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KwaZulu-Natal

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IZAZISO ZESIFUNDAZWE

1646 Imithethonqubo yobuHoli boMdabu KwaZulu-Natali, 2006 2565

No. 6509 DONDERDAG, 14 SEPTEMBER 2006

Kennisgewings wat deur die Afdeling Taaldiens vertaal of nagesien is, word met 'n † aangedui.

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PROVINSIALE KENNISGEWING

1646 KwaZulu-Natal Regulasies Betreffende Tradisionele Leierskap, 2006 2536

No. 6509 THURSDAY, 14 SEPTEMBER 2006

Notices which have been translated or checked by the Language Services Division are indicated by a †.

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PROVINCIAL NOTICE

1646 The KwaZulu-Natal Traditional Leadership Regulations, 2006 2594

PROVINSIALE KENNISGEWING — ISAZISO SESIFUNDAZWE — PROVINCIAL NOTICE

ONDERSTAANDE kennisgewing word vir algemene inligting gepubliseer.

PROFESSOR M. A. MCHUNU
Direkteur-generaal

300 Langalibalele Straat
Pietermaritzburg
14 September 2006

IZAZISO esilandelayo sikhishelwe ulwazi lwawonkewonke.

USOLWAZI M. A. MCHUNU
uMqondisi-Jikelele

300 Langalibalele Street
Pietermaritzburg
14 kuMandulo 2006

THE following notice is published for general information.

PROFESSOR M. A. MCHUNU
Director-General

300 Langalibalele Street
Pietermaritzburg
14 September 2006

DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE**DIE KWAZULU-NATAL WET OP TRADISIONELE LEIERSKAP EN REGERING, 2005
(WET NO. 5 VAN 2005)****KWAZULU-NATAL REGULASIES BETREFFENDE TRADISIONELE LEIERSKAP**

HANDELEND kragtens artikel 44(2) van die KwaZulu-Natal Wet op Tradisionele Leierskap en Regering, No. 5 van 2005, vaardig die lid van die Uitvoerende Raad verantwoordelik vir Plaaslike Regering en Tradisionele Sake die regulasies uit in die bylae hierby vervat.

Die regulasies tree in werking op die datum van publikasie daarvan in die *Provinsiale Koerant*.

M. MABUYAKHULU

Minister van Plaaslike Regering, Behuising en Tradisionele Sake

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KWAZULU-NATAL REGULASIES BETREFFENDE TRADISIONELE LEIERSKAP, 2006

DEEL A — OMSKRYWINGS EN UITLEG

1. Omskrywings

In hierdie regulasies het 'n woord of uitdrukking waaraan 'n betekenis in die Wet toegewys word, die betekenis wat aldus daaraan toegewys word en, tensy uit die samehang anders blyk, beteken —

“**beampte**” —

- (a) 'n beampte aangestel ingevolge regulasie 24 van hierdie regulasies;
- (b) 'n voorsittende beampte;
- (c) 'n adjunk- voorsittende beampte;
- (d) 'n stembeampte;
- (e) 'n telbeampte;
- (f) 'n teller;
- (g) 'n beampte van die Departement;

“**benoeming**” 'n benoeming bedoel in regulasie 22 van hierdie regulasies;

“**burger**” vir die doeleindes van hierdie regulasies 'n Suid-Afrikaanse burger in besit van 'n geldige identiteitsdokument;

“**dag**” vir die doeleindes van hierdie regulasies 'n werkdag uitsluitend naweke en openbare vakansiedae;

“**die Departement**” die departement van die Provinsiale Regering van KwaZulu-Natal verantwoordelik vir tradisionele sake;

“**die Kieswet**” die Kieswet, 1998 (Wet No. 73 van 1998);

“die LUR” die LUR van die Uitvoerende Raad verantwoordelik vir tradisionele sake in die Provinsie;

“die Provinsie” die provinsie KwaZulu Natal;

“die Wet” die KwaZulu-Natal Wet op Tradisionele Leierskap en Regering, 2005 (Wet No. 5 van 2005);

“distriksmunisipaliteit” ’n munisipaliteit wat oor munisipale uitvoerende en wetgewende magte beskik in ’n gebied wat meer as een plaaslike munisipaliteit insluit soos bedoel in artikel 5 van die KwaZulu-Natal Wet op die Vasstelling van Soorte Munisipaliteite, 2000 (Wet No. 7 van 2000) en wat in artikel 155(1)(c) van die grondwet as ’n kategorie C munisipaliteit beskryf word;

“erkenning” erkenning soos bedoel in die Wet, en “erken” het ’n ooreenstemmende betekenis;

“identiteitsdokument” ’n identiteitsdokument na 1 Julie 1996 uitgereik ingevolge artikel 8 van die Wet op Identifikasie, 1986 (Wet No. 72 van 1986), of ’n tydelike identifikasiesertifikaat uitgereik ingevolge die Wet op Identifikasie, 1997 (Wet No. 68 van 1997);

“*Imbizo*” ’n beraadslagende vergadering soos omskryf in die Wet;

“*Inkosi*” ’n senior tradisionele leier soos omskryf in die Wet, waarvan “*amakhosi*” die meervoud is;

“inwoner” ’n persoon wat gewoonlik woonagtig is in ’n gebied wat deel uitmaak van ’n tradisionele gemeenskap;

“*Isigodi*” die gebruikelike afbakening van ’n tradisionele wyk in ’n tradisionele gemeenskap, waarvan “*Izigodi*” die meervoud is;

“*Isilo*” die monarg van die provinsie KwaZulu-Natal soos omskryf in die Wet;

“kandidaat” ’n persoon wat benoem is ingevolge regulasie 22 van hierdie regulasies;

“kieser” ’n persoon wie se naam op die kieserslys verskyn;

“kieserslys” daardie gedeeltes van die kieserslys wat in ’n verkiesing gebruik word ingevolge hierdie regulasies en deur die LUR ingevolge regulasie 25 van hierdie regulasies gesertifiseer is;

“*Koerant*” die amptelike *Provinsiale Koerant* van die provinsie KwaZulu-Natal;

“Onafhanklike Verkiesingskommissie” die kommissie ingestel kragtens die Wet op die Verkiesingskommissie, 1996 (Wet No. 51 van 1996);

“plaaslike Huis” ’n plaaslike Huis van tradisionele leiers soos omskryf in die Wet;

“Provinsiale Huis” die Provinsiale Huis van Tradisionele leiers soos omskryf in die Wet;

“regulasies” hierdie regulasies, met inbegrip van die aanhangsels;

“stemdistrik” vir doeleindes van hierdie regulasies ’n gebied bestaande uit een of gedeelte van ’n *Isigodi* of ’n kombinasie van twee of meer *izigodi* waarvoor ’n kieserslys saamgestel is ingevolge regulasie 25 van hierdie regulasies;

“stemlokaal” ’n stemlokaal vir stembdoeleindes ingestel ingevolge regulasie 23 van hierdie regulasies;

“tradisionele gemeenskap” ’n tradisionele gemeenskap soos in die Wet omskryf;

“tradisionele raad” ’n tradisionele raad soos in die Wet omskryf;

“tussenverkiesing” ’n tussenverkiesing bedoel in regulasie 44 van hierdie regulasies;

“verkiesing” ’n verkiesing bedoel in hierdie regulasies;

“Verkiesingstribunaal” die tribunaal wat aangestel moet word ingevolge regulasie 42 van hierdie regulasies;

“verkiesingstyrooster” die verkiesingstyrooster wat deur die onafhanklike verkiesingsagentskap opgestel moet word ingevolge regulasie 19(3) van hierdie regulasies;

“voorsittende beampte” die persoon wat die leiding neem by ’n verkiesing en aangestel ingevolge regulasie 24(3(a)) van hierdie regulasies; en

“waarnemer” ’n waarnemer wat geakkrediteer is om die verkiesing ingevolge hierdie regulasies waar te neem.

2. Uitleg

(1) ’n Persoon wat hierdie regulasies uitlê of toepas moet —

- (a) dit op ’n wyse doen wat beslag gee aan die gronwetlike verklarings, waarborge en verantwoordelikhede in die Grondwet vervat;
- (b) die Raamwerkwet op Tradisionele Leierskap en Regering, 2003 (Wet No. 41 van 2003) in aanmerking neem; en
- (c) die tradisies en gebruike wat op die tradisionele gemeenskap van toepassing is in aanmerking neem mits dit nie strydig met die wetgewende raamwerk en die Grondwet is nie.

DEEL B — ALGEMEEN

3. Aansoek om erkenning as tradisionele gemeenskap

- (1) ’n Gemeenskap wat om erkenning as ’n tradisionele gemeenskap wil aansoek doen, moet Vorm A in Aanhangsel 1 voltooi, en die voltooide vorm by die Premier van die provinsie KwaZulu-Natal indien.
- (2) Die vorm moet volledig voltooi en onderteken word deur ’n behoorlik gemagtigde verteenwoordiger van die betrokke gemeenskap.

- (3) Die vorm kan per hand by die Premier ingedien word of by wyse van voorafbetaalde geregistreerde pos aan die Premier gepos word vir aandag van die hoof van die provinsiale departement verantwoordelik vir tradisionele sake.
- (4) Binne drie maande nadat 'n behoorlik voltooide aansoek ontvang is, moet die Premier 'n besluit neem om die betrokke gemeenskap as 'n tradisionele gemeenskap te erken, of weier om dit te doen.
- (5) Die Premier moet die betrokke gemeenskap skriftelik van sy besluit in kennis stel binne drie weke nadat dit geneem is, en die sodanige besluit in die *Koerant* publiseer. Die erkenning van 'n gemeenskap as 'n tradisionele gemeenskap geld vanaf die datum van die kennisgewing in die *Koerant*.
- (6) Die kennisgewing waarin 'n gemeenskap as 'n tradisionele gemeenskap erken word, moet ook —
 - (a) die naam waaronder daardie tradisionele gemeenskap bekend sal staan; en
 - (b) die getal lede van die tradisionele raad wat ingestel word, spesifiseer.
- (7) Die Premier moet 'n sertifikaat van erkenning uitreik aan 'n gemeenskap wat as 'n tradisionele gemeenskap erken word.
- (8) Na erkenning moet die tradisionele gemeenskap verseker dat behoorlike stappe gedoen word om nakoming van die Wet te verseker en in besonder artikels 3 en 6(1):
- (9) 'n Gemeenskap word erken as 'n tradisionele gemeenskap totdat erkenning teruggetrek word soos bedoel in artikel 5 van die Wet.
- (10) Indien 'n tradisionele gemeenskap die Premier versoek om sy erkenning as 'n tradisionele gemeenskap terug te trek soos bedoel in artikel 5(1)(a) van die Wet, moet hy dit skriftelik doen en voldoende besonderhede verskaf om die Premier in staat te stel om die versoek behoorlik te oorweeg, met inbegrip van —
 - (a) 'n volledige motivering vir die versoek; en
 - (b) die omvang van die steun in die gemeenskap vir die versoek, en die wyse waarop die steun bepaal is.
- (11) Die terugtrekking van erkenning van 'n tradisionele gemeenskap neem 'n aanvang by publikasie van 'n kennisgewing in die *Koerant* waarin erkenning van die gemeenskap as tradisionele gemeenskap teruggetrek word.

