BUITENGEWONE

OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA

OFFICIAL GAZETTE

EXTRAORDINARY

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PROKLAMASIE

van die

ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

(Deur die Staatspresident goedgekeur 28 Augustus 1980

No. AG. 46 1980

VOORSIENING VIR DIE HOU VAN VERKIESINGS VIR LEDE VAN WETGEWENDE OWERHEDE IN KIESAFDELINGS EN VIR WYSIGING VAN AFDELINGSKIESERSLYSTE

Kragtens die bevoegdheid my verleen by Proklamasie 181 van 19 Augustus 1977, maak ek hierby die wette in die Bylae vervat.

G. van N. VILJOEN
Administrateur-generaal Windhoek, 29 Augustus 1980

PROCLAMATION

by the

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

(Approved by the State President on 28 August 1980)

No. AG. 46 1980

PROVISION FOR HOLDING ELECTIONS FOR MEMBERS OF LEGISLATIVE AUTHORITIES IN ELECTORAL DIVISIONS AND FOR AMENDMENT OF DIVISIONAL VOTERS' LISTS

Under the powers vested in me by Proclamation 181 of 19 August 1977, I hereby make the laws set out in the Schedule.

G. van N. VILJOEN
Administrator-General Windhoek, 29 August 1980

BYLAE

Woordomskrywings

1. In hierdie Proklamasie, tensy uit die samehang anders blyk, het 'n woord of uitdrukking wat in die Kiesersproklamasie omskryf word, dieselfde betekenis as in daardie Proklamasie, en beteken —

SCHEDULE

Definitions

1. In this Proclamation, unless the context indicates otherwise, any word or expression defined in the Voters Proclamation shall have the same meaning as in that Proclamation, and —

(i) "hoofverkiesingsbeampte" die in artikel 3 van die Kiesersproklamasie bedoelde hoofverkiesingsbeampte; (i)

(ii) "Kiesersproklamasie" die Proklamasie op Kieserslyste vir Wetgewende Owerhede, 1980 (Proklamasie AG. 22 van 1980); (v)

(iii) "Kieswet" die Kieswet, 1979 (Wet 45 van 1979 van die Republiek van Suid-Afrika); (iii)

(iv) "verkiesing" 'n verkiesing van 'n lid of lede van 'n wetgewende owerheid in 'n kiesafdeling of kiesafdelings; (ii)

(v) "verkiesingsbeampte" die in artikel 3 van die Kiesersproklamasie bedoelde verkiesingsbeampte. (iv)

Verkiesings

2. By die eerste algemene verkiesing vind die stemming in al die betrokke kiesafdelings op dieselfde dag of opeenvolgende dae plaas behalwe in die geval van oorlye van 'n kandidaat en dié dag of dae word deur die Administrateur-generaal bepaal, en by 'n tussenverkiesing bedoel in artikel 3, vind die stemming op 'n aldus bepaalde dag of opeenvolgende dae plaas.

Toepassing van sekere bepalings van die Kieswet, 1979, ten opsigte van verkiesings in kiesafdelings

3. Die bepalings van Hoofstukke III tot en met VI (behalwe artikels 34(5), 35, 36, 37, 38, 39, 40, 41(4)(b) en (5), 43(2) en (3), 45(1), (2) en (3), 47(1)(c), (2) en (3), 96(1) en (3)(b),98(b), 105(2)(d), (e), (f) en (g), 116, 119, 143 en 148) en artikels 1, 184, 185, 186, 194, 195, 196, 197 en 198 van die Kieswet, maar nie ook die regulasies wat kragtens daardie Wet uitgevaardig is of geag word aldus uitgevaardig te wees nie, is *mutatis mutandis* in die gebied van toepassing ten opsigte van die eerste algemene verkiesing en, behoudens andersluidende wetsbepalings of tensy die Administrateurgeneraal by proklamasie in die *Offisiële Koerant* anders gelas, tussenverkiesings wat vóór die eerste algemene verkiesing ná eersbedoelde algemene verkiesing plaasvind, en by bedoelde toepassing —

(a) word 'n verwysing in die Kieswet —

(i) na 'n administrateur uitgelê as 'n verwysing na die Administrateur-generaal;

