing
gestem by hierdie of enige ander stemburo?

Antwoord:

3. Is u gediskwalifiseer om te stem op die gronde/vir die redes wat in Regulasie 2
uiteengesit is?

Antwoord:

Ek verklaar dat die bepalings van regulasie 2 aan my verduidelik is en dat my
antwoorde soos hierbo aangeteken waar en juis is.

Handtekening van persoon wat aansoek
doen om 'n stembrief

Datum

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

'n Stembrief is/is nie* aan die aansoeker uitgereik (nie*)

Handtekening van Voorsittende Beamppte

* Skrap indien nie van toepassing nie

(Moet in Koevert ER 18 ingesluit word)

Reg 32(1)

ER 6(A)

..... OORGANGSRAAD**

**AANSTELLING VAN STEMBURO-VERKIESINGSBEAMPTTE - VERKIESING VIR
METROPOLITAANSE OORGANGSUBSTRUKTUUR/PLAASLIKE OORGANGSRAAD**

Verkiesingsdatum:

.....

Van:

.....
.....

Ander

Name:

.....

Identiteitsnommer:

.....

Stemburo:

..... (adres van stemburo)

.....

.....

.....

Wyk:

Ek stel die bogenoemde persoon aan as:

- * Adjunkkiesbeampte
- Voorsittende Beampte
- Telbeampte
- Vertaalbeampte
- Verkiesingsbeampte

by bogenoemde adres.

Datum

Kiesbeampte

(Moet in Koevert *ER 7 of ER 29 ingesluit word)

* (Skrap wat nie van toepassing is nie)

** (Naam van MOS/POR)

Reg 32(1)

ER 6(B)

..... OORGANGSRAAD**

**AANSTELLING VAN TELBURO-VERKIESINGSBEAMPTTE - VERKIESING VIR
METROPOLITAANSE OORGANGSUBSTRUKTUUR/PLAASLIKE OORGANGSRAAD**

Verkiesingsdatum:

.....

Van:

.....
.....

Ander

Name:

.....

Identiteitsnommer:

.....

Telburo: (adres van telburo)

.....
.....
.....

Wyk:

Ek stel die bogenoemde persoon aan as telbeamppte by bogenoemde adres.

Datum

Kiesbeamppte

(Moet in Koevert *ER 7 of ER 29 ingesluit word)

* (Skrap wat nie van toepassing is nie)

** (Naam van MOS/POR)

Reg 32(1)

ER 6(C)

..... MOR* VERKIESING - GEHOU
 DEUR
 MOS*

AANSTELLING VAN STEMBURO-VERKIESINGSBEAMPTE - VERKIESING VIR METROPOLITAANSE OORGANGSRAAD

Verkiesingsdatum:

.....

Van:

.....

Ander

Name:

.....
 .

Identiteitsnommer:

.....

Stemburo: (adres van stemburo)

.....

Wyk:

Ek stel die bogenoemde persoon aan as:

- * Adjunkkiesbeamp
- Voorsittende Beamp
- Telbeamp
- Vertaalbeamp
- Verkiesingsbeamp

by bogenoemde adres.

Datum_____
Kiesbeamp

(Moet in Koevert *ER 7 of ER 29 ingesluit word)

* (Skrap wat nie van toepassing is nie)

** (Naam van Owerheid)

Reg 32(1)

ER 6(D)

..... MOR* VERKIESING - GEHOU DEUR
 MOS*

**AANSTELLING VAN TELBURO-VERKIESINGSBEAMPTTE - VERKIESING VIR
 METROPOLITAANSE OORGANGSRAADSVERKIESING**

Verkiesingsdatum:

.....

Van:

.....

Ander

Name:

.....
 .

Identiteitsnommer:

.....

Telburo (adres van telburo)

.....

Wyk:

Ek stel die bostaande persoon aan as Telbeampte by bogenoemde adres.

 Datum

 Kiesbeampte

(Moet in Koevert *ER 7 of ER 29 ingesluit word)

* (Naam van Owerheid)

Reg 34(3)(a); 35(2)(c)

ER8(A)

..... OORGANGSRAAD

AANSTELLING VAN AGENTE EN BODES VIR 'N WYKSKANDIDAAT
(Moet deur Kandidaat voltooi word)

Die Kiesbeampte

..... Oorgangsraad

Ek stel die volgende persone aan as my agente by die stemburo('s) hieronder aangedui en/of om teenwoordig te wees wanneer die stemme getel word by die aangeduide telburo's.