4. Die instelling van tradisionele rade

- (1) Na erkenning van 'n tradisionele gemeenskap deur die Premier, moet die Departement daardie gemeenskap van die nodige administratiewe bystand en steun voorsien ten einde hom in staat te stel om 'n tradisionele raad binne drie maande na erkenning in te stel.

5. *Izigodi* (tradisionele wyke)

- (1) Die Departement moet die *Izigodi* (tradisionele wyke) binne elke tradisionele gemeenskap vasstel, en 'n lys van *Izigodi* in elke tradisionele raad opstel en byhou.
- (2) Die vasstelling van *Izigodi* deur die Departement moet plaasvind in ooreenstemming met die gebruikelike afbakening van die *Izigodi* in 'n tradisionele gemeenskap, en nadat oorleg gepleeg is met die *Inkosi* van die betrokke tradisionele gemeenskap.

6. Lidmaatskap van tradisionele rade

- (1) Die lede van 'n tradisionele raad bestaan uit —
 - (a) die *Inkosi* van die tradisionele gemeenskap;
 - (b) die lede wat ingevolge artikel 6(3)(a) van die Wet deur *Inkosi* gekies word; en
 - (c) die lede wat ingevolge artikel 6(3)(b) van die Wet verkies word.
- (2) Die aantal lede van 'n tradisionele raad mag nie meer as die getal 30 wees nie.

7. Die gekose lede van 'n tradisionele raad

- (1) Die lede van 'n tradisionele raad wat gekies moet word ingevolge artikel 6(3)(a) van die Wet —
 - (a) bestaan uit een verteenwoordiger gekies deur die *Inkosi* uit elke *Isigodi*, behoudens 'n maksimum van 17 lede;
 - (b) moet uit minstens een-derde vroue bestaan, behoudens die bepalings van artikel 6(8) van die Wet.
- (2) Indien daar meer as 17 *Isigodi* is, moet die *Inkosi* in oorleg met die Departement twee of meer *Isigodi* saam groepeer waaruit een lid aangestel moet word.
- (3) Die *Inkosi* moet die lede van 'n tradisionele raad aanwys wat ingevolge artikel 6(3)(a) van die Wet gekies moet word, en moet sy of haar keuse openlik aan die lede van die tradisionele gemeenskap bekend maak binne 14 dae na die erkenning van die tradisionele gemeenskap, of die verstryking van die vorige raad se ampstermyn, na gelang van die geval.

8. Die verkose lede van 'n tradisionele raad

- (1) Die lede van 'n tradisionele raad wat ingevolge artikel 6(3) van die Wet verkies moet word —
 - (a) moet uit ander lede van daardie tradisionele gemeenskap verkies word;
 - (b) moet uit minstens een-derde vroue bestaan, behoudens die bepalings van artikel 6(8) van die Wet;

- (c) moet 40 persent uitmaak van die getal van die ander lede van daardie tradisionele raad wat opgemaak word deur die *Inkosi* en die lede wat deur die *Inkosi* gekies word.
- (2) Enige desimale breuk wat voortspruit uit die berekening vermeld in subregulasie (1)(c) moet geïgnoreer word, en die getal moet afgerond word.
- (3) Indien dit uit die kieserlys blyk dat die grootte van die tradisionele gemeenskap nie die maksimum getal lede van die tradisionele raad regverdig in die Wet voorgeskryf nie, kan die LUR die geskikte grootte van die raad in ooreenstemming met Aanhangsel 2 van hierdie regulasies bepaal.
- (4) Die verkiesing van die lede van 'n tradisionele raad wat ingevolge artikel 6(3)(b) van die Wet verkies moet word, moet in ooreenstemming met die regulasies in Deel C geskied.

9. Vergaderings van tradisionele rade

- (1) Die *Inkosi* moet die eerste vergadering van die tradisionele raad belê binne 21 dae nadat die raad ingestel word. Hy of sy moet dit by wyse van 'n skriftelik kennisgewing doen waarin die datum, tyd en plek van die voorgestelde vergadering vermeld word, en die kennisgewing moet aan elke lid besorg word minstens vier dae voor die datum van die vergadering.
- (2) 'n Tradisionele raad moet elke maand vergader op 'n dag en tyd deur die voorsitter bepaal. Hy of sy moet dit doen by wyse van 'n skriftelike kennisgewing waarin die datum, tyd en plek van die voorgestelde vergadering vermeld word, en die kennisgewing moet aan elke lid besorg word minstens vier dae voor die datum van die vergadering.
- (3) Spesiale vergaderings kan deur die voorsitter of twee lede van die tradisionele raad belê word by wyse van 'n skriftelike kennisgewing waarin die datum, tyd en plek van die voorgestelde vergadering vermeld word, en die kennisgewing moet aan elke lid besorg word minstens vier dae voor die datum van die vergadering.
- (4) 'n Tradisionele raad moet sodanige reëls aanvaar ten einde voorsiening te maak vir ander posisies en subkomitees as wat nodig is om sy werksaamhede te verrig.

10. Plaaslike huise van tradisionele leiers

- (1) Die LUR moet 'n kennisgewing uitreik waarin die eerste vergadering van 'n plaaslike huis byeengeroep word nadat vyf of meer tradisionele gemeenskappe in 'n distriksmunisipaliteit erken is.
- (2) Die kennisgewing vermeld in subregulasie (1) moet —
 - (a) die instelling van die plaaslike huis vermeld;
 - (b) die eerste vergadering van daardie plaaslike huis belê, en die datum, tyd en plek van die eerste vergadering vermeld, wat op 'n datum minstens sewe dae na die publikasie van die kennisgewing in die *Koerant* moet wees; en
 - (c) die getal lede van daardie plaaslike huis bepaal wat tot die Provinsiale Huis verkies moet word, met in agname van die oorwegings vermeld in subartikel 33(2) van die Wet.
- (3) 'n Plaaslike huis sal bekend staan onder die naam van die distriksmunisipaliteit in wie se regsgebied dit val.

11. Vergaderings van plaaslike huise

- (1) Elke vergadering van plaaslike huise sal vir die publiek oop wees: Met dien verstande dat die regulasie nie sal geld indien dit redelik is om dit nie te laat geld nie, met in agname van die aard van die sake wat by die vergadering bespreek sal word.
- (2) Gewone vergaderings van 'n plaaslike huis word deur die voorsitter van die plaaslike huis belê wat 'n skriftelike kennisgewing aan elke lid moet besorg minstens vier dae voor die datum van die vergadering. Die kennisgewing moet by die gebruikelike woonplek van elke lid afgelewer word, of by sodanige plek wat skriftelik deur die lid aangedui word.
- (3) Die voorsitter moet 'n spesiale vergadering van 'n plaaslike huis belê op versoek van die meerderheid van die lede en kan belê kan word in minder as vier dae vooraf kennisgewing indien minstens twee-derdes van die lede teenwoordig besluit dat die aangeleentheid dringend is.
- (4) Plaaslike huise kan 'n reglement van orde opstel met betrekking tot die verrigting van hulle interne werksaamhede en verrigtinge.
- (5) Die kworum van 'n vergadering van 'n plaaslike huis ten einde 'n geldige vergadering van daardie huis te vorm, is minstens een-derde van alle lede van die huis, en die helfte van alle lede van die huis indien daar oor enige aangeleentheid binne sy bevoegdheid gestem word.
- (6) Alle besluite van 'n plaaslike huis word geneem deur die meerderheid van die lede teenwoordig by die vergadering.
- (7) Slegs lede het 'n spreekbeurt en kan stem by vergaderings van die plaaslike huis: Met dien verstande dat lede van die publiek die plaaslike huis mag toespreek indien toegelaat om dit te doen by wyse van 'n besluit van die huis.
- (8) In hierdie regulasie beteken "vergadering" alle vergaderings van plaaslike huise en komitees daarvan.

12. Uitvoerende komitees van plaaslike huise

- (1) 'n Plaaslike huis kan 'n uitvoerende komitee instel indien die huis dit wenslik ag.
- (2) Die uitvoerende komitee van 'n plaaslike huis mag nie uit meer as sewe lede van die plaaslike huis bestaan nie, met dien verstande dat die LUR die getal lede van die uitvoerende komitee van die plaaslike huis kan vasstel by wyse van kennisgewing in die *Koerant* indien hy dit wenslik ag.
- (3) Die verkiesing van lede van die uitvoerende komitee moet plaasvind in ooreenstemming met verkiesingsregulasies wat deur die LUR verorden word.

- (4) 'n Uitvoerende komitee het die rol en funksies wat deur die plaaslike huis aan hom toegeken of opgelê word.

13. Die Provinsiale Huis van Tradisionele Leiers

- (1) Lidmaatskap van die Provinsiale Huis bestaan uit *Isilo*, en 'n minimum van drie en 'n maksimum van sewe lede uit elke plaaslike huis verkies.
- (2) Elke plaaslike huis kan uit sy lede een lid van die Provinsiale Huis verkies per ses *amakhosi* in die plaaslike huis.
- (3) Die verkiesings wat ingevolge subartikel (1) gehou moet word, moet in ooreenstemming met die regulasies in Deel C gehou word.

14. Vergaderings van die Provinsiale Huis

- (1) Die LUR moet 'n kennisgewing uitreik waarin die eerste vergadering van die Provinsiale Huis belê word nadat 50 of meer tradisionele gemeenskappe erken is, en nadat lede van die Provinsiale Huis uit die meerderheid van die plaaslike huise verkies is.
- (2) In die kennisgewing uitgereik ingevolge subregulasie (1), moet die LUR die datum, tyd en plek van die vergadering vermeld, wat 'n datum moet wees nie minder as sewe dae en hoogstens 30 dae na die publikasie van die kennisgewing in die *Koerant* nie.
- (3) Gewone vergaderings van die Provinsiale Huis word belê deur die voorsitter, wat 'n skriftelike kennisgewing aan elke lid moet besorg minstens vier dae voor die datum van die vergadering. Die kennisgewing moet by die gebruikelike woonplek van elke lid afgelewer word, of by sodanige plek wat skriftelik deur 'n lid aangedui word.
- (4) Elke vergadering van die Provinsiale Huis is vir die publiek oop: Met dien verstande dat hierdie regulasie nie van toepassing sal wees wanneer dit redelik is om nie sodanige te wees nie, met in agname van die aard van die werksaamhede wat by die vergadering afgehandel sal word.
- (5) Die Provinsiale Huis moet minstens vier keer per jaar vergader, en daarna soos nodig, ten einde sy rol en funksies ingevolge hierdie Wet te vervul.
- (6) Ten einde lede van die Provinsiale Huis in staat te stel om hulle rol en funksies na behore te vervul, moet hulle voorsien word van afskrifte van enige relevante dokumente, hangende wetgewing of konsepwet vermeld in in subartikel 34(1) van die Wet minstens sewe dae voordat die Huis vergader om sodanige dokument, hangende wetgewing of konsepwet te oorweeg.
- (7) Die voorsitter moet 'n spesiale buitengewone vergadering van die Provinsiale Huis belê —
 - (a) binne die toepaslike tydsbeperkings indien sodanige vergadering nodig is om die Huis in staat te stel om die rol en funksies bedoel in artikel 34(1) en (3) van die Wet te vervul; of
 - (b) op versoek van die meerderheid van die lede; of
 - (c) indien die LUR van mening is dat sodanige vergadering wenslik is in die omstandighede.
- (8) 'n Spesiale buitengewone vergadering van die Huis kan belê word in minder as vier dae vooraf kennisgewing indien enige van die omstandighede vermeld in subregulasie (7) teenwoordig is.
- (9) Die Provinsiale Huis kan 'n reglement van orde opstel met betrekking tot die verrigting van sy interne werksaamhede en verrigtinge.
- (10) Die kworum van die Provinsiale Huis ten einde 'n geldige vergadering te vorm is minstens een-derde van alle lede van die Huis, en is minstens helfte van alle lede van die Huis wanneer daar oor enige aangeleentheid binne sy bevoegdheid gestem word.
- (11) Alle besluite van die Provinsiale Huis word geneem deur 'n meerderheid van sy lede teenwoordig by die vergadering.
- (12) Slegs lede mag 'n spreekbeurt kry en stem by vergaderings van die Provinsiale Huis: Met dien verstande dat lede van die publiek die Huis mag toespreek indien deur 'n besluit van die Huis toegelaat om dit te doen.
- (13) Die Provinsiale Huis kan besluit om 'n beraadslagende vergadering te belê met die oog daarop om met lede van die publiek te beraadslag, maar sodanige vergaderings sal net vir beraadslagende doeleindes wees en geen amptelike status geniet nie. Beraadslagende vergaderings kan slegs met die instemming van die LUR belê word deur die prosesse te volg in subregulasie (9) vermeld.
- (14) In hierdie regulasie beteken "vergadering" alle vergaderings van die Provinsiale Huis en die komitees daarvan.