(ii) na 'n afdeling of 'n afdeling van die Volksraad of van die provinsiale raad uitgelê as 'n verwysing na 'n kiesafdeling soos in die Kiesersproklamasie omskryf;

(i) "chief electoral officer" means the chief electoral officer referred to in section 3 of the Voters Proclamation; (i)

(ii) "election" means any election of a member or members of any legislative authority in any electoral division or electoral divisions; (iv)

(iii) "Electoral Act" means the Electoral Act, 1979 (Act 45 of 1979 of the Republic of South Africa); (iii)

(iv) "electoral officer" means the electoral officer referred to in section 3 of the Voters Proclamation; (v)

(v) "Voters Proclamation" means the Voters' Lists for Legislative Authorities Proclamation, 1980 (Proclamation AG. 22 of 1980). (ii)

Elections

2. At the first general election all polls shall be taken in all electoral divisions concerned on the same day or consecutive days except in the case of the death of any candidate, such day or days to be appointed by the Administrator-General, and at any by-election referred to in section 3, the poll shall be taken on any day or consecutive days so appointed.

Application of certain provisions of the Electoral Act, 1979, in respect of elections in electoral divisions

3. The provisions of Chapters III to VI, both inclusive (except sections 34(5), 35, 36, 37, 38, 39, 40, 41(4)(b) and (5), 43(2) and (3), 45(1), (2) and (3), 47(1)(c), (2) and (3), 96(1) and (3)(b), 98(b), 105(2)(d), (e), (f) and (g), 116, 119, 143 and 148) and sections 1, 184, 185, 186, 194, 195, 196, 197 and 198 of the Electoral Act, but excluding the regulations made or deemed to be made under that Act, shall apply *mutatis mutandis* in the territory in respect of the first general election and,, subject to anything to the contrary in any other law contained or unless the Administrator-General by proclamation in the *Official Gazette* otherwise directs, by-elections taking place before the first general election after the first-mentioned general election, and for the purposes of so applying the said Act —

(a) any reference in the Electoral Act —

(i) to an administrator shall be construed as a reference to the Administrator-General;

(ii) to a division or a division of the House of Assembly or of the provincial council shall be construed as a reference to an electoral division as defined in the Voters Proclamation;

(iii) na 'n blanke uitgelê as 'n verwysing na 'n lid van dieselfde bevolkingsgroep as dié van die betrokke kandidaat by 'n verkiesing;

(iv) na die hof of na 'n provinsiale afdeling van die Hooggeregshof van Suid-Afrika uitgelê as 'n verwysing na die Suidwes-Afrika-afdeling van bedoelde hooggeregshof;

(v) na die hoofverkiesingsbeampte uitgelê as 'n verwysing na die in artikel 3 van die Kiesersproklamasie bedoelde hoofverkiesingsbeampte;

(vi) na 'n kiesafdeling uitgelê as 'n verwysing na 'n kiesafdeling soos omskryf in die Kiesersproklamasie;

(vii) na 'n kieser uitgelê as 'n verwysing na 'n persoon wat daarop geregtig is om by 'n verkiesing te stem;

(viii) na 'n kieserslys uitgelê as 'n verwysing na 'n lys opgestel vir die doeleindes van artikel 5(1)(a) van die Kiesersproklamasie;

(ix) na die Minister uitgelê as 'n verwysing na die Administrateur-generaal;

(x) na 'n persoonskaart of identiteitsdokument uitgelê ook as 'n verwysing na 'n identiteitsdokument soos omskryf in die Kiesersproklamasie;

(xi) na 'n persoonsnommer of identiteitsnommer uitgelê ook as 'n verwysing na 'n identiteitsnommer soos omskryf in die Kiesersproklamasie;

(xii) na 'n politieke party uitgelê as 'n verwysing na 'n politieke party wat by 'n verkiesing deur 'n kandidaat verteenwoordig word;

(xiii) na 'n provinsiale administrasie uitgelê as 'n verwysing na 'n verteenwoordigende owerheid;

(xiv) na 'n provinsiale raad uitgelê as 'n verwysing na 'n wetgewende owerheid;

