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VAN SUIDWES-AFRIKA

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PROCLAMATION

by the

ADMINISTRATOR-GENERAL FOR THE
TERRITORY OF SOUTH WEST AFRICA

(Approved by the State President on 4 November 1981)

No. AG. 24 1981

PROVISION FOR FILLING OF CASUAL VACAN-
CIES IN CERTAIN LEGISLATIVE AUTHORI-
TIES BY WAY OF DECLARATION BY CHIEF
ELECTORAL OFFICER INSTEAD OF BY WAY
OF BY-ELECTION

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

D. J. HOUGH

Administrator-General

Windhoek, 6 November 1981

PROKLAMASIE

van die

ADMINISTRATEUR-GENERAAL VIR DIE GE-
BIED SUIDWES-AFRIKA

(Deur die Staatspresident goedgekeur op 4 November 1981)

No. AG. 24 1981

VOORSIENING VIR DIE VUL VAN TOE-
VALLIGE VAKATURES IN SEKERE
WETGEWENDE OWERHEDE BY WYSE VAN
VERKLARING DEUR HOOFVERKIESINGS-
BEAMPTTE IN PLAAS VAN BY WYSE VAN
TUSSENVERKIESING

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

D. J. HOUGH

Administrateur-generaal

Windhoek, 6 November 1981

SCHEDULE

BYLAE

Definitions

1. In this Proclamation, unless the context otherwise indicates, "Elections Proclamation" means the Party List Elections Proclamation, 1980 (Proclamation AG. 54 of 1980), and any word or expression defined in the Elections Proclamation shall have the same meaning as that assigned to it in that Proclamation.

Filling of casual vacancies in certain legislative authorities

2. (1) Whenever a casual vacancy in any legislative authority in respect of which the Elections Proclamation applies, shall be or should have been filled before the second general election in respect of such legislative authority by holding a by-election of a member of that legislative authority, the Administrator-General may, if he deems it to be in the public interest, by proclamation in the *Official Gazette* direct that, notwithstanding anything to the contrary in any law contained, that the vacancy be filled by the chief electoral officer declaring to be a duly elected member of such legislative authority with effect from the date of the declaration, any qualified person who —

(a) has been nominated in writing for that purpose by the registered party of which the vacating member was a candidate at the first general election in respect of such legislative authority, or which had nominated the vacating member in terms of this section; and

(b) has accepted his nomination in writing.

(2) The chief electoral officer shall forthwith by notice in the *Official Gazette* make known particulars of any declaration referred to in subsection (1).

Short title.

3. This Proclamation shall be called the Party List Elections Amendment Proclamation, 1981.

Woordomskrywing

1. In hierdie Proklamasie, tensy uit die samehang anders blyk, beteken "Verkiesingsproklamasie" die Partylysverkiesingsproklamasie, 1980 (Proklamasie AG. 54 van 1980), en het 'n woord of uitdrukking wat in die Verkiesingsproklamasie omskryf word, dieselfde betekenis as wat dit in daardie Proklamasie het.

Vul van toevallige vakatures in sekere wetgewende owerhede

2. (1) Wanneer 'n toevallige vakature in 'n wetgewende owerheid ten opsigte van wie die Verkiesingsproklamasie van toepassing is, vóór die tweede algemene verkiesing ten opsigte van daardie wetgewende owerheid, gevul moet word of moes gewees het deur die hou van 'n tussenverkiesing van 'n lid van daardie wetgewende owerheid, kan die Administrateur-generaal, indien hy dit in die openbare belang nodig ag, by proklamasie in die *Offisiële Koerant* gelas dat, ondanks andersluidende wetsbepalings, daardie vakature gevul word deur die verklaring deur die hoofverkiesingsbeampte, tot behoorlik verkose lid van bedoelde wetgewende owerheid met ingang van die datum van die verklaring, van 'n bevoegde persoon wat —

(a) vir dié doel skriftelik genomineer is deur die geregistreerde party waarvan die uittredende lid 'n kandidaat by die eerste algemene verkiesing ten opsigte van bedoelde wetgewende owerheid was of wat die uittredende lid kragtens hierdie artikel genomineer het; en

(b) sy nominasie skriftelik aanvaar het.

(2) Die hoofverkiesingsbeampte maak besonderhede van 'n in subartikel (1) bedoelde verklaring onverwyld by kennisgewing in die *Offisiële Koerant* bekend.

Kort titel

3. Hierdie Proklamasie heet die Partylysverkiesingswysigingsproklamasie, 1981.