15. Die uitvoerende komitee van die Provinsiale Huis

- (1) Die Provinsiale huis kan 'n uitvoerende komitee instel wat in totaal uit 'n minimum van vyf en 'n maksimum van tien lede moet bestaan.
- (2) Die uitvoerende komitee bestaan uit die voorsitter, adjunkvoorsitter en ander lede deur die Provinsiale Huis verkies.
- (3) Die uitvoerende komitee het die rol en funksies wat deur die Provinsiale Huis aan hom toegeken of opgelê word.
- (4) Die verkiesing van lede van die uitvoerende komitee moet plaasvind in ooreenstemming met verkiesingsregulasies deur die LUR verorden.

16. Belofte by diensaanvaarding

- (1) Nuut aangesteld lede van tradisionele rade, plaaslike huise en die Provinsiale Huis moet 'n vorm, wat grootliks dieselfde is as die vorm in Aanhangsel 2, voltooi en ondertekeing of hulle merk daarop aanbring wanneer hulle die eed aflê of plegtige

verklaar soos deur artikel 43 van die Wet vereis.

DEEL C – VERKIESINGS

17. Die bestek van deel C

- (1) Hierdie deel is van toepassing op —
 - (a) die verkiesing van tradisionele rade;
 - (b) die verkiesing van uitvoerende komitees van plaaslike huise;
 - (c) die verkiesing van lede van plaaslike huise tot die Provinsiale Huis; en;
 - (d) die verkiesing van die uitvoerende komitee van die Provinsiale Huis.

18. Aanstelling van verkiesingsagentskap

- (1) Die Departement moet 'n onafhanklike verkiesingsagentskap aanstel om enige verkiesing bedoel in hierdie regulasies te bedryf. Die bestek van die aanstelling sluit in die vra van die benoeming van kandidate vir die verkiesing, die aankondiging van die verkiesingsuitslae en die afhandeling van enige geskille en appèlle wat uit die verkiesing mag voortspruit.
- (2) Nadat die datum van 'n verkiesing bepaal is, kan die Departement die Onafhanklike Verkiesingskommissie nader om aangestel te word as die onafhanklike verkiesingsagentskap en sou dit misluk moet die Departement 'n onafhanklike verkiesingsagentskap aanstel by wyse van die amptelike verkrygingsproses wat op daardie tydstip van toepassing is.
- (3) By die aanstelling van 'n onafhanklike verkiesingsagentskap, moet die Departement die volgende in aanmerking neem:
 - (a) die ondervinding en vertroudheid van die agentskap met die verkiesingsprosesse;
 - (b) die kapasiteit van die agentskap om sy verpligtinge na te kom;
 - (c) die vertroudheid van die agentskap met tradisionele gemeenskappe en leierskap;
 - (d) die vertroudheid van die agentskap met gebruikelike en tradisionele norme; en
 - (e) enige ander oorweging wat die Departement mag nodig ag ten einde die tenderdokumente saam te stel.

19. Aankondiging van en voorbereiding vir verkiesings

- (1) Die LUR moet die datum vir die verkiesing van 'n tradisionele raad aankondig en 'n enkele dag en datum vir stemming bepaal.
- (2) Die aangekondigde dag en datum van die verkiesing moet in die *Koerant* gepubliseer word en minstens 60 dae toelaat vir nakoming van die verkiesingstydrooster.
- (3) Nadat die verkiesingsdatum afgekondig is, moet die verkiesingstydrooster onmiddellik deur die onafhanklike verkiesingsagentskap in oorleg met die LUR saamgestel word. Die LUR moet die verkiesingstydrooster in die *Koerant* publiseer.
- (4) Die verkiesingstydrooster kan deur die onafhanklike verkiesingsagentskap by kennisgewing in die *Koerant* gewysig word slegs indien hy dit nodig ag vir 'n vry en regverdige verkiesing of indien die stembag uitgestel word.
- (5) Die verkiesings in die algemeen of die verkiesing vir 'n spesifieke tradisionele raad kan alleenlik voor die aangekondigde datum vir die verkiesing uitgestel word indien die onafhanklike verkiesingsagentskap in oorleg met die Departementshoof, of die beampete deur hom of haar aangestel of aangewys, van mening is dat om met die verkiesing voort te gaan die regspleging, orde, vrede en veiligheid ernstig in gedrang mag stel, en moet die LUR so gou moontlik daarvan in kennis stel.
- (6) In die geval van die uitstel van 'n verkiesing vir enige rede in subregulasie (5) vermeld, moet die LUR sy besluit op enige toepaslike wyse bekend maak wat voldoende publisiteit met betrekking tot die uitstel sal verseker en moet 'n ander datum bepaal word en sodanige datum moet in die *Koerant* afgekondig word: Met dien verstande dat die nuut aangekondigde datum binne 90 dae na die verstryking van die ampstermyn van die bestaande tradisionele raad moet wees.
- (7) Die LUR kan by kennisgewing in die *Koerant* enige van die tydperke in hierdie regulasies bedoel, verkort vir die eerste verkiesing van 'n tradisionele raad wat volg op die inwerkingtreding van die Wet.

20. Bevoegdheid om te stem

- (1) 'n Persoon wat aan die verkiesing van enige tradisionele raad wil deelneem, moet —
 - (a) 'n burger van die Republiek van Suid-Afrika wees;
 - (b) 'n inwoner van die betrokke tradisionele gemeenskap wees;
 - (c) in besit van 'n identiteitsdokument wees;
 - (d) 18 jaar of ouer wees; en
 - (e) op die tradisionele gemeenskap se kieserslys geregistreer wees.

21. Bevoegdheid vir benoeming

- (1) 'n Persoon wat 'n benoeming wil aanvaar en as 'n kandidaat wil staan vir verkiesing op die tradisionele raad van enige gemeenskap moet —
 - (a) permanent in die gemeenskap waar die verkiesing gehou gaan word, woonagtig wees;

- (b) bewys lewer dat hy of sy minstens 18 jaar oud is;
 - (c) in besit wees van 'n identiteitsdokument;
 - (d) op die kieserslys van die betrokke gemeenskap verskyn;
 - (e) nie voorheen aan 'n misdryf skuldig bevind is nie waarvoor hy of sy vir 'n effektiewe tydperk van 12 maande of langer sonder die keuse van 'n boete gevonnissen is vir 'n oortreding wat verband hou met oneerlikheid, aanstigting of enige ander misdryf waarby geweld en openbare wanorde betrokke was; behalwe indien 'n tydperk van vyf jaar verloop het sedert skuldigbevinding soos in die Grondwet van Suid-Afrika bepaal; en
 - (f) nie reeds deur *Inkosi* ingeolge artikel 6(3)(a) van die Wet gekies is nie.
- (2) Die aanvaarding van die benoeming moet by 'n *Imbizo* voltooi en onderteken word, of in die geval waar die kandidaat nie by 'n *Imbizo* is nie en in sy afwesigheid benoem word, moet die kandidaat die aanvaarding van die benoeming, nadat minstens 20 gergistreeerde kiesers hulle steun vir die benoeming getoon het deur hulle hande by die *Imbizo* op te steek, indien binne vyf dae na die *Imbizo* en in ooreenstemming met die verkiesingstydrooster.

22. Benoemings en verkiesing van kandidate

- (1) *Inkosi* moet die *Imbizo* belê en voorsit ten einde die onafhanklike verkiesingsagentskap in staat te stel om die benoeming van kandidate ingevolge die gepubliseerde verkiesingstydrooster af te handel.
- (2) Kandidate wat vir verkiesing ingevolge artikel 6(3)(6) van die Wet, saamgelees met regulasie 8, voorgestel word, word mondelings voorgestel en gesekondeer deur die opsteek van hande deur die voorsteller en minstens twee sekondante, waarvan almal geregistreeerde kiesers van daardie tradisionele gemeenskap en by die *Imbizo* teenwoordig moet wees.
- (3) Die benoemde kandidaat moet die benoeming erken en aanvaar deur die betrokke vorm vir aanvaarding van benoeming in ooreenstemming met die verkiesingstydrooster te voltooi en die vorm moet grootliks dieselfde wees as Vorm 1, Aanhangsel 9, en die volgende bevat:
 - (a) die handtekening of merk van die benoemde;
 - (b) die handtekening van die onafhanklike verkiesingsagentskapbeampte;
 - (c) handtekening van twee getuies by die benoeming teenwoordig;
 - (d) die naam en van van die benoemde soos dit in die identiteitsdokument verskyn;
 - (e) die identiteitsdokument van die kandidaat;
 - (f) enige ander naam of nie-aanstootlike bynaam waarby die benoemde in die gemeenskap bekend staan;
 - (g) die fisiese adres van die benoemde, met inbegrip van die *Isigodi*;
 - (h) die datum van die benoeming;
 - (i) bevestiging of verklaring van aanvaarding van benoeming as 'n kandidaat, en dat die kandidaat begryp dat die benoeming vir daardie rondte verkiesings geldig is nie vir enige ander opvolgende of vorige verkiesing of tussenverkiesing nie; en
 - (j) kontakbesonderhe (indien beskikbaar).
- (4) Afwesige benoemdes moet hulle aanvaarding van benoeming indien soos bepaal in regulasie 21(2).
- (5) Die onafhanklike verkiesingsagentskap moet die verrigtinge van die *Imbizo* notuleer en die lys benoemings by die Departement indien. Benoemdes wat in hulle afwesigheid benoem is, moet 'n aanvaarding van benoeming indien binne vyf dae na die *Imbizo*, en die onafhanklike verkiesingsagentskap moet notuleer of die afwesige benoemde deur minstens 20 kiesers teenwoordig by die *Imbizo* ondersteun is.
- (6) Wanneer die onafhanklike verkiesingsagentskap die benoemings hou, moet hy verseker dat die vereiste getal manlike en vroulike kandidate benoem word en dat elke benoemde kandidaat die aanvaarding van benoemingsvorm onderteken welke vorm grootliks dieselfde moet wees as Vorm 2, Aanhangsel 9.
- (7) Die maksimum getal benoemdes is die getal verkose raadslede wat vereis word in elke tradisionele raad plus tien.
- (8) Niemand mag beswaar aanteken teen of enige benoemde kandidaat weier wat by 'n *Imbizo* voorgestel en gesekondeer word nie, tensy die benoemde ingevolge hierdie regulasies en/of enige ander toepaslike wetgewing onbevoeg is.
- (9) By die aanstelling van die 60% van die lede van die tradisionele raad soos vereis by artikel 6(3)(a) van die Wet, moet die *Inkosi* —
 - (a) die aangestelde onafhanklike verkiesingsagentskap van die beoogde aanstellings in kennis stel en hulle bystand soek ten einde onpartydige aanstellings te doen wat deur die onafhanklike verkiesingsagentskap bevestig moet word ten einde nakoming van die bepalings van regulasie 5 van hiërdie regulasies te verseker;
 - (b) sy/haar aangesteltes inlig dat hulle raadslidskap slegs in werking tree sodra die bevestiging afgehandel is en hulle formeel aangestel word en die ampseed afgelê het;
 - (c) voldoen aan die aanstelling van 'n minimum van een-derde vroue in die raad;
 - (d) die name van die 60% aangestelde lede van die tradisionele raad bekend maak wat deur die onafhanklike verkiesingsagentskap ingevolge artikel 5 bevestig is; en
 - (e) die gemeenskap aanmoedig om die deelname van bejaardes, die jeug en mense met liggaamlike gebreke te bevorder.
- (10) Die *Inkosi* moet die lede van die tradisionele raad wat by die *Imbizo* deur hom aangestel is, bekend stel.