(xv) na "registreer" met betrekking tot 'n kieser, uitgelê as 'n verwysing na die opneem van die naam van 'n persoon in 'n kragtens artikel 5(1)(a) van die Kiesersproklamasie opgestelde lys, en word 'n verwysing na "geregistreerde" dienooreenkomstig uitgelê;

(iii) to a white person shall be construed as a reference to a member of the same population group as that of the candidate concerned at an election;

(iv) to the court or to a provincial division of the Supreme Court of South Africa shall be construed as a reference to the South West Africa division of the said supreme court;

(v) to the chief electoral officer shall be construed as a reference to the chief electoral officer referred to in section 3 of the Voters Proclamation;

(vi) to an electoral division shall be construed as a reference to an electoral division as defined in the Voters Proclamation;

(vii) to a voter shall be construed as a reference to a person entitled to vote at an election;

(viii) to a voters' list shall be construed as a reference to a list compiled for the purposes of section 5(1)(a) of the Voters Proclamation;

(ix) to the Minister shall be construed as a reference to the Administrator-General;

(x) to an identity card or identity document shall be construed as including a reference to an identity document as defined in the Voters Proclamation;

(xi) to an identity number shall be construed as including a reference to an identity number as defined in the Voters Proclamation;

(xii) to a political party shall be construed as a reference to a political party represented by a candidate at an election;

(xiii) to a provincial administration shall be construed as a reference to a representative authority;

(xiv) to a provincial council shall be construed as a reference to a legislative authority;

(xv) to "register" in relation to a voter, shall be construed as a reference to the inclusion of the name of any person in a list compiled under section 5(1)(a) of the Voters Proclamation, and any reference to "registered" shall be construed accordingly;

(xvi) na die Sekretaris van die Parlement of die klerk van die provinsiale raad uitgelê as 'n verwysing na die klerk van die wetgewende owerheid;

(xvii) na die Staatsinkomstefonds uitgelê as 'n verwysing na die Sentrale Inkomstefonds;

(xviii) na die *Staatskoerant* uitgelê as 'n verwysing na die *Offisiële Koerant;*

(xix) na die Staatspresident (behalwe in artikel 182) uitgelê as 'n verwysing na die Administrateur-generaal;

(xx) na die stemdag uitgelê as 'n verwysing na die dag of dae kragtens artikel 34(1)(b) van die Kieswet bepaal, of na 'n dag vóór of elke dag tot en met die stemdag uitgelê as 'n verwysing na die dag vóór of elke dag tot en met die aldus bepaalde dag of vóór of tot en met die eerste van die aldus bepaalde dae, of na die datum van die stemdag uitgelê as 'n verwysing na die datum of datums van die aldus bepaalde dag of dae, of na die stemdag in die uitdrukking "met ingang van stemdag" uitgelê as 'n verwysing na die aldus bepaalde dag of die laaste van die aldus bepaalde dae, na gelang van die geval;

(xxi) na 'n verkiesing uitgelê as 'n verwysing na 'n verkiesing soos omskryf in hierdie Proklamasie, en na die verkiesing van 'n lid van die Volksraad of van die provinsiale raad uitgelê as 'n verwysing na die verkiesing van 'n lid van 'n wetgewende owerheid;

(xxii) na 'n verkiesingsbeampte uitgelê as 'n verwysing na 'n verkiesingsbeampte soos omskryf in hierdie Proklamasie;

(xxiii) na "voorgeskryf" of "voorgeskrewe" uitgelê ook as 'n verwysing na voorskrifte kragtens artikel 198 van die Kieswet uitgereik en, met betrekking tot 'n vorm of gelde, as 'n verwysing na 'n vorm of gelde kragtens bedoelde artikel voorgeskryf;

(b) word 'n verwysing in —

(i) artikel 48(1) van die Kieswet na dieselfde dag uitgelê as 'n verwysing na dieselfde dag of opeenvolgende dae;

(ii) artikel 49(2)(e) van die Kieswet na 'n blanke voorsittende beampte uitgelê as 'n verwysing na 'n voorsittende beampte wat 'n lid van die betrokke bevolkingsgroep is;

(xvi) to the Secretary to Parliament or the clerk of the provincial council shall be construed as a reference to the clerk of the legislative authority;

(xvii) to the State Revenue Fund shall be construed as a reference to the Central Revenue Fund;