STEMBURO TELBURO WYK NOMMER:	VOLLE NAAM VAN AGENT	I.D. NO.	HOEDANIGHEID (d.w.s.) BODE/SPEZIALE AGENT/ALGEMENE AGENT/TELAGENT

Datum

Handtekening van Kandidaat

* (Skrap wat nie van toepassing is nie)

** (Elke kandidaat by 'n verkiesing mag die volgende aanstel:

- (a) Een Algemene Agent wat na alle stemburo's sowel as tel van stemme mag gaan
- (b) Twee spesiale agente vir elke stemburo
- (c) Een bode vir elke stemburo
- (d) Een agent wat teenwoordig kan wees wanneer getel word.)

Reg 34(3)(a); 35(2)(c)

ER8(C)

..... OORGANGSRAAD *

**AANSTELLING VAN AGENTE EN BODES VIR 'N PARTY -
METROPOLITAANSE OORGANGSUBSTRUKTUUR/
PLAASLIKE OORGANGSRAAD**

(Moet deur gemagtigde partyverteenwoordiger voltooi word)

Die Kiesbeampte

..... (Oorgangsraad) *

Ek, (volle
name in drukskrif)

..... (identiteitsnommer) gemagtigde
verteenwoordiger van (naam van party), stel die
volgende persone aan om die party te verteenwoordig by die stemburo('s) (hieronder
aangedui) en om teenwoordig te wees wanneer die stemme getel word vir die
*wyk/proporsionele verkiesing wat op
(datum) gehou sal word.

STEMBURO TELBURO	VOLLE NAAM VAN AGENT	I.D. NO.	HOEDANIGHEID (d.w.s.) BODE/SPEZIALE AGENT/ALGEMENE AGENT/TELAGENT

Datum
partyverteenwoordiger

Handtekening van gemagtigde

* (Elke party by 'n verkiesing mag die volgende aanstel:

- (a) Een Algemene Agent wat na alle stemburo's sowel as tel van stemme mag gaan
- (b) Twee spesiale agente vir elke stemburo
- (c) Een bode vir elke stemburo
- (d) Een agent wat teenwoordig kan wees wanneer getel word.)

* Naam van MOR/POR

Reg 35(1); 40(1)(c)

ER 9

OORGANGSRAAD

VERKLARING VAN GEHEIMHOUDING

(Moet deur die Kiesbeampte, Adjunkkiesbeampte, Voorsittende Beampte, Verkiesingsbeampte, Vertalingsbeampte, Telbeampte, kandidaat/party se agente en bodes voltooi word.)

Verklaring van geheimhouding met betrekking tot die verkiesing op

..... (datum) vir

..... *(naam van
MOR/POR/MOS) vir

..... *(wyk)

..... *(stemburo)

Ek, (volle name en identiteitsnommer) het Regulasie 102 van die Verkiesingsregulasies gelees en verstaan dit ten volle, en ek onderneem om niks te doen wat daardeur verbied word en om die geheimhouding van die stemming te handhaaf en te bevorder.

Handtekening

Datum

Benaming

(Kiesbeampte, agent, telagent, bode, ens.)

Afgelê en geteken voor my te hierdie
dag van 19.....

*Kommissaris van Ede/Kiesbeampte/
Adjunkkiesbeampte/Voorsittende Beampte

* Skrap wat nie van toepassing is nie.

(Moet in Koevert *ER 7 of 34 ingesluit word.)

Reg 38(1)(c); 40(1)(i)

Koevert ER 10(A)

..... OORGANGSRAAD*

AMPTELIKE MERK-INSTRUMENTE - MOS/POR-VERKIESING

Aan: Voorsittende Beampte
Stemburo

Aantal amptelike merk-instrumente uitgereik

Datum

Wyk/Stemburo

..

Kiesbeampte

(Die inhoud van hierdie koevert moet oopgemaak en gebruik word om stembriewe te merk.)

* (Naam van MOS/POR)

Reg 38(1)(c); 40(1)(i)

Koevert ER 10(B)

..... MOR*-VERKIESING - GEHOU DEUR
..... MOS*

AMPTELIKE MERK-INSTRUMENTE - MOR-VERKIESING

Aan: Voorsittende Beamppte
Stemburo

Aantal amptelike merk-instrumente uitgereik

Datum

Wyk/Stemburo
.....