- (11) Die verkiesingsagentskap moet verseker dat alle kandidate voor verkiesingsdag volledig kennis dra van hierdie regulasies, die gedragskode asook die bepalings van die Wet.
- (12) Indien 'n vakature ingevolge artikel 7(1) van die Wet ontstaan, moet die vakature van die aangestelde raadslid gevul word. Die administrateur van die tradisionele raad of *Inkosi* moet die Departement skriftelik daarvan in kennis stel en redes vir die vakature aanvoer, waarna die *Inkosi* die vereiste aanstelling by 'n *Imbizo* moet doen binne die tydperk wat in die Wet vermeld word en die Departement van die nuwe aanstelling in kennis stel.

23. Instelling van stemlokale

- (1) Die Departement moet die buitenste grense van elke tradisionele gemeenskapsgebied afbaken, en die stemdistrikgrense van elke *Isigodi* in die tradisionele gemeenskap vasstel ten einde die aantal stemlokale per tradisionele gemeenskap te bepaal.
- (2) 'n Stemlokaal moet in elke *Isigodi* opgerig word binne bereik van inwoners van daardie *Isigodi*. Die onafhanklike verkiesingsagentskap kan 'n beslissing maak oor die wenslikheid van meer stemlokale in 'n *Isigodi*, indien dit vereis word.
- (3) Elke stemlokaal moet in die algemeen voldoen aan die bepalings van artikel 64 van die Kieswet en die regulasies wat ingevolge daardie Wet uitgevaardig is.

24. Verkiesingspersoneel

- (1) Elke stemlokaal moet bestuur word deur doeltreffende en bevoegde verkiesingspersoneel deur die onafhanklike verkiesingsagentskap aangestel uit die tradisionele gemeenskap waar die verkiesing plaasvind.
- (2) Om te kwalifiseer vir aanstelling as 'n verkiesingspersoneel moet elke persoon bewys lewer dat —
 - (a) hy of sy geregistreer is by die stemlokaal waar hy of sy moet gaan diens doen;
 - (b) hy of sy nie 'n agent is vir enige kandidaat wat benoem is om die verkiesing te bestry nie;
 - (c) hy of sy nie 'n kandidaat in die verkiesing is nie;
 - (d) hy of sy nie 'n politieke amp in enige politieke party beklee nie;
 - (e) hy of sy nie 'n lid van enige wetgewer is nie; en
 - (f) hy of sy aan die akademiese of enige ander vereistes voldoen wat deur die onafhanklike verkiesingsagentskap gestel word.
- (3) Elke stemlokaal moet beman word deur die volgende beamptes:
 - (a) die voorsittende beampte;
 - (b) die adjunk-voorsittende beampte; en
 - (c) 'n voldoende aantal ondersteuningspersoneel, met inbegrip van stem- en telbeamptes.
- (4) Stem- en telbeamptes is verantwoordelik vir alle werksaamhede in elke stemlokaal, met inbegrip van, maar nie beperk tot —
 - (a) die bevestiging van registrasie;
 - (b) die stempel en uitreiking van stembriewe;
 - (c) die merk van kiesers met identifikasiemerk;
 - (d) bystand van kiesers wat bystand verlang;
 - (e) die versekering dat stembriewe in die stembus geplaas word;
 - (f) die versekering dat vol stembusse verseël word en op 'n veilige plek in die stemlokaal gehou word; en
 - (g) die tel van stembriewe.
- (5) Die voorsittende beampte is verantwoordelik vir —
 - (a) die bestuur, koördinerende en toesig oor stemming by die stemlokaal; en
 - (b) die neem van alle redelike stappe om ordelike optrede by die stemlokaal te verseker.
- (6) Die voorsittende beampte —
 - (a) kan 'n sekuriteitslid versoek om bystand te verleen ten einde ordelike optrede by die stemlokaal te verseker;
 - (b) kan persone weens geldige redes van die gebied binne die grense van die stemlokaal uitsluit; en
 - (c) kan alle bepalings, aanbevelings en besluite neem met betrekking tot geskille en enige ander aangeleentheid wat met die stemproses binne die stemlokaal verband hou, met inbegrip van of 'n geskil na die Verkiesingsgeskiltribunaal verwys moet word wat ingevolge hierdie regulasies aangestel is.
- (7) Verkiesingspersoneel moet die Gedragskode soos in Aanhangsel A vervat, onderskryf.
- (8) Die onafhanklike verkiesingsagentskap kan te eniger tyd die aanstelling van enige verkiesingspersoneel beëindig wat die Gedragskode soos vervat in Aanhangsel 4 by hierdie regulasies oortree het, mits sodanige beëindiging voorafgegaan is deur 'n regverdige en geldige proses.
- (9) Die onafhanklike verkiesingsagentskap is verantwoordelik vir die opleiding van verkiesingspersoneel wat by elke stemlokaal ontplooi word, en moet personeel toerus met die stemmateriaal vermeld in Aanhangsel 5 by hierdie regulasies.
- (10) Verkiesingspersoneel word aangestel deur en is verantwoordelik teenoor die onafhanklike verkiesingsagentskap kragtens

sodanige bepalings en voorwaardes as wat die agentskap wat hulle kontraktuele verpligtinge en regte bepaal, mag bepaal. Die Departement is nie kontraktueel of andersins aanspreeklik vir enige geskil wat tussen die agentskap en die personeel deur hom aangestel is, ontstaan nie.

- (11) By die aanstelling van verkiesingspersoneel uit die plaaslike gemeenskap moet die verkiesingsagentskap regverdigheid, billikheid en gelykheid beoefen, en praktyke vermy wat as bevooroordeel, nepotisties of bevoordeel beskou kan word.

25. Registrasie van kiesers en samestelling van kieserslys

- (1) 'n Kieserslys moet deur die Departement saamgestel word vir elke stemlokaal voordat die verkiesingsdatum deur die LUR aangekondig word: Met dien verstande dat die kiesersregistrasie per *Isigodi* in elke tradisionele gemeenskap moet geskied.
- (2) Die Departement moet by die samestelling van die kieserslys die bepalings van Hoofstuk 2 van die Kieswet in aanmerking neem.
- (3) Die kieserslys saamgestel ingevolge subregulasie (1), moet deur die LUR gesertifiseer word op die datum bedoel in die verkiesingstydrooster.

26. Verkiesingsmateriaal

- (1) Die onafhanklike verkiesingsagentskap moet die beskikbaarheid verseker van voldoende verkiesingsmateriaal vir elke stemlokaal, met inbegrip van die toerusting vermeld in Aanhangsel 5 by hierdie regulasies.

27. Algemene bestuur van die verkiesings

- (1) Die Departement moet toesig hou oor die verkiesingsproses en dit monitor, asook die werksaamhede van die onafhanklike verkiesingsagentskap en enige aangeleentheid wat daarmee verband hou.
- (2) Die verkiesings moet deur die onafhanklike verkiesingsagentskap bestuur word ten einde vry en regverdige verkiesings te verseker soos bedoel in hierdie regulasies.
- (3) Die Departement moet fondse vir die verkiesings verskaf in ooreenstemming met die begroting deur die onafhanklike verkiesingsagentskap ingedien, en deur die Departement goedgekeur ingevolge die tenderproses.
- (4) Die Departement kan personeel beskikbaar stel om bystand aan die onafhanklike verkiesingsagentskap te verleen met die bestuur en administrasie van die verkiesings.

28. Stemure

- (1) Die stemure is van 07:00 tot 19:00, tensy die LUR by kennisgewing in die *Koerant* anders bepaal.

29. Grense van stemlokale

- (1) Op stembag moet die voorsittende beampte na oorleg met die *Inkosi* die buitenste grens van die stemlokaal bepaal voordat die stemming begin.
- (2) Die voorsittende beampte moet die buitenste grens van die stemlokaal afbaken deur, indien prakties moontlik, deur die grens te merk deur gebruik te maak van sigbare tekens, merkers of band langs die hele grenslyn te gebruik of op voldoende punte langs die grenslyn.

30. Mobiele stemlokale

- (1) Die onafhanklike verkiesingsagentskap kan, indien nodig, besluit om mobiele stemlokale te gebruik bykomend tot of in stede van 'n permanente stemlokaal, en moet behoorlike openbare kennis gee van alle beoogde roetes, stoptye en plekke vir die mobiele stemlokale.
- (2) Dieselfde prosedure soos uitgestippel in regulasies 31 en 32 van hierdie regulasies moet gevolg word indien 'n mobiele stemlokaal gebruik word.

31. Aanvanklike prosedure.

- (1) Onmiddellik voor 'n stemlokaal vir stemming open, moet die voorsittende beampte aan alle geakkrediteerde waarnemers en kandidate teenwoordig toon dat elke stembus leeg is wat by die stemlokaal gebruik gaan word.
- (2) Indien alle persone teenwoordig tevrede is dat 'n stembus leeg is, moet die voorsittende beampte die bus verseël by wyse van 'n seël ontwerp en aan die voorsittende beampte vir daardie doel verskaf, deur die alle openinge van die stembus te verseël, behalwe die gleuf waardeur die voltooië stembriewe geplaas moet word.