(xviii) to the *Government Gazette* shall be construed as a reference to the *Official Gazette;*

(xix) to the State President (except in section 182) shall be construed as a reference to the Administrator-General;

(xx) to polling day shall be construed as a reference to the day of days fixed under section 34(1)(b) of the Electoral Act, or to any day before or every day up to and including polling day shall be construed as a reference to the day before or every day up to and including the day so fixed or before or up to and including the first of the days so fixed, or to the date of the polling day shall be construed as a reference to the date of dates of the day or days so fixed, or to the polling day in the expression "with effect from the polling day" shall be construed as a reference to the day so fixed or the last day of the days so fixed, as the case may be;

(xxi) to an election shall be construed as a reference to an election as defined in this Proclamation, and to the election of a member of the House of Assembly or of the provincial council shall be construed as a reference to the election of a member of a legislative authority;

(xxii) to an electoral officer shall be construed as a reference to an electoral officer as defined in this Proclamation;

(xxiii) to "prescribed" shall be construed as including a reference to directions issued under section 198 of the Electoral Act and, in relation to any form or moneys, as a reference to a form or moneys prescribed under the said section;

(b) any reference in —

(i) section 48(1) of the Electoral Act to the same day shall be construed as a reference to the same day or consecutive days;

(ii) section 49(2)(e) of the Electoral Act to a presiding officer who is a white person shall

(iii) artikel 57 van die Kieswet na die nommer, verblyfplek en beroep van 'n kieser uitgelê as 'n verwysing, onderskeidelik, na sy volgnommer, vaste woonadres en posadres;

(iv) artikel 145(1)(b) van die Kieswet na die Senaat, die Volksraad of 'n provinsiale raad uitgelê as 'n verwysing na 'n wetgewende owerheid;

(c) word artikel 34 van die Kieswet geag gewysig te gewees het —

(i) deur die vervanging van subartikel (1) deur die volgende subartikel:

" (1) Wanneer 'n algemene verkiesing moet plaasvind, word 'n proklamasie uitgevaardig waarby —

(a) ten opsigte van elke kiesafdeling 'n dag bepaal word waarop 'n nominasiehof sitting sal hou om nominasies te ontvang van kandidate vir die verkiesing van 'n lid van die wetgewende owerheid vir die kiesafdeling;

(b) die dag of opeenvolgende dae bepaal word waarop, indien 'n stemming om die in artikel 41 genoemde redes nodig word, die stemming ten opsigte van die verkiesing van die in paragraaf (a) bedoelde lid gehou sal word, met vermelding van die ure waarop die stemming ooreenkomstig artikel 94 sal begin en sal eindig;

(c) iemand as kiesbeampte by die verkiesing ten opsigte van die in paragraaf (b) bedoelde lid aangestel word.";

(ii) deur die invoeging in subartikel (4) vóór die woord "moet" van die woorde "of die eerste van die aldus bepaalde dae";

(d) word artikel 47(1) van die Kieswet —

(i) vir sover dit op afwesige kiesers betrekking het, geag gewysig te gewees het deur die vervanging van paragraaf (a) deur die volgende paragraaf:

"(a) vanweë sy ernstige siekte nie in staat sal wees om 'n stemburo te besoek nie;",

en deur die skrapping van paragrawe (b), (d), (e) en (f);

be construed as a reference to a presiding officer who is a member of the population group concerned;

(iii) section 57 of the Electoral Act to the number, residence and occupation of a voter shall be construed as a reference to his serial number, fixed residential address and postal address, respectively;

(iv) section 145(1)(b) of the Electoral Act to the Senate, the House of Assembly or a provincial council shall be construed as a reference to a legislative authority;

(c) section 34 of the Electoral Act shall be deemed to have been amended —

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

" (1) Whenever a general election shall take place, a proclamation shall be issued —

(a) fixing the day in respect of each electoral division on which a nomination court will sit to receive nominations for candidates for election of a member of the legislative authority for the electoral division;

(b) fixing the day or consecutive days upon which, if a poll becomes necessary for the reasons mentioned in section 41, the poll in respect of the election of the member referred to in paragraph (a) shall be taken, and stating the hours at which, in accordance with section 94, the poll will commence and will close;