Kiesbeamppte

(Die inhoud van hierdie koevert moet oopgemaak en gebruik word om stembriewe te merk.)

* (Naam van Owerheid)

Reg 47(b); 50(2)(a)

ER 12(A)

VOORSKRIFTE VIR DIE VOORLIGTING VAN KIESERS

WYK-KANDIDAAT (WIT STEM BRIEF)

- Maak 'n merk in die leë blok langs die naam en simbool van die kandidaat vir wie u wil stem.
- Vou u stembrief sodat die amptelike merkstempel agter op u stembrief aan die buitekant is.

PARTY-KANDIDAAT (GEEL STEM BRIEF)

- Maak 'n merk in die leë blok langs die naam en simbool van die party vir wie u wil stem.
- Vou u stembrief sodat die amptelike merk-stempel agter op u stembrief aan die buitekant is.

Nadat u bostaande stappe voltooi het, moet u altwee stembriewe na die persoon wat by die stembus staan neem, die amptelike merk wys en die stembriewe in die stembus sit.

AS U 'N FOUT MAAK OP U STEM BRIEF

- Neem u bedorwe stembrief na 'n beampte in die stemburo en sê vir hom of haar dat u 'n fout op u stembrief gemaak het.
- Gee u bedorwe stembrief vir daardie beampte en gaan saam met hom of haar om 'n nuwe te kry.
- Gaan terug na die stemhokkie met u nuwe stembrief, voltooi u stem en neem u stembrief na die persoon by die stembus.

Reg 47(b); 50(2)(a)

ER 12(B)

STEMMING VIR DIE METROPOLITAANSE RAAD (GROEN STEM BRIEF)

- Maak 'n merk in die leë blok langs die naam en simbool van die party vir wie u wil stem.
- Vou nou u stembrief sodat die amptelike merk-stempel agter op u stembrief aan die buitekant is.
- Gaan na die persoon wat by die stembus staan, wys vir hom of haar die amptelike merk en sit die stembriewe in die stembus.

AS U 'N FOUT MAAK OP U STEM BRIEF

- Neem u bedorwe stembrief na 'n beampte in die stemburo en sê vir hom of haar dat u 'n fout op u stembrief gemaak het.
- Gee u bedorwe stembrief vir daardie beampte en gaan saam met hom of haar om 'n nuwe te kry.
- Gaan terug na die stemhokkie met u nuwe stembrief, voltooi u stem en neem u stembrief na die persoon by die stembus.

Reg 46(3)

ER13

ROOK OF DIE AANSTEEK VAN ONTVLAMBARE MATERIAAL IN DIE STEMLOKAAL IS VERBODE

ROOK VERBODE
TEKEN

Reg 46(1)

ER 14(A)

..... METROPOLITAANSE OORGANGSRAAD

STEMBURO

STEMTYE

7:00 TOT 22:00

Reg 46(2)

ER 14(B)

..... PLAASLIKE OWERHEID

STEMBURO

STEMTYE

7:00 TOT 22:00

Reg 59(1)

ER 16

..... OORGANGSRAAD
BESWAAR DAARTEEN DAT 'N PERSOON 'N STEM UITBRING

Datum:

Wyk/Stemburo:

Ek,

..... (volle
naam),..... (identiteitsnommer) glo en onderneem
om te bewys dat die persoon wat aansoek gedoen het om/aan wie 'n stembrief
uitgereik is* in die naam van (volle
name), (identiteitsnommer) teenoor nommer..... op die Kieserslys van hierdie
..... (wyk/stemburo) nie sodanige persoon is nie.

Handtekening van Beswaarmaker

Bostaande verklaring is afgelê, onderteken en beëdig voor my te
..... hierdie
..... dag van
19.....

Handtekening van Voorsittende Beampte

(Moet in Koevert ER 18 ingesluit word)

* Skrap wat nie van toepassing is nie

FReg 59(2)(b)

ER 17

OORGANGSRAAD

VERKLARING VAN PERSOON TEEN WIE BESWAAR GEMAAK IS

Datum

Wwyk/Stemburo

Ek verklaar dat ek
 ((volle naam), (Identiteitsnommer), die
 persoon wie se naam teenoor nommer op
 die Kieserslys vir hierdie wyk/stemburo verskyn is, en dat die verklaring dat ek nie
 sodanige persoon is nie, wat deur
 (volle naam) gemaak en aan my
 voorgelê is, vals is.