32. Stemprosedure

- (1) 'n Kieser kan —
- (a) alleenlik in 'n verkiesing stem by die stemlokaal in die stemdistrik waar daardie kieser geregistreer is; en
- (b) alleenlik een keer in die verkiesing stem.
- (2) 'n Kieser kan by 'n stemlokaal stem —
- (a) deur die toon van daardie kieser se identiteitsdokument aan die voorsittende beampte of 'n stembeampte by die stemlokaal; en
- (b) indien daardie kieser se naam verskyn op die gesertifiseerde gedeelte van die kieserslys vir die stemdistrik waarvoor

daardie stemlokaal ingestel is.

- (3) Wanneer 'n kieser 'n identiteitsdokument aan die voorsittende beampte of stembeampte toon, moet daardie beampte die identiteitsdokument nagaan en bepaal of —
 - (a) die kieser die persoon is wat in daardie identiteitsdokument geïdentifiseer word;
 - (b) die kieser se naam verskyn op die gesertifiseerde gedeelte van die kieserslys vir die betrokke stemdistrik; en
 - (c) daardie kieser nie reeds in die verkiesing gestem het nie.
- (4) Indien die voorsittende beampte of stembeampte tevrede is met al die aangeleenthede vermeld in subregulasie (3), moet daardie beampte —
 - (a) aanteken dat die kieser geag word te gestem het in die verkiesing;
 - (b) die hand van die kieser merk soos by regulasie 35 voorgeskryf;
 - (c) die agterkant van die stembrief waarop die kieser geregtig is, merk met die amptelike stempel vir die verkiesing; en
 - (d) die stembrief aan die kieser oorhandig.
- (5) Sodra die kieser 'n stembrief ontvang wat ingevolge subregulasie (4)(c) gemerk is, moet die kieser —
 - (a) na 'n leë stemkompartement gaan;
 - (b) die stembrief in privaatheid merk op 'n wyse wat die kandidaat aandui vir wie die kieser wil stem;
 - (c) die stembrief vou ten einde die kieser se stem te bedek;
 - (d) die stembrief na 'n stembus neem en dit aan die voorsittende beampte of 'n stembeampte toon op 'n wyse dat die beampte die amptelike stempel kan sien wat ingevolge subregulasie (4)(c) aangebring is;
 - (e) die stembrief in die stembus plaas; en
 - (f) sonder versuim die stemlokaal verlaat.
- (6) Stemming geskied by wyse van 'n geheime stembrief.

33. Bystand aan seker kiesers

- (1) 'n Persoon, buiten die voorsittende beampte of 'n stembeampte, kan 'n kieser by die stemming bystaan, maar alleenlik indien —
 - (a) die kieser bystand vereis weens liggaamlike gebrek;
 - (b) die kieser versoek het dat daardie persoon bystand verleen; en
 - (c) die voorsittende beampte tevrede is dat die persoon wat bystand verleen —
 - (i) minstens 18 jaar oud is; en
 - (ii) nie 'n waarnemer of kandidaat is nie.
- (2) Die voorsittende beampte of 'n stembeampte kan op versoek van 'n kieser wat nie kan lees nie daardie kieser bystaan om 'n stem uit te bring en sodanige bystand verleen in die teenwoordigheid van —
 - (a) 'n persoon deur 'n gekkrediteerde waarnemer aangestel, indien beskikbaar; en
 - (b) 'n stembeampte.
- (3) By die toepassing van hierdie regulasie, moet die geheimhouding bedoel in regulasie 32(6) so ver moontlik gehandhaaf word.

34. Uitreiking van nuwe stembriewe

- (1) Indien 'n kieser per ongeluk die stembrief merk op 'n wyse wat nie aantoon vir wie die kieser wil stem nie, of wat tot 'n onbehoorlike uitslag mag lei, en die stembrief is nie reeds in die stembus geplaas nie, kan die kieser die stembrief terughandig aan die voorsittende beampte of 'n stembeampte.
- (2) By ontvangs van die stembrief van 'n kieser, moet die voorsittende beampte of stembeampte die stembrief agterop as "gekanselleer" merk en dit afsonderlik liasseer. Hy of sy moet dan aan die kieser 'n nuwe stembrief oorhandig.

35. Merk van hand

- (1) Die hand van die kieser moet gemerk word deur 'n kort streep op die kieser se linker duim en linker duimnael aan te bring met sigbare merkink.
- (2) Indien die kieser nie 'n linker duim of duimnael het nie, of dit onprakties is om daardie duim te merk weens 'n besering, siektetoestand of enige ander oorsaak, kan enige van die linkerhand of regterhand se vingers en naels so gemerk word.
- (3) Indien vir enige rede vermeld in subregulasie (2), geen vinger en nael van 'n kieser gemerk kan word nie, moet die voorsittende beampte 'n aantekening maak van daardie kieser se naam, adres, identiteitsnommer, en die redes waarom die kieser se hand nie so gemerk kon word nie.

36. Verseëling van stembusse

- (1) Sodra 'n stembus vol is, moet die voorsittende beampte die stembus verseël deur die opening van die stembus met 'n seël toe te maak, en nadat die laaste stem uitgebring is, die laaste stembus en enige ongebruikte stembusse op 'n soortgelyke wyse verseël. Die voorsittende beampte moet die stembusse op die voorgeskrywe wyse verseël in die teenwoordigheid van enige

waarnemers en kandidate wat teenwoordig is.

- (2) 'n Verseëldde stembus bly verseël in die stemlokaal totdat dit oopgemaak word vir die tel van stemme.

37. Voltooiing van stembriefverklaring en verseëling van stemmateriaal

- (1) So gou doenlik nadat 'n stemlokaal vir stemming gesluit het, moet die voorsittende beampte, in die teenwoordigheid van enige waarnemers en kandidate teenwoordig —
- (a) 'n stembriefverklaring voltooi op 'n vorm grootliks dieselfde as Vorm 3 van Aanhangel 9 van hierdie regulasies wat die getal aantoon van —
- (i) stembusse aan daardie voorsittende beampte toevertrou;
 - (ii) gebruikte stembusse;
 - (iii) ongebruikte stembusse;
 - (iv) stembriewe toevertrou aan daardie voorsittende beampte;
 - (v) uitgereikte stembriewe;
 - (vi) onuitgereikte stembriewe; en
 - (vii) gekanselleerde stembriewe;
- (b) ongebruikte stembusse verseël wat aan daardie voorsittende beampte uitgereik is;
- (c) in afsonderlike houers —
- (i) die gesertifiseerde gedeelte van die kiesersrol vir die stemdistrik;
 - (ii) die ongebruikte stembriewe aan daardie voorsittende beampte uitgereik; en
 - (iii) die gekanselleerde stembriewe, verseël.

38. Telprosedure

- (1) Die voorsittende beampte tree as telbeampte op.
- (2) Die telbeampte moet verseker dat die prosedure wat in hierdie regulasies bepaal word so gou doenlik 'n aanvang neem nadat die stemlokaal vir stemming gesluit het, en ononderbroke voortgaan totdat dit afgehandel is.
- (3) Die telbeampte moet nagaan of die seëls op die verseëldde items onbeskadig is voordat telling begin.
- (4) Nadat die seëls nagegaan is, moet die telbeampte al die verseëldde stembusse en houers oopmaak, en handel met ongeruimdhede en teenstrydighede wat gevind word, en indien dit lyk asof daar op 'n onwettige wyse met materiaal gepeuter is of dit weg is, moet die telbeampte die hulp van 'n lid van die veiligheidsmagte inroep om die aangeleentheid te ondersoek en bystand te verleen in die soektog na enige verlore materiaal.
- (5) Indien geen teenstrydighede gevind word nie, moet die telbeampte al die gebruikte verseëldde stembusse oopmaak en 'n stembrief verwerp wat die volgende aandui:
 - (a) die identiteit van die kieser;
 - (b) 'n stem uitgebring vir meer as een kandidaat;
 - (c) geen merk, of wat gemerk is op 'n wyse wat nie redelik moontlik is om die kieser se keuse te bepaal nie;
 - (d) dat die amptelike merk nie op die agterkant van die stembrief verskyn nie; of
 - (e) dat dit nie 'n amptelike stembrief is nie.
- (6) Die telbeampte moet —
 - (a) die merk "verwerp" op die agterkant van elke verwerpte stembrief aanbring; en
 - (b) die verwerpte stembriewe afsonderlik liasseer.

39. Prosedure betreffende uitslae en stemmateriaal

- (1) Die telbeampte moet die uitslag van die telling bepaal van al die stembriewe uitgebring in daardie stemlokaal en die uitslag aanteken deur 'n uitslagvorm te voltooi op 'n vorm wat grootliks dieselfde is as Vorm 4 van Aanhangel 9, waarop die uitslag van die telling ten opsigte van die verkiesing wat by die stemlokaal plaasgevind het, verskyn.
- (2) Die telbeampte kondig die voorlopige uitslag aan van daardie betrokke stemlokaal nadat die stembriefverklaring voltooi is.
- (3) Sodra die telbeampte aan subregulasie (1) voldoen het, moet die telbeampte al die stemmateriaal verseël, met inbegrip van die gebruikte en ongebruikte stembriewe, tesame met die stembriefverklaring, in afsonderlike houers, en sodanige houers aan die onafhanklike verkiesingsagentskap se streeksentrum besorg.
- (4) Sodra die uitslag van elke stemlokaal in elke streeksentrum verkry is, sal die streeksentrum sy uitslae aanstuur na die provinsiale sentrum ten einde die onafhanklike verkiesingsagentskap in staat te stel om die finale uitslag te verklaar by 'n *Imbizo* wat deur die *Inkosi* vir daardie doel byeengeroep is.
- (5) Die *Imbizo* bedoel in subregulasie (4) moet gehou word binne sewe dae nadat die onafhanklike verkiesingsagentskap die finale uitslae bepaal het.

40. Gelykopuitslag in verkiesings en verteenwoordigheid

- (1) Nadat al die stemme getel is en voor die bekendmaking van uitslae by 'n *Imbizo*, moet gelykopuitslae in verkiesings opgelos word deur 'n trekking te hou deur identiese koeverte te gebruik met die name van die kandidate wat by die gelykopuitslag betrokke is daarin geplaas.
- (2) Die name van die kandidate wat gelyk is, moet deur die tekbeampte in identiese koeverte geplaas word, en op so wyse getrek word dat dit willekeurig gekies word.
- (3) Die *Inkosi* moet toesig hou oor die trekking van 'n koevert en dit moet onder leiding geskied van die onafhanklike verkiesingsagentskap wat na goëddunke enige persoon kan aanwys om 'n koevert te kies.
- (4) Indien die vereiste minimum van een-derde vroue verteenwoordiging nie bereik is nie, moet die vroulike kandidaat as verkose verklaar word ten einde die bepalings ten opsigte van genderverteenwoordiging te bevredig soos in die Wet bepaal. Met dien verstande dat waar slegs vroulike kandidate betrokke is, die trekking steeds moet plaasvind.
- (5) Die uitslae van die trekking maak deel uit van die uitslae wat by die *Imbizo* aangekondig word wat vir daardie doel.