(c) appointing a person to be returning officer at the election in respect of the member referred to in paragraph (b).";

(ii) by the insertion in subsection (4) after the words "The day" of the words "or the first day of the days";

(d) section 47(1) of the Electoral Act —

(i) in so far as it relates to absent voters, shall be deemed to have been amended by the substitution for paragraph (a) of the following paragraph:

"(a) because of his serious illness will not be able to attend at any polling station;",

and by the deletion of paragraphs (b), (d), (e) and (f);

(ii) vir sover dit op spesiale kiesers betrekking het, geag gewysig te gewees het deur die vervanging van paragraaf (b) deur die volgende paragraaf:

"(b) op die stemdag te alle tye gedurende die stem-ure buite die kiesafdeling sal wees ten opsigte waarvan sy naam op die kieserslys verskyn;";

(e) word artikel 48(1) van die Kieswet geag gewysig te gewees het deur die skrapping van die woorde "of, in die geval van 'n politieke party wat geen kandidaat by daardie verkiesing genomineer het nie, deur 'n gemagtigde verteenwoordiger van so 'n politieke party in daardie afdeling," en die woorde "of verteenwoordiger";

(f) word artikel 49(1) van die Kieswet geag gewysig te gewees het deur die byvoeging van die woorde "en ook, met vermelding van volle besonderhede, op grond waarvan hy nie sy stem as spesiale kieser kan uitoefen nie";

(g) word artikel 88(1)(b) van die Kieswet geag gewysig te gewees het deur die vervanging van die woorde "gemagtigde verteenwoordiger van elke politieke party of kandidaat" deur die woorde "kandidaat of sy verteenwoordiger";

(h) word artikel 91(3)(e) van die Kieswet geag gewysig te gewees het deur die invoeging na die woord "voorsittende beampte" van die uitdrukking "(met inbegrip van 'n landdros, addisionele landdros, assistent landdros of waarnemende landdros van die Republiek van Suid-Afrika, wat in genoemde Republiek as voorsittende beampte opgetree het)";

(i) word artikel 94 van die Kieswet geag deur die volgende artikel vervang te gewees het:

"Stem-ure. 94. (1) Indien die stemdag uit een dag bestaan, begin die stemming om sewe-uur in die oggend en sluit om nege-uur in die aand van daardie dag, maar die voorsittende beampte laat toe dat elke kieser wat om laasgenoemde uur binne die kamer is waarin die stembus is, sy stem uitbring voordat die stemming sluit.

(2) Indien die stemdag uit meer as een dag bestaan, begin die stemming om sewe-uur in die oggend en sluit om sewe-uur in die aand van die betrokke dae, maar kan die voorsittende beampte, op 'n ander dag as die laaste van bedoelde dae, die stemming later as sewe-uur in die aand sluit";

(ii) in so far as it relates to special voters, shall be deemed to have been amended by the substitution for paragraph (b) of the following paragraph:

"(b) will throughout the hours of polling on polling day be outside the electoral division in respect of which his name appears on the voters' list,";

(e) section 48(1) of the Electoral Act shall be deemed to have been amended by the deletion of the words "or, in the case of a political party which has not nominated a candidate at that election, by an authorized representative of such political party in that division," and the words "representative";

(f) section 49(1) of the Electoral Act shall be deemed to have been amended by the addition of the words "and also, stating full particulars, on which grounds he is unable to exercise his vote as a special voter";

(g) section 88(1)(b) of the Electoral Act shall be deemed to have been amended by the substitution for the words "authorized representative of every political party or candidate" of the words "can- or his representative";

(h) section 91(3)(e) of the Electoral Act shall be deemed to have been amended by the insertion after the words "officer concerned" of the expression "(including any magistrate, additional magistrate, assistant magistrate or acting magistrate of the Republic of South Africa who acted in the said Republic as presiding officer)";

(i) section 94 of the Electoral Act shall be deemed to have been amended by the substitution for that section of the following section:

"Hours of poll. 94. (1) If polling day consists of one day, the poll shall commence at seven o'clock in the morning and shall close at nine o'clock in the evening of such day, but the presiding officer shall permit every voter who is, at the lastmentioned hour, inside the room in which the ballot box is, to record his vote before closing the poll.