Handtekening van Verklaarder

Datum

Bostaande verklaring is afgelê, geteken en beëdig voor my te
 hierdie dag van
 19.....

Handtekening van Voorsittende Beampte

"n Stembrief is/is nie* aan die Verklaarder uitgereik (nie*).

* Skrap wat nie van toepassing is nie.

(Moet in Koevert ER 18 ingesluit word)

Reg 62(3)(a); (c)

Koevert ER 19(A)

..... OORGANGSRAAD

MOS/POR-VERKIESING**ONGEBRUIKTE STEMBRIEWE EN TEENBLAAIE, TEENBLAAIE VAN GEBRUIKTE
STEMBRIEWE EN GEMERKTE KOPIEË VAN KIESERSLYS**

Datum

Wyk/Stemburo

* Naam van Owerheid

(Moet in Pakket ER 23 ingesluit word)

Reg 62(3)(a), (c)

Koevert ER 19(B)

..... MOR*-VERKIESING - GEHOU DEUR
 MOS*

**ONGEBRUIKTE STEMBRIEWE EN TEENBLAAIE, TEENBLAAIE VAN GEBRUIKTE
 STEMBRIEWE EN GEMERKTE KOPIEË VAN KIESERSLYS**

Datum

Wyk/Stemburo

* Naam van Owerheid

(Moet in Pakket ER 28 ingesluit word)

Reg 72(1)(d)

Vorm ER 20(A)

..... OORGANGSRAAD*

STEMBRIEFVERSLAG WYKSTEMMING

Datum

Wyk/Stemburo

STEMBRIEWE - WYKSTEMMING (WIT)

A	Stembriewe van die Stembeampte ontvang			
	Teenbladnommers Van	Tot	Totaal	
.....				
B	Stembriewe uitgereik aan kiesers:			
	Teenbladnommers Van	Tot	Totaal	
.....				
C	Stembriewe bederf/gekanselleer/op beslag gelê in die stemburo			
			Totaal	
.....				
D	Totale aantal stembriewe wat in bus moet wees (B minus C)			
			Totaal	
.....				

Handtekening van Voorsittende Beampte

(Moet in Koevert ER 21 ingesluit word)

* Naam van MOS/POR

Reg 72(1)(d)

Vorm ER 20(B)

..... OORGANGSRAAD*

STEMBRIEFVERSLAG PROPORSIONELE VERKIESING

Datum

Wyk/Stemburo

STEMBRIEWE - PROPORSIONELE VERKIESING (GEEL)

- | | | | |
|---|---|-----------|--------|
| A | Stembriewe van die Stembeampte ontvang
Teenbladnommers Van | Tot | Totaal |
| B | Stembriewe uitgereik aan kiesers:
Teenbladnommers Van | Tot | Totaal |
| C | Stembriewe bederf/gekanselleer/op beslag gelê
in die stemburo | | Totaal |
| D | Totale aantal stembriewe wat in bus moet wees (B minus C) | | Totaal |
| | | | |

Handtekening van Voorsittende Beampte

(Moet in Koevert ER 21 ingesluit word)

* Naam van MOS/POR

Reg 72(1)(d)

Vorm ER 20(C)

..... MOR*-VERKIESING - GEHOU DEUR
 MOS*

STEMBRIEFVERSLAG - PROPORSIONELE VERKIESING - MOR

Datum

Wyk/Stemburo

STEMBRIEWE - MOR-VERKIESING (GROEN)

- | | | | |
|---|--|-----------|--------|
| A | Stembriewe van die Stembeampte ontvang
Teenbladnommers Van | Tot | Totaal |
| B | Stembriewe uitgereik aan kiesers:
Teenbladnommers Van | Tot | Totaal |
| C | Stembriewe bederf/gekanselleer/op beslag gelê in die stemburo
..... | | Totaal |
| D | Totale aantal stembriewe wat in bus moet wees (B minus C)
..... | | Totaal |

 Handtekening van Voorsittende Beampte

(Moet in Koevert ER 21 ingesluit word)

* Naam van OORGANGSRAAD

Reg 63(1)

Koevert ER 21(A)

..... MOR*-VERKIESING - GEHOU DEUR
 MOS*

**STEMBRIEFVERSLAG (VORM ER 20) METROPOLITAANSE OORGANGSRAAD-
 VERKIESING**

Datum

Wyk/Stemburo

(Moet in Pakket ER 23 geplaas word)