41. Verkiesingsgeskille en appèlle

- (1) Indien enige belanghebbende party, met inbegrip van 'n waarnemer of kandidaat, 'n klagte wil indien met betrekking tot die prosedure of prosesse van die verkiesing of die uitslae van die verkiesings, moet hy of sy dit doen deur 'n skriftelik klagte in te dien by die voorsittende beampte van die stemlokaal.
- (2) Die voorsittende beampte moet probeer om die geskil by te lê deur middel van bemiddeling of onderhandeling en indien dit misluk moet die voorsittende beampte 'n besluit neem.
- (3) Die voorsittende beampte moet die beswaar en sy of haar besluit aanteken, en die beswaarmaker of enige ander betrokke party mondelings in kennis stel van sy of haar besluit.
- (4) Indien die beswaarmaker steeds nie tevrede is met die besluit van die voorsittende beampte nie, kan die beswaarmaker appèl aanteken binne 48 ure na die die voorsittende beampte se besluit by die Verkiesingstribunaal wat by regulasie 42 van hierdie regulasies ingestel is.

42. Die instelling van 'n Verkiesingstribunaal

- (1) Die LUR moet onmiddellik na die aankondiging van die verkiesingsdatum, 'n Verkiesingstribunaal instel bestaande uit minstens drie persone en hoogstens vyf persone.
- (2) Die lede van die Tribunaal moet geskikte en bevoegde persone wees, en moet oor minstens een of meer van die volgende vaardighede en bevoegdhede beskik:
 - (a) kennis van regsprosedure;
 - (b) kennis van verkiesingsprosesse;
 - (c) kennis van tradisionele leierskapaangeleenthede;
 - (d) kennis van geskilbeslegtingsprosedure; of
 - (e) enige ander bevoegdheid wat die LUR mag identifiseer.
- (3) Die LUR moet een van die lede van die tribunaal as voorsitter van die Tribunaal aanwys.
- (4) Die Tribunaal moet reëls van prosedure aanneem vir die verrigting van sy werksaamhede.
- (5) Die Tribunaal het die bevoegdheid oor alle verkiesingsaangeleenthede en oortreding van die Kode wat na hom verwys word, en kan enige besluit neem en enige sanksie opleë met in agneming van enige toepaslike wette en voorskrifte.
- (6) Die Tribunaal kan na goëddunke, met in agneming van die omvang van die oortreding, die aangeleentheid na ander bevoegde agentskappe verwys.
- (7) Enige klagte moet skriftelik ingedien word op 'n vorm wat grootliks dieselfde is as Vorm 5 van Aanhangsel 9.
- (8) Die Tribunaal moet vergader binne drie dae nadat die klagte ingedien is of die oortreding begaan is.
- (9) Die ampstermyn van die Verkiesingstribunaal verstryk na die aankondiging van die uitslae of sodanige ander tydstip wat aanbeveel mag word vir die behoorlike afhandeling van sy verantwoordelikhede.
- (10) Die bevoegdhede van die Tribunaal word beskryf in Aanhangsel 6 van hierdie regulasies.
- (11) Die LUR kan enige lid van die Tribunaal vir enige goeie rede afdank.

43. Beëdiging van verkose raadslede

- (1) Nuut verkose lede van die tradisionele raad moet deur 'n persoon wat deur die LUR aangewys word beëdig word binne 21 dae na die verkiesings of die finale aankondiging van uitslae deur die gewone prosedure te volg wat in Bylae 2 van die Wet bepaal word, en hulle moet 'n vorm grootliks dieselfde as die vorm in Aanhangsel 2 voltooi, ondertekening of hulle merk daarop aanbring.
- (2) Vanaf die tyd dat die lede van die tradisionele raad as verkies verklaar is totdat hulle beëdig word, moet die *inkosi* die daaglikse funksies van die tradisionele raad verrig.
- (3) Elke tradisionele raad moet, nadat sy lede beëdig is, voortgaan om 'n adjunkvoorsitter te kies.
- (4) Die verkiesing van die adjunkvoorsitter moet plaasvind deur benoemings van hoogstens drie name vir daardie posisie aan te

vra: Met dien verstande dat in die geval dat slegs een benoeming gemaak is, moet daardie persoon verklaar word as in die posisie verkose.

- (5) Elke benoemde persoon vermeld in subregulasie (4) moet sy of haar aanvaarding van die benoeming aantoon.
- (6) Die verkiesing vermeld in subregulasie (4) geskied by wyse van geheime stembrief.
- (7) Die *Inkosi* moet die uitslag verklaar en by die vergadering aankondig.

44. Tussenverkiesings

- (1) Wanneer ook al 'n vakature ontstaan in enige tradisionele raad ingevolge artikel 7(1) van die Wet, en behoudens regulasies (2) en (3) kragtens hierdie regulasie, moet die vakture wat in die tradisionele raad ontstaan gevul word deur 'n kandidaat wat die volgende hoogste aantal stemme in daardie verkiesing gekry het.
- (2) 'n Kandidaat wat nie enige stemme in 'n verkiesing vir 'n tradisionele raad gekry het nie, kan nie 'n lid van die tradisionele raad word nie, en word as onbevoeg beskou.
- (3) In die geval waar 'n vroulike lid van die tradisionele raad daartoe aanleiding gegee het dat die vakature ontstaan, moet die volgende beskikbare vroulike kandidaat op die oorblywende lys van kandidate wat die hoogste aantal stemme in die verkiesing gekry het, die vakature vul.
- (4) Indien die volgende kandidaat wat die hoogste aantal stemme in die verkiesing behaal het vir watter rede ook al nie beskikbaar is om die vakature te vul nie, dan sal die volgende persoon met die hoogste aantal stemme 'n lid van die tradisionele raad word.
- (5) Die naam van die persoon wat 'n lid van die tradisionele raad word ingevolge hierdie regulasie moet in die *Koerant* aangekondig word.
- (6) Indien daar 'n gelykopuitslag tussen die kandidate op die lys is, moet sodanige gelykopuitslag ingevolge regulasie 40 van hierdie regulasie opgelos word.
- (7) Indien geen persoon beskikbaar is om lidmaatskap van 'n tradisionele raad te aanvaar nie, moet 'n nuwe verkiesing gehou word ingevolge hierdie regulasies.
- (8) In die geval dat 'n nuwe verkiesing gehou moet word, moet die LUR die datum vir die tussenverkiesing in die *Koerant* aankondig, en voorsiening maak vir die vereiste getal dae ten einde beslag aan die verkiesingstydrooster te gee.
- (9) Sodra die datum van die verkiesing afgekondig is ingevolge subregulasie (8), moet die datum ook gepubliseer word in 'n koerant wat versprei word in die gebied waar die tussenverkiesing gehou moet word.
- (10) Die kieserslys wat gebruik moet word vir die tussenverkiesing is die kieserslys soos dit bestaan op die datum wat die LUR afkondig as die datum vir die tussenverkiesing, maar slegs daardie gedeelte van die kieserslys vir daardie *Isigodi* wat deur die vakature geraak word.
- (11) Die raadslid wat verkies word in die tussenverkiesing word verkies vir die oorblywende ampstermyn van die bestaande tradisionele raad en tot die volgende verkiesings.

45. Gedragskode

- (1) Elke kandidaat wat aan die verkiesing deelneem is gebonde aan en moet voldoen aan hierdie regulasies en die Wet, asook die Gedragskode soos bepaal in Aanhangel 6 by hierdie regulasies.
- (2) Enige persoon wat die Gedragskode oortree of versuim om daaraan te voldoen, is by skuldigbevinding strafbaar met 'n boete of tydperk van gevangenisstraf deur 'n bevoegde gereghof opgelê.

46. Verbode gedrag

- (1) Geen persoon mag —
 - (a) 'n persoon onbehoorlik beïnvloed om te stem of nie te stem nie;
 - (b) 'n persoon verplig of wederegtelik oorreed om vir of nie vir 'n besondere kandidaat te stem nie;
 - (c) ingemeng met die onafhanklikheid van die onafhanklike verkiesingsagentskap nie;
 - (d) kiesers wederegtelik toegang tot stemlokale belet nie;
 - (e) hom of haar wederegtelik as 'n kandidaat, verkiesingsbeampte of 'n waarnemer voordoen nie;
 - (f) doelbewus valse verklaringe maak of valse inligting publiseer wat 'n verkiesing kan ontwrig of verhoed dat dit plaasvind nie;
 - (g) vyandigheid of vrees wek wat die hou of uitslag van die verkiesing beïnvloed nie;
 - (h) wederegtelik met 'n kieser se reg op geheimhouding inmeng nie;
 - (i) enige verkiesingsmateriaal wederegtelik verwyder, vernietig of beskadig nie;
 - (j) stembriewe wederegtelik druk, vervoer of verwyder of enige verkiesingsmateriaal vervaardig nie;
 - (k) enige reklamebord of plakkaat wederegtelik verwyder of beskadig nie;
 - (l) 'n opdrag van 'n voorsittende beampte binne die grense van 'n stemlokaal wederegtelik verhinder of strydig daarmee optree nie;
 - (m) gevaarlike wapens binne die grense van die stemlokaal wederegtelik dra of vertoon nie;

- (n) op stembag deelneem aan enige politieke vergadering, optog of demonstrasie nie; en
- (o) binne die grense van die stemlokaal betrokke wees by politieke aktiwiteite buiten om 'n stem uit te bring nie.

(2) Enige persoon wat die bepalings van hiërdie regulasie oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete of 'n tydperk van gevangenisstraf deur 'n bevoegde geregshof opgelê.

47. Verkiesing van lede van die uitvoerende komitee van die plaaslike Huis

- (1) By die eerste vergadering van 'n plaaslike Huis sal 'n persoon deur die LUR aangewys, voorsit by die verkiesing van 'n voorsitter en adjunkvoorsitter.
- (2) Die verkiesing van die voorsitter en adjunkvoorsitter moet gehou word deur benoemings en sekondering van benoemings van hoogstens drie name vir elke posisie te vra: Met dien verstande dat in die geval waar slegs een benoeming gemaak is, moet daardie persoon verklaar word as in die posisie verkose.
- (3) Elke benoemde persoon vermeld in subregulasie (2) moet sy of haar aanvaarding van die benoeming aantoon.
- (4) Die benoeming en verkiesing vermeld in subregulasie (2) moet plaasvind by wyse van geheime stembrief.
- (5) Sodra die voorsitter en adjunkvoorsitter verkies is, moet die voorsitter voorsit by die verkiesing van die oorblywende lede van die uitvoerende komitee van die tradisionele Huis ingevolge subregulasies (6) tot (9).
- (6) Die voorsitter moet 'n beroep doen op die lede van die plaaslike Huis om minstens twee keer die aantal name wat vereis word om die oorblywende posisies te vul, te benoem.
- (7) Elke benoemde moet deur minstens een persoon gesecondeer word en elke benoeming moet deur die benoemde aanvaar word.
- (8) Stembriewe wat gebruik word vir die verkiesing van lede van die uitvoerende komitee van die plaaslike Huis moet voltooi word en in 'n stembus geplaas word.
- (9) Die stembriewe moet deur die voorsitter getel word wat die uitslag daarna moet verklaar.