(2) If polling day consists of more than one day, the poll shall commence at seven o'clock in the morning and shall close at seven o'clock in the evening of the days concerned, but the presiding officer may close the poll

(j) word artikel 96(3)(a) van die Kieswet geag gewysig te gewees het deur die skrapping van die uitdrukkings "iemand bedoel in artikel 11(5)" en "of, in die geval van iemand bedoel in artikel 11(5), geag geregistreer te wees";

(k) word artikel 97 van die Kieswet geag gewysig te gewees het —

(i) deur die vervanging in subartikel (2) van die woorde "een van of albei" deur die woorde "die een of ander of al" en die byvoeging by daardie subartikel van die volgende paragraaf:

"(c) Is u 'n lid van die bevolkingsgroep ten opsigte waarvan hierdie verkiesing gehou word, naamlik (meld naam van bevolkingsgroep)?";

(ii) deur die vervanging in subartikel (3) van die woord "vraag" deur die woorde "en derde vrae" en die invoeging ná die woord "tweede" van die woord "vraag";

(l) word artikel 98 van die Kieswet geag gewysig te gewees het deur die vervanging —

(i) in paragraaf (f) van die woorde na die woord "stembrief" waar dit die derde keer voorkom, deur die woorde "in die stembus val wat voor die voorsittende beampte of so 'n stemopnemer staan en waarop die naam van die betrokke kiesafdeling verskyn";

(ii) van paragraaf (h) deur die volgende paragraaf:

"(h) Ten einde vas te stel of 'n stuk papier wat 'n kieser in die stembus gaan laat val, 'n offisieel uitgereikte stembrief is, beveel die voorsittende beampte hom om die agterkant van die stuk papier op so 'n wyse te toon dat as dit 'n stembrief soos voormeld was, die nommer en offisiële merk daarop sigbaar sou wees maar die kruis wat die kieser gemaak het nie sigbaar sou wees nie.";

(m) word artikel 101 van die Kieswet geag gewysig te gewees het deur die vervanging in subartikel (1) van die uitdrukking "artikel 17 geskrap is" deur die uitdrukking "artikel 5(4) van die Proklamasie op Kieserslyste vir Wetgewende Owerhede, 1980 (Proklamasie AG. 22 van 1980), geskrap is,";

later than seven o'clock in the evening, on any day other than the last day of the said days.";

(j) section 96(3)(a) of the Electoral Act shall be deemed to have been amended by the deletion of the expressions "any person referred to in section 11(5)" and "or, in the case of a person referred to in section 11(5), is deemed to be registered";

(k) section 97 of the Electoral Act shall be deemed to have been amended —

(i) by the substitution in subsection (2) for the words "either or both" of the words "any or all" and the addition to that subsection of the following paragraph:

"(c) Are you a member of the population group in respect of which this election is being held, namely (state name of population group)?";

(ii) by the substitution in subsection (3) for the words "first question" of the words "first and third questions";

(l) section 98 of the Electoral Act shall be deemed to have been amended by the substitution —

(i) in paragraph (f) for the words following the word "ballot paper" where it appears for the third time, of the words "in the ballot box placed in front of the presiding officer or such polling officer and on which the name of the electoral division concerned appears";

(ii) for paragraph (h) of the following paragraph:

"(h) For the purpose of ascertaining whether any piece of paper which any voter is about to drop into a ballot box, is a ballot paper officially issued, the presiding officer shall require him to show him the back of the piece of paper in such a manner that if the piece of paper were a ballot paper as aforesaid, the number and the official mark thereon would be visible but the cross made by the voter would not be visible.";

(m) section 101 of the Electoral Act shall be deemed to have been amended by the substitution in subsection (1) for the expression "section 17" of the expression "section 5(4) of the Voters' Lists for Legislative Authorities Proclamation, 1980 (Proclamation AG. 22 of 1980),";

(n) word artikel 103(1) van die Kieswet geag gewysig te gewees het deur die vervanging van die woorde wat op paragraaf (h) volg, deur die volgende subparagrawe;

"en —

(i) indien die volgende dag ook 'n stemdag is, plaas die pakette onverwyld in veilige bewaring totdat hulle deur hom op daardie volgende dag in teenwoordigheid van die aanwesige stemagente oopgemaak word; of