* Naam van OWERHEID

Reg 63(1)
68(b) en (d)

Koevert ER 21(B)

..... OORGANGSRAAD

**STEMBRIEFVERSLAG (VORM ER 20) METROPOLITAANSE OORGANGSUBSTRUK-
TUUR**

Datum

Wyk/Stemburo

(Moet in Pakket ER 23 geplaas word)

Reg 63(1)
63(b) en (d)

Koevert ER 21(C)

..... OORGANGSRAAD

**STEMBRIEFVERSLAG (VORM ER 20) METROPOLITAANSE OORGANGSRAAD VER-
KIESING**

Datum

Wyk/Stemburo

(Moet in Pakket ER 23 geplaas word)

Reg 62(4); 63(1)

Etiket ER 22(A)

..... OORGANGSRAAD*

ONGEBRUIKTE VORMS, SKRYFBEHOEFTE EN ANDER VERKIESINGSMATERIAAL - MOS/POR

Datum

Wyk/Stemburo

(Die inhoud van hierdie pakket moet na die verkiesing geopen en weer gebruik word)

* Naam van MOS/POR

Reg 62(4); 63(1)

Etiket ER 22(B)

..... MOR*-VERKIESING - GEHOU DEUR
 MOS*

ONGEBRUIKTE VORMS, SKRYFBEHOEFTE EN ANDER VERKIESINGSMATERIAAL -
 MOR

Datum

Wyk/Stemburo

(Die inhoud van hierdie pakket moet na die verkiesing geopen en weer gebruik word)

* Naam van Owerheid

Reg 62(3)(c)

Etiket

ER 23(A)

63(1)

..... OORGANGSRAAD

Datum

Wyk/Stemburo

PAKKET BEVATTENDE KOEVERTE - MOS/POR-VERKIESING

ER 7
ER 18
ER 19

(Moet deur kiesbeampste in sak/bus verseël word onder etiket ER 33 nadat die tel van stemme voltooi is)

* Naam van MOS/POR

Reg 62(3)(c)
63(1)

Etiket ER 23(B)

..... MOR*-VERKIESING - GEHOU WORD
..... MOS*

Datum

Wyk/Stemburo

PAKKET BEVATTENDE KOEVERTE - MOR-VERKIESING

ER 7
ER 18
ER 19

(Moet deur kiesbeampte in sak/bus verseël word onder etiket ER 33 nadat die tel van stemme voltooi is)

* Naam van OWERHEID

Reg 40(1)(k)
62(3)(d)

Koevert ER 24(A)

..... OORGANGSRAAD*

AMPTELIKE SEËL - MOS/POR-VERKIESING

Aan: Kiesbeamppte

Seël in koevert: JA/NEE**

Datum

Wyk/Stemburo

Stemlokaal.....

Handtekening van Voorsittende Beamppte

(Die inhoud van hierdie pakket moet na die verkiesing geopen en weer gebruik word)

* Naam van MOS/POR

** Skrap wat nie van toepassing is nie

Reg 40(1)(k)
62(3)(d)

Koevert ER 24(B)

..... MOR*-VERKIESING - GEHOU DEUR
..... MOS*

AMPTELIKE SEël - MOR-VERKIESING

Aan: Kiesbeampte

Seël in koevert: JA/NEE**

Datum

Wyk/Stemburo

Stemlokaal.....

Handtekening van Voorsittende Beampte

(Die inhoud van hierdie pakket moet na die verkiesing geopen en weer gebruik word)

* Naam van Owerheid

** Skrap wat nie van toepassing is nie

Reg 62(3)(a) en (b)

Koevert ER 25(A)

Aan: Die Kiesbeampte

..... OORGANGSRAAD*

MOS/POR-VERKIESING**MERK INSTRUMENTE VIR DIE MERK VAN AMPTELIKE STEM BRIEWE**

(Aantal instrumente in koevert)

Datum

Wyk/Stemburo

(Moet deur die Voorsittende Beampte met die amptelike seël verseël word)

* Naam van MOS/POR

Reg 62(3)(a) en (b)

Koevert ER 25(B)

Aan: Die Kiesbeampte

..... MOR*-VERKIESING - GEHOU DEUR
..... MOS*

MERK INSTRUMENTE VIR DIE MERK VAN AMPTELIKE STEM BRIEWE

(Aantal instrumente in koevert)