48. Verkiesing van lede van die plaaslike Huis tot die Provinsiale Huis

- (1) Wanneer hy sy verteenwoordigers verkies om in die Provinsiale Huis te dien in ooreenstemming met regulasie 13, moet die plaaslike huis poog om verteenwoordigheid te verseker van die munisipaliteite in die distrik waarvoor die plaaslike huis ingestel is.
- (2) Die voorsitter moet 'n beroep op lede van elke plaaslike huis doen om minstens twee keer die aantal name te benoem wat vereis word om die oorblywende poste te vul.
- (3) Elke benoeming moet deur minstens een persoon gesecondeer word en elke benoeming moet deur die benoemde aanvaar word, waarna 'n verkiesing by wyse van 'n geheime stembrief moet plaasvind.
- (4) Stembriewe moet gebruik word vir die verkiesing van lede van die plaaslike Huis en moet voltooi en in die stembus geplaas word.
- (5) Die stembriewe moet getel word en die uitslag moet deur die voorsitter verklaar word.

49. Verkiesing van lede van die uitvoerende komitee van die Provinsiale Huis

- (1) By die eerste vergadering van die Provinsiale Huis waar 'n regter voorsit wat deur die LUR aangewys is, moet die prosedure wat hieronder verskyn gevolg word om die uitvoerende komitee van die Provinsiale Huis te verkies.
- (2) By die eerste vergadering van die Provinsiale Huis nadat 50 of meer tradisionele gemeenskappe erken is, of na die verkiesing van 'n nuwe Huis, moet 'n regter van die Hooggeregshof van Suid-Afrika as voorsitter optree totdat 'n voorsitter en adjunkvoorsitter deur die lede van die Huis verkies is.
- (3) Wanneer die regter benoemings vra vir die pos van voorsitter en adjunkvoorsitter van die Provinsiale Huis moet hy ook die Provinsiale Huis versoek om 'n besluit te neem waarin die getal van die uitvoerende komitee van die Provinsiale Huis bepaal word, behoudens 'n minimum van vyf en maksimum van tien lede. Daarna moet die nuut verkose voorsitter die voorsitterstoel inneem en die verkiesing van die oorblywende lede van die uitvoerende komitee lei.
- (4) Die verkiesing van die voorsitter en adjunkvoorsitter moet gehou word deur vir benoemings en sekondering van benoemings van hoogstens drie name vir elke posisie te vra: Met dien verstande dat indien slegs een benoeming gemaak word, moet daardie persoon verklaar word as verkose in daardie posisie.
- (5) Elke benoeming vermeld in subregulasie (4) moet deur die benoemde aanvaar word.
- (6) Die benoeming en verkiesing vermeld in subregulasie (4) moet gedoen word by wyse van geheime stembrief.
- (7) Wanneer die voorsitter en adjunkvoorsitter verkies is, moet die voorsitter voorsit by die verkiesing van die oorblywende lede van die uitvoerende komitee van die Provinsiale Huis ingevolge subregulasies (8) tot (12).
- (8) Drie name moet voorgestel word vir elke vakature wat gevul moet word en enige benoeming moet deur minstens een persoon gesecondeer word.
- (9) Indien slegs een benoeming ontvang word, moet die benoemde kandidaat as verkose verklaar word.
- (10) Stembriewe moet gebruik word vir die verkiesing van lede van die uitvoerende komitee, en nadat die stembriewe gemerk is, moet hulle in die stembus geplaas word.
- (11) Die stembriewe moet getel word en die uitslag verklaar en deur die voorsitter aangekondig word.

50. Beëdiging van lede van die uitvoerende komitees van die plaaslike huise en Provinsiale Huis

- (1) Verkose lede van die uitvoerende komitees van die plaaslike huise en Provinsiale Huis van Tradisionele Leiers moet beëdig word of plegtig verklaar ingevolge Bylae 2 van die Wet, en moet 'n vorm grootliks dieselfde as die vorm in Aanhangsel 2 voltooi en onderteken of hulle merk daarop aanbring.

51. Algemene bepalings

- (1) Die tradisionele rade, die plaaslike huise en die Provinsiale Huis kan hulle eie reglement van orde aanneem.
- (2) Die tradisionele rade, die plaaslike huise en die Provinsiale Huis kan sodanige subkomitees instel wat hulle nodig ag vir die uitvoering van hulle funksies.

52. Kiesersopvoeding

- (1) Die Departement moet 'n agentskap aanstel om toesig te hou oor kiesersopvoeding in tradisionele gemeenskappe en om organisasies te akkrediteer om kiesersopvoeding te implementeer soos bedoel in die Kieswet en 'n aansoek om geakkrediteer te word as 'n diensverskaffer vir kiesersvoorligting moet gedoen word op 'n vorm grootliks dieselfde as Vorm 6 van Aanhangsel 9.
- (2) Elke geakkrediteerde kiesersopvoedingsverskaffer is gebonde aan die Gedragskode vir Kiesersopvoedingsverskaffers vermeld in Aanhangsel 7.

53. Verkiesingswaarnemers

- (1) Enige persoon of organisasie wat die verkiesings wil waarneem moet aansoek doen by die onafhanklike verkiesingsagentskap as 'n waarnemer om die verkiesing waar te neem soos bedoel in hierdie regulasies en moet om akkreditasie aansoek doen deur 'n vorm grootliks dieselfde as Vorm 7 van Aanhangsel 8 te voltooi.
- (2) Elke geakkrediteerde waarnemer is gebonde aan die Gedragskode vir Waarnemers vermeld in Aanhangsel 8.

54. Verkiesingsveldtogte

- (1) Verkiesingsveldtogte moet gehou word ingevolge die bepalings van regulasies 45 en 46, asook Aanhangsel 6 by hierdie regulasies.

55. Verklaring van geheimhouding

- (1) Die verklaring van geheimhouding wat deur 'n persoon onderteken moet word voordat daardie persoon aangestel kan word as 'n beampte moet op 'n vorm wees wat grootliks dieselfde is as Vorm 8 van Aanhangsel 9.

56. Misdrywe en strawwe

- (1) Enige persoon wat 'n valse verklaring aflê of valse besonderhede verskaf in enige aansoek of dokument wat deur hierdie regulasies voorgeskryf word, is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete of gevangenisstraf vir 'n tydperk van hoogstens een jaar of beide sodanige boete of gevangenisstraf.

57. Kort titel

Hierdie regulasies heet die Kwazulu-Natal Regulasies betreffende Tradisionele Leierskap, 2006.

DEEL D – AANHANGSELS**Aanhangsel 1****VORM A****AANSOEK OM ERKENNING AS 'n TRADISIONELE GEMEENSKAP**

AAN: Die Premier van KwaZulu-Natal

p/a

.....

.....

Vir die aandag van:

1. Hierdie is 'n aansoek om erkenning as 'n tradisionele gemeenskap ingevolge artikel 2(2) van die Kwazulu-Natal Wet op Tradisionele Leierskap en Regering, 2005.
2. Die Premier kan hierdie aansoek van die hand wys indien die vorm nie volledig ingevul is nie of die skrif onduidelik is.
3. Naam van die tradisionele gemeenskap:
4. Ander name waaronder die gemeenskap bekend mag staan:
5. Fisiese ligging van die gemeenskap en beskrywing van die gebied waar die gemeenskap in die algemeen woon:
.....

AANHANGSEL 2

Belofte van tradisionele rade, plaaslike huise en die Provinsiale Huis van Tradisionele Leiers
[Regulasie 16]

Ek

.....
 [verstrek lid se volle name]

.....
 [verstrek lid se identiteitnommer]

sal getrou bly aan die Republiek van Suid-Afrika, die Provinsie KwaZulu-Natal en sal die Grondwet handhaaf en alle ander wette van die Republiek van Suid-Afrika en die Provinsie KwaZulu-Natal; en ek belowe plegtig om my funksies as 'n lid van die

.....
 [verstrek naam van toepaslike tradisionele raad, Provinsiale Huis of Plaaslike Huis van Tradisionele Leiers]

na my beste vermoë te vervul

As getuies:

 Lid se handtekening of merk

AANHANGSEL 3

AANTAL RAADSLEDE VAN TRADISIONELE RADE

A Verkose lede	B Inkosi	C Verkose lede*	D Totale aantal vroue**	Getal vroue aangestel	Getal vroue verkies	Totale lede (A+B+C)
17	1	12	10	6	4	30 (maksimum)
16	1	11	10	6	4	28
15	1	10	9	5	4	26
14	1	10	9	5	4	25
13	1	9	8	5	4	23
12	1	8	7	4	3	21
11	1	8	7	4	3	20
10	1	7	6	3	3	18
9	1	6	6	3	3	16
8	1	6	5	3	2	15
7	1	5	4	2	2	13
6	1	4	4	2	2	11
5	1	4	4	2	2	10
4	1	3	3	2	1	8

* Bepaal as $(A + 1) \times 40\%$

** Ingevolge artikel 6(2)(c) van die Wet moet n tradisionele raad uit minstens een-derde vroue bestaan. Die lede is derhalwe afgerond waar 'n breuk as gevolg van die berekening ontstaan.

AANHANGSEL 4

KODE VIR AANGESTELDE BEAMPTES

(REGULASIE 24)

1. Alle aangestelde beamptes moet:
 - (1) Betyds by die werk opdaag en verdaag wanneer die telling afgehandel is;
 - (2) Die opdragte wat deur die voorsittende beampte of adjunk- voorsittende beampte gegee word, gehoorsaam;

- (3) Alle pligte wat toegewys word, op 'n bevoegde en doeltreffende wyse uitvoer;
 - (4) Onpartydig weesen optree en mag geen kandidaat begunstig of kant kies nie;
 - (5) Kiesers met respek, waardigheid en hoflikheid behandel;
 - (6) Akkuraat en deeglik met hulle werk wees;
 - (7) Hulle werk bo verdenking hou;
 - (8) Die stemming geheim hou;
 - (9) Hulle kollegas, waarnemers en sekuriteitspersoneel met respek behandel;
 - (10) Moet netjies geklee en fatsoenlik wees;
 - (11) Hulle op 'n professionele wyse gedra;
 - (12) Moet verseker dat die stemlokaal fatsoenlik en netjies is;
 - (13) Altyd ooreenkomstig die wet optree; en
 - (14) Die voorsittende beampte of die adjunk nader oor helderheid ten opsigte van aangeleenthede wanneer en indien dit nodig is.
2. Tydens die verkiesingsdag word 'n kiesbeampte nie toegelaat nie om:
- (1) Enige kandidaat te werf of vir hom of haar propaganda te maak nie;
 - (2) Die toerusting of bates van 'n kandidaat te gebruik;
 - (3) Agtelosig op te tree;
 - (4) Op bedrieglike wyse op te tree;
 - (5) Klere met enige politieke party se kleure, name, tekens of slagspreuke te dra;
 - (6) Enige toerusting vir persoonlike belang gedurende die ure van die verkiesing en telling te misbruik;
 - (7) Dwelms of alkoholiese stowwe te gebruik; en
 - (8) Enige inligting betreffende hoe 'n kieser gestem het, openbaar te maak.