(ii) indien die volgende dag nie ook 'n stemdag is nie, lewer die pakette onverwyld aan die kiesbeampte of laat dit aan hom aflewer.";

(o) word artikel 105 van die Kieswet geag gewysig te gewees het deur die byvoeging van die volgende subartikel:

" (3) In hierdie artikel beteken die uitdrukking "die in artikel 86(1) bedoelde stempel", oral waar dit voorkom, ook die ampstempel van 'n landdros, addisionele landdros, assistent-landdros of waarnemende landdros van die Republiek van Suid-Afrika.";

(p) word subartikel (3) van artikel 108 van die Kieswet geag deur die volgende subartikel vervang te gewees het:

" (3) By ontvangs van die in subartikel (1) bedoelde inligting stel die hoofverkiesingsbeampte sonder versuim die klerk van die betrokke wetgewende owerheid in kennis van die naam van die persoon wat behoorlik verkies verklaar is, en as 'n stemming plaasgevind het, die aantal stemme op die verskillende kandidate in die betrokke verkiesing uitgebring.";

(q) word artikel 109 van die Kieswet geag deur die volgende artikel vervang te gewees het:

"Publikasie van name van verkose lede. 109. Sodra hy die name ontvang het van die persone wat vir die verskillende afdelings behoorlik verkies verklaar is, laat die hoofverkiesingsbeampte die volle name van die verkose lede met die name of verkorte name van die politieke partye deur hulle verteenwoordig, of, in die geval van 'n verkose lid wat nie 'n politieke party verteenwoordig nie, die woorde "onafhanklik/independent", die afdelings wat hulle

(n) section 103(1) of the Electoral Act shall be deemed to have been amended by the substitution for the words following upon paragraph (h), of the following subparagraphs;

"and —

(i) if the following day is also a polling day, forthwith put the packets in safe custody until opened by him on such following day in the presence of such polling agents as may be in attendance; or

(ii) if the following day is not a polling day, forthwith deliver the packets or cause them to be delivered to the returning officer.".

(o) section 105 of the Electoral Act shall be deemed to have been amended by the addition of the following subsection:

" (3) In this section the expression "the stamp mentioned in section 86(1)", wherever it occurs, also means the stamp of office of any magistrate, additional magistrate, assistant magistrate or acting magistrate of the Republic of South Africa.";

(p) section 108 of the Electoral Act shall be deemed to have been amended by the substitution for subsection (3) of the following subsection:

" (3) Upon receipt of the information referred to in subsection (1) the chief electoral officer shall without delay notify the clerk of the legislative authority concerned of the name of the person declared duly elected, and, if a poll has taken place, the number of votes received by the respective candidates in the election in question.";

(q) section 109 of the Electoral Act shall be deemed to have been amended by the substitution for that section of the following section:

"Publication of names of elected members. 109. As soon as the names of the persons declared duly elected for the several divisions have been received by the electoral officer, he shall cause to be published by notice in the *Official Gazette,* the full names of the members returned, together with the names or abbreviated names of the political parties represented by them, or, in the case of a returned member who

onderskeidelik verteenwoordig en die datums waarop hulle verkies verklaar is, by kennisgewing in die *Offisiële Koerant* afkondig.";

(r) word artikel 123(1) van die Kieswet geag gewysig te gewees het deur die vervanging van die voorbehoudsbepaling deur die volgende voorbehoudsbepaling:

"Met dien verstande dat indien die aantal kiesers wie se name in 'n kieserslys ten opsigte van 'n stemdistrik aangegee word, nie meer as eenduisend is nie, nie meer as twee stemagente vir daardie stemdistrik benoem word nie, en indien die aantal kiesers wie se name aldus aangegee word, meer as eenduisend is, een addisionele stemagent benoem kan word vir elke duisend kiesers bó eenduisend wie se name soos voormeld aangegee word.";

(s) word artikel 128 van die Kieswet geag gewysig te gewees het deur die vervanging van paragraaf (a) deur die volgende paragraaf:

"(a) in die geval van 'n algemene verkiesing, by die afkondiging van die in artikel 34(1)(a) bedoelde proklamasie;";