Datum

Wyk/Stemburo

(Moet deur die Voorsittende Beampte met die amptelike seël verseël word)

* Naam van Owerheid

* Naam van MOS/POR

Reg 65(c)
73(1)(c) en (e)

ER 26(C)

..... METROPOLITAANSE OORGANGSRAAD

VERKLARING VAN UITSLAG (PARTYE)

Datum

Ek verklaar dat gedurende die verkiesing vir proporsionele verteenwoordiging in die metropolitaanse oorgangsraad die totale aantal stemme uitgebring vir elk van die partye soos volg is:

PARTY	AANTAL STEMME
.....
.....
.....
.....
.....

TOTALE AANTAL STEMME

Die aantal stemme wat vir elke party in elke substruktuur uitgebring is, sal op versoek beskikbaar gestel word.

Die kwota stemme per setel is

Die aantal setels wat aan elke party toegeken is, is soos volg:

PARTY	SETELS
.....
.....
.....
.....
.....

Die volgende kandidate wat in alfabetiese volgorde, op die partylys verskyn, sal bogenoemde partye verteenwoordig en as raadslede dien:

NAAM	PARTY
.....
.....
.....
.....
.....
.....
.....
.....
.....

Handtekening van Kiesbeampte

Reg 65(c)
73(1)(c) en (e)

ER 26(D)

..... OORGANGSRAAD

VERKLARING VAN UITSLAG (WYKSKANDIDATE)

Datum

Wyk

Ek verklaar dat gedurende die verkiesing in bogenoemde wyk die totale aantal stemme uitgebring vir elke kandidaat in die volgorde waarvolgens hulle in die stembrief verskyn, soos volg is:

KANDIDATE

TOTALE AANTAL STEMME

.....
.....
.....
.....
.....
.....
.....

Die volgende is verkies as Raadslid(-lede) vir die bostaande wyk.

.....
.....
.....
.....

Datum _____

Handtekening van Kiesbeampte _____

Reg 72(1)(a) en (c)

Etiket ER 27(A)

..... MOR*-VERKIESING - GEHOU DEUR
..... MOS*

GETELDE STEMBRIEWE - METROPOLITAANSE OORGANGSRAAD

Datum

Stemburo

* Naam van Owerheid

(Moet in sak/houer ER 33 geplaas word)

Reg 72(1)(a)
72(2)(c)

Etiket ER 27(B)

..... OORGANGSRAAD

**GETELDE STEMBRIEWE - PROPORSIONELE VERKIESING - *METROPOLITAANSE
OORGANGSUBSTRUKTUUR/PLAASLIKE OORGANGSRAAD**

Datum

Wyk/Stemburo

* Skrap wat nie van toepassing is nie

(Moet in sak/houer ER 33 geplaas word)

Reg 72(1)(a)

Etiket ER 27(C)

72(2)(c)

..... OORGANGSRAAD

GETELDE STEMBRIEWE - WYKSKANDIDATE

Datum

Wyk/Stemburo

(Moet nadat die stemme getel is deur die Kiesbeampte in sak/houer ER 33 geplaas word)

Reg 72(1)(c)

Etiket ER 28(C)

72(2)(c)

..... OORGANGSRAAD

VERWORPE STEMBRIEWE - WYKSKANDIDATE

Datum

Wyk/Stemburo

(Moet nadat die stemme getel is deur die Kiesbeamppte in sak/houer ER 33 geplaas word)

Reg 32(1)(c) en (d)
35(2)(a) en (b)

Koevert ER 29(A)

..... OORGANGSRAAD

Datum

Wyk/Stemburo

HIERDIE KOEVERT BEVAT:

AANSTELLING VAN VERKIESINGSBEAMPTES (VORMS ER 6)

**VERKLARING MET BETREKKING TOT GEHEIMHOUDING
(VORMS ER 9) AAN DIE KIESBEAMPTTE OORHANDIG**

(Moet nadat die stemme getel is deur die Kiesbeampte in sak/houer ER 33 geplaas word)

Reg 32(1)(c) en (d)
35(2)(a) en (b)

Koevert ER 29(B)

..... MOR*-VERKIESING - GEHOU DEUR
..... MOS*

Datum

Stemburo

HIERDIE KOEVERT BEVAT:

AANSTELLING VAN VERKIESINGSBEAMPTES (VORMS ER 6)

**VERKLARING MET BETREKKING TOT GEHEIMHOUDING (VORMS ER 9)
AAN DIE KIESBEAMPTTE OORHANDIG**

* Naam van Owerheid

Reg 72(1)(a)

ER 30(A)

81(3)(a)

81(4)

..... OORGANGSRAAD*

VERSLAG VAN GETELDE STEM BRIEWE

WYKSVERKIESING

Datum

Oorgangsraad; of **

Wyk **

.....; of

Stemburo **

A Aantal stembriewe getel
uit stembus (Reg.69(2)(d))

Totaal

B Aantal stembriewe verwerp
en nie getel nie (Reg. 71)

Totaal

C Aantal geldige stembriewe
getel (A minus B)

Totaal

Handtekening van Kiesbeampte/
Adjunkkiesbeampte

* Naam van MOS/POR

** Identifiseer en vermeld of hierdie verslag slegs betrekking het op 'n stemburo;
of op 'n wyk, maw uit 'n aantal stemburo's bestaan; of betrekking het op 'n
oorgangs-raad, maw uit 'n aantal wyke bestaan

Reg 72(1)(a)

Koevert ER 31(B)

..... MOS/POR*

**VERSLAG VAN GETELDE STEMME (VORM ER30(B))
PROPORSIONELE VERKIESING**

Datum

Oorgangsraad

**

.....

Wyk

**

.....

.....

Stemburo

**

.....

.....

*

Naam van owerheid

**

*Identifiseer en vermeld of hierdie verslag slegs betrekking het op 'n stemburo;
of op 'n wyk, maw uit 'n aantal stemburo's bestaan; of betrekking het op 'n
oorgangs-raad, maw uit 'n aantal wyke bestaan*

Reg 72(1)(a)

Koevert ER 31(C)

..... POR* VERKIESING GEHOU DEUR

..... MOS

**VERSLAG VAN GETELDE STEMME (VORM ER30(B))
METROPOLITAANSE OORGANGSRAAD VERKIESING**

Datum

Oorgangsraad **

Wyk **

Stemburo **

* *Naam van owerheid*

** *Identifiseer en vermeld of hierdie verslag slegs betrekking het op 'n stemburo;
of op 'n wyk, maw uit 'n aantal stemburo's bestaan; of betrekking het op 'n
oorgangs-raad, maw uit 'n aantal wyke bestaan*

Reg 81(3)(a)
81(4)

ER 32(A)

..... MOS/POR* VERKIESING - GEHOU DEUR
..... MOS*

VERKLARING VAN AANTAL STEMME - PARTYE - POR

Datum

Wyk **
.....

Stemburo **
.....

Ek verklaar dat die aantal stemme vir elke party in die bovermelde wyk uitgebring, soos volg is:

PARTY	AANTAL STEMME
.....
..	
.....
..	
.....
..	
.....
..	
.....
..	
.....
..	

Datum

Handtekening van Kiesbeampte

* Naam van MOS/POR

** Identifiseer en dui aan of hierdie uitslag betrekking het op slegs 'n stemburo of 'n wyk maw, bestaande uit 'n aantal stemburo's; of op meer as een wyk betrekking het.

Reg 81(3)(a)
81(4)

ER 32(B)

..... OORGANGSRAAD*

VERKLARING VAN AANTAL STEMME (WYKSKANDIDATE)

Datum

Wyk *

Stemburo *

Ek verklaar dat die aantal stemme vir elke party in die volgorde waarin hulle op die stembrief verskyn in die bovermelde wyk uitgebring, soos volg is:

KANDIDATE	AANTAL STEMME
.....
..	
.....
..	
.....
..	
.....
..	
.....
..	
.....
..	

Datum

Handtekening van Kiesbeampte

* *Identifiseer en dui aan of hierdie uitslag betrekking het op slegs 'n stemburo of 'n wyk maw, bestaande uit 'n aantal stemburo's; of op meer as een wyk betrekking het.*

Reg 81(3)(a)
81(4)

ER 32(B)

..... OORGANGSRAAD*

VERKLARING VAN AANTAL STEMME (WYKSKANDIDATE)

Datum

Wyk
.....
.....Stemburo
.....
.....