(t) word artikel 133 van die Kieswet geag gewysig te gewees het deur die byvoeging na paragraaf (b) van die woord "of" en die volgende paragraaf:

"(c) by 'n verkiesing om 'n stembrief aansoek doen of sy stem uitbring tensy hy lid is van die bevolkingsgroep ten opsigte waarvan die verkiesing gehou word,";

(u) word artikel 160 van die Kieswet geag gewysig te gewees het, deur die vervanging van paragraaf (a) deur die volgende paragraaf:

"(a) Die verhoor van elke verkiesingsaansoek vind plaas voor een regter van die hof.";

(v) word artikel 198 van die Kieswet geag deur die volgende artikel vervang te gewees het:

"Voorskrifte en vorms. 198. Die hoofverkiesingsbeampte kan voorskrifte uitreik wat nie onbestaanbaar met die bepalings van hierdie Wet is nie, vir die meer doeltreffende uitvoering van daardie bepalings, en kan die vorm voorskryf van 'n stuk wat vir dié doel gebruik moet word en wat nie by daardie bepalings voorgeskryf word nie.".

does not represent a political party, the words "independent-/onafhanklik", the divisions which they respectively represent and the dates on which they were declared elected.";

(r) section 123(1) of the Electoral Act shall be deemed to have been amended by the substitution for the proviso of the following proviso:

"Provided that if the number of voters whose names appear in any voters' list in respect of any polling district, does not exceed one thousand, not more than two polling agents shall be appointed for that polling district, and if the number of voters so appearing, exceeds one thousand, one additional polling agent may be appointed for every thousand voters exceeding one thousand, whose names appear as aforesaid.";

(s) section 128 of the Electoral Act shall be deemed to have been amended by the substitution for paragraph (a) of the following paragraph:

"(a) in the case of a general election, upon publication of the proclamation referred to in section 34(1)(a);";

(t) section 133 of the Electoral Act shall be deemed to have been amended by the addition after paragraph (b) of the word "or" and the following paragraph:

"(c) applies for a ballot paper or exercises his vote at an election unless he is a member of the population group in respect of which the election is being held,";

(u) section 160 of the Electoral Act shall be deemed to have been amended by the substitution for paragraph (a) of the following paragraph:

"(a) The trial of every election application shall take place before one judge of the court.";

(v) section 198 of the Electoral Act shall be deemed to have been amended by the substitution for that section of the following section:

"Instructions and forms. 198. The chief electoral officer may issue instructions, not inconsistent with the provisions of this Act, for the better carrying out of those provisions, and may prescribe the form of any document to be used for that purpose which is not prescribed by those provisions.".

Wysiging van artikel 5 van die Proklamasie op Kieserslyste vir Wetgewende Owerhede, 1980 (Proklamasie AG. 22 van 1980)

4. Artikel 5 van die Kiesersproklamasie word hierby gewysig —

(a) deur die volgende woorde by subartikel (2) te voeg:

"maar indien 'n kieser wat van vaste woonadres verander het, by die verkiesingsbeampte daarom aansoek doen, kan die nodige wysigings in die betrokke afdelingskieserslys aangebring word";

(b) deur in subartikel (3)(a)(iii) die woorde "posadres en tuisdistrik" deur die woorde "en posadres" te vervang;

(c) deur die volgende woorde by subartikel (4) by te voeg:

"of om gevolg te gee aan 'n in subartikel (2) bedoelde aansoek".

Kort titel

5. Hierdie Proklamasie heet die Afdelingsverkiesingsproklamasie, 1980.

Amendment of section 5 of the Voters' Lists for Legislative Authorities Proclamation, 1980 (Proclamation AG. 22 of 1980)

4. Section 5 of the Voters Proclamation is hereby amended —

(a) by the addition to subsection (2) of the following words:

"but if any voter whose fixed residential address has changed, applies to the electoral officer therefor, the necessary amendments may be made in the divisional voters' list concerned";

(b) by the substitution in subsection (3)(a)(iii) for the words "postal address and home district" of the words "and postal address";

(c) by the addition to subsection (4) of the following words:

"or to give effect to any application referred to in subsection (2)".

Short title

5. This Proclamation shall be called the Divisional Elections Proclamation, 1980.