Ek verklaar dat die volgende aantal stemme vir elke party in die volgorde waarin hulle op die stembrief verskyn in die bovermelde wyk uitgebring, soos volg is

KANDIDATE

AANTAL STEMME

.....
..	
.....
..	
.....
..	
.....
..	
.....
..	
.....
..	

Datum

Handtekening van Kiesbeampste

* Identifiseer en dui aan of hierdie uitslag betrekking het op slegs 'n stemburo of 'n wyk maw, bestaande uit 'n aantal stemburo's; of op meer as een wyk betrekking het.

Etiket ER 33(A)

VIR KIESBEAMPTTE SE GEBRUIK

..... OORGANGSRAAD

SAK/HOUER BEVATTENDE ALLE VERKIESINGSDOKUMENTASIE

Verkiesingsdatum

Wyk/Stemburo

TIPE VERKIESING

***METROPOLITAANSE OORGANGSUBSTRUKTUUR**

PLAASLIKE OORGANGSRAAD

* Skrap wat nie van toepassing is nie

Etiket ER 33(B)

VIR KIESBEAMPTTE SE GEBRUIK

..... MOR* VERKIESING GEHOU DEUR
..... MOS*

SAK/HOUER BEVATTENDE ALLE VERKIESINGSDOKUMENTASIE

Verkiesingsdatum

Wyk/Stemburo

** Naam van owerheid*

Reg 77(2), (3)

ER 34

..... OORGANGSRAAD*

UITSLAG - VERSENDINGSVORM (PARTYE)

Aan: Die Metropolitaanse Kiesbeampte
 Metropolitaanse Oorgangsraad van

.....

Van: Die Kiesbeampte

..... Oorgangsraad

Die uitslag van die verkiesing van die MOR onder my jurisdiksie op

.....(datum) gehou, is soos volg:

Party	Aantal stemme ontvang
.....
..	
.....
..	
.....
..	
.....
..	
.....
..	
.....
..	

Aantal bedorwe stembriewe =

Handtekening van Kiesbeampte

Datum

* Naam van MOS wat verkiesing voer

Reg 77(3)

ER 35

Aan: Die Metropolitaanse Kiesbeampste

..... MOR

Van: Die Kiesbeampste

..... MOS

**KENNISGEWING VAN PLEK WAARHEEN MOR-VERKIESINGSUITSLAE
VERSEND MOET WORD**

Die uitslae van die MOR-verkiesing onder u jurisdiksie moet versend word aan:

..... (Naam van MKB)

..... (Plek)

..... (Faksimilee No.)

..... (Tel. No.)

Handtekening: MOR- KiesbeampsteDatum

Bylae 1

Verspreiding van Setels

Aantal Setels	60%	40%	Aantal Setels	60%	40%
6	4	2	64	38	26
7	4	3	65	40	25
8	4	4	66	40	26
9	6	3	67	40	27
10	6	4	68	40	28
11	6	5	69	42	27
12	8	4	70	42	28
13	8	5	71	42	29
14	8	6	72	44	28
15	10	5	73	44	29
16	10	6	74	44	30
17	10	7	75	46	29
18	10	8	76	46	30
19	12	7	77	46	31
20	12	8	78	46	32
21	12	9	79	48	31
22	14	8	80	48	32
23	14	9	81	48	33
24	14	10	82	50	32
25	16	9	83	50	33
26	16	10	84	50	34
27	16	11	85	52	33
28	16	12	86	52	34
29	18	11	87	52	35
30	18	12	88	52	36
31	18	13	89	54	35
32	20	12	90	54	36
33	20	13	91	54	37
34	20	14	92	56	36
35	22	13	93	56	37
36	22	14	94	56	38
37	22	15	95	58	37
38	22	16	96	58	38
39	24	15	97	58	39
40	24	16	98	58	40
41	24	17	99	60	39
42	26	16	100	60	40
43	26	17	101	60	41
44	26	18	102	62	40
45	28	17	103	62	41
46	28	18	104	62	42
47	28	19	105	64	41
48	28	20	106	64	42
49	30	19	107	64	43
50	30	20	108	64	44
51	30	21	109	66	43
52	32	20	110	66	44
53	32	21	111	66	45
54	32	22	112	68	44
55	34	21	113	68	45
56	34	22	114	68	46
57	34	23	115	70	45
58	34	24	116	70	46
59	36	23	117	70	47
60	36	24	118	70	48
61	36	25	119	72	47
62	38	24	120	72	48
63	38	25	121	72	49