AANHANGSEL 5 STEMMATERIAAL

1. Die volgende minimum stemmateriaal is by elke stemlokaal nodig:
- (1) stembriefies;
 - (2) stembusse;
 - (3) stemkompartemte;
 - (4) die gesertifiseerde deel van die kieserslys vir die kiesdistrik;
 - (5) onuitwisbare ink;
 - (6) seëls;
 - (7) amptelike stempel;
 - (8) alle voorgeskrewe vorms;
 - (9) potlode en penne;
 - (10) liniale;
 - (11) grensband;
 - (12) baniere;
 - (13) industriële band;
 - (14) koeverte;
 - (15) skuifspelde;
 - (16) plakkers en naamplaatjies;
 - (17) pons.

AANHANGSEL 6

GEDRAGSKODE VIR RAADSLEDE WAT AAN VERKIESINGS VIR TRADISIONELE RADE DEELNEEM

Deel 1

Verbode gedrag

1. Onbehoorlike beïnvloeding

- (1) Niemand mag —
- (a) enige persoon dwing of op onwettige wyse oorreed —
 - (i) om as kieser te registreer of nie te registreer nie;
 - (ii) om te stem of nie te stem nie;
 - (iii) om vir enige genomineerde kandidaat te stem of nie te stem nie; of
 - (iv) om enige genomineerde kandidaat te ondersteun of nie te ondersteun nie;
 - (b) hom of haar met die onafhanklikheid of onpartydigheid van die onafhanklike verkiesingsagentskap, enige lid, werknemer of beampte van die onafhanklike verkiesingsagentskap inmeng nie;
 - (c) enige persoon op grond van enige verlede, huidige of beoogde uitvoering van 'n funksie ingevolge hierdie regulasies benadeel nie;
 - (d) enige persoon, in ruil vir daardie persoon om nie 'n funksie ingevolge hierdie regulasies te verrig nie, bevoordeel of belowe om te bevoordeel nie;
 - (e) enige van die volgende persone verhoed om redelike toegang tot kiesers te verkry, hetsy in 'n private of openbare plek:
 - (i) enige verteenwoordiger van 'n kandidaat of 'n kandidaat;
 - (ii) enige kandidaat in 'n verkiesing;
 - (iii) enige lid, werknemer of beampte van die onafhanklike verkiesingsagentskap;
 - (iv) enige persoon wat deur 'n geakkrediteerde waarnemer aangestel is; of
 - (v) enige persoon wat geakkrediteer is kiesersopvoeding te verskaf.
- (2) Behoudens hierdie regulasies mag niemand enigeen verhoed om 'n reg wat by hierdie regulasies verleen word, uit te oefen nie.
- (3) Niemand, wetende dat 'n ander persoon nie daarop geregtig is om as 'n kieser geregistreer te wees nie, mag —
- (a) sodanige ander persoon oortuig dat daardie ander persoon daarop geregtig is om as 'n kieser geregistreer te wees nie; of
 - (b) aan enige ander persoon voorgee dat daardie ander persoon daarop geregtig is om as 'n kieser geregistreer te wees nie.
- (4) Niemand, wetende dat 'n ander persoon nie daarop geregtig is om te stem nie, mag —
- (a) daardie ander persoon help, dwing of oorreed om te stem nie; of
 - (b) aan enigiemand anders voorgee dat daardie persoon daarop geregtig is om te stem nie.

2. Identiteitsbedrog

- (1) Niemand —
- (a) mag aansoek doen om as 'n kieser in die naam van enige ander persoon, hetsy lewend of dood of fiktief, geregistreer te word nie;
 - (b) mag in die naam van 'n ander persoon, hetsy lewend, dood of fiktief, om 'n stembriefie by 'n stemlokaal aansoek doen nie;
 - (c) wat nie daarop geregtig is om in 'n verkiesing of by 'n stemlokaal te stem nie, mag in daardie verkiesing of by daardie stemlokaal stem nie;
 - (d) mag meer stemme as waarop sodanige persoon geregtig is, uitbring nie; of
 - (e) hom of haar uitgee vir —
 - (i) 'n verteenwoordiger van 'n kandidaat of kandidaat nie;
 - (ii) 'n kandidaat in 'n verkiesing nie;
 - (iii) 'n lid, werknemer of beampte van die onafhanklike verkiesingsagentskap nie;
 - (iv) 'n persoon wat deur 'n geakkrediteerde waarnemer aangestel is nie;
 - (v) 'n persoon wat geakkrediteer is om kiesersopvoeding te verskaf nie.

3. Opsetlike valse verkларings

- (1) Niemand wat ingevolge hierdie regulasies verplig word om 'n verklaring af te lê, mag die verklaring aflê —
- (a) wetende dat dit vals is nie; of
 - (b) sonder om redelikerwys te glo dat die verklaring juis is nie.

- (2) Niemand mag enige valse inligting publiseer wat daarop gemik is om —
- 'n verkiesing te ontwig of te verhoed nie;
 - vyandigheid of vrees te ontlok ten einde die hou of uitslag van 'n verkiesing te beïnvloed nie; of
 - die hou of uitslag van 'n verkiesing te beïnvloed nie.
- 4. Verbrekning van geheimhouding**
- Niemand mag inbreuk maak op 'n kieser se reg op geheimhouding terwyl sodanige persoon stem nie.
 - Behalwe soos ingevolge hierdie regulasie toegelaat, mag niemand —
 - enige inligting oor die stemming of die tel van stemme openbaar maak nie; of
 - enige stembussie of houer wat ingevolge hierdie regulasies verseël is, oopmaak of die seël daarvan breek nie.
- 5. Verbodsbepalings betreffende stemming en verkiesingsmateriaal**
- Behalwe soos ingevolge hierdie regulasies toegelaat, mag niemand —
 - enige stem- of verkiesingsmateriaal druk, vervaardig of verskaf nie;
 - enige stem- of verkiesingsmateriaal verwyder of verberg nie;
 - enige stem- of verkiesingsmateriaal beskadig of vernietig nie; of
 - die kieserslys of enige stem- of verkiesingsmateriaal vir 'n ander doel as vir 'n verkiesingsdoel gebruik nie. - Die onafhanklike verkiesingsagentskap kan —
 - die druk, vervaardiging of voorsiening van enige stem- of verkiesingsmateriaal magtig;
 - die gebruik van die kieserslys of enige stem- of verkiesingsmateriaal vir 'n ander doel as vir 'n verkiesingsdoel magtig; en
 - die verwydering of vernietiging van enige stem- of verkiesingsmateriaal magtig.
- 6. Verbodsbepalings betreffende plakkate en reklameborde gedurende 'n verkiesing**
- Vanaf die datum waarop 'n verkiesing uitgeroep word tot die datum waarop die uitslag van die verkiesing ingevolge regulasie 23 bepaal en verklaar word, mag niemand enige reklamebord, plakkaat of biljet wat deur 'n kandidaat gepubliseer is, skend of onregmatig verwyder nie.
- 7. Dwarsboming van of nie-nakoming van voorskrifte van onafhanklike verkiesingsagentskap en ander beamptes**
- Niemand mag 'n wettige opdrag, instruksie of bevel van die onafhanklike verkiesingsagentskap of 'n lid, werknemer of beampte van die onafhanklike verkiesingsagentskap weier of versuim om daaraan gehoor te gee nie.
 - Niemand mag die onafhanklike verkiesingsagentskap of 'n persoon vermeld in subitem (1) of iemand wat deur 'n geakkrediteerde waarnemer aangestel is, in die uitoefening van hulle bevoegdhede of die uitvoering van hulle pligte dwarsboom of hinder nie.
- 8. Oortreding van Kode**
- Geen persoon of geregistreerde party wat deur die Kode gebind word, mag 'n bepaling van daardie Kode oortree of versuim om daaraan te voldoen nie.
- Deel 2**
- Afdwinging**
- 9. Instelling van en tussenkoms in siviele verrigtinge deur onafhanklike verkiesingsagentskap**
- Behoudens hierdie regulasies en enige ander wet, kan die LUR, hetsy persoonlik of deur die onafhanklike verkiesingsagentskap siviele verrigtinge in 'n hof instel ten einde die bepalinge van hierdie regulasies of die Kode af te dwing.
 - Die LUR kan, hetsy persoonlik of deur die onafhanklike verkiesingsagentskap, tussenbeide tree in enige siviele verrigtinge indien die LUR of onafhanklike verkiesingsagentskap 'n regmatige belang by die uitkoms van sodanige verrigtinge het.
- 10. Regsbevoegdheid en bevoegdhede van Verkiesingstribunaal**
- Die Verkiesingstribunaal besit regsbevoegdheid ten opsigte van alle verkiesingsgeskille en klagtes oor oortredings van die Kode.
 - Indien die Verkiesingstribunaal bevind dat iemand 'n bepaling van Deel 1 van hierdie Kode oortree het, kan hy in die belang van 'n vry en billike verkiesing, enige toepaslike straf of sanksie teen sodanige persoon instel, met inbegrip van —
 - 'n formele waarskuwing;
 - 'n boete van hoogstens R10 000.00;
 - 'n bevel ingevolge waarvan —

- (a) sodanige persoon verbied word om enige openbare media te gebruik;
 - (b) sodanige persoon verbied word om enige openbare vergadering, demonstrasie, optog of ander gebeurtenis te hou;
 - (c) sodanige persoon verbied word om enige stembestuur binne te gaan met die doel om kiesers te werf of vir enige ander verkiesingsdoelmerk;
 - (d) sodanige persoon verbied word om plakkate, reklameborde of biljette te publiseer of op of in enige plek op te rig;
 - (e) sodanige persoon verbied word om enige veldtogliteratuur te publiseer of te versprei;
 - (f) sodanige persoon verbied word om verkiesings te adverteer;
 - (g) beperkings opgelê word op die reg van sodanige persoon om enige van die aktiwiteite vermeld in paragraaf (d) te verrig;
 - (h) sodanige persoon of enige agente van sodanige persoon belet word om 'n stemlokaal te betree;
 - (i) die aantal stemme wat ten gunste van sodanige persoon uitgebring is, te verminder;
 - (j) die kandidatuur van sodanige persoon gekanselleer word; of
- (6) Enige straf of sanksie bepaal in hierdie afdeling is bykomend tot enige straf bepaal in Deel 3 van hierdie Kode.

Deel 3

11. Oortredings en strawwe

- (1) Enige persoon wat 'n bepaling van hierdie regulasies oortree is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete of gevangenisstraf vir 'n tydperk van hoogstens 12 maande of met sowel sodanige boete as sodanige gevangenisstraf.

Deel 4

Bykomende bevoegdhede en pligte van onafhanklike verkiesingsagentskap

12. Verkiesingsgedragskode en ander kodes

- (1) Die Verkiesingsgedragskode moet onderskrywe word deur —
 - (a) elke geregistreerde kandidaat voordat sodanige kandidaat toegelaat word om aan 'n verkiesing deel te neem; en
 - (b) elke kandidaat voordat sodanige kandidaat op 'n lys van kandidate geplaas word.
- (2) Ten einde 'n vry, regverdige en ordelike verkiesing te bevorder, kan die onafhanklike verkiesingsagentskap enige ander kode opstel en uitreik.
- (3) Die onafhanklike verkiesingsagentskap kan 'n kode wat ingevolge hierdie deel uitgereik word, verander of vervang.
- (4) 'n Kode wat ingevolge hierdie deel uitgereik word, of 'n verandering of vervanging van sodanige kode, moet in die Koerant gepubliseer word.

AANHANGSEL 7

KODE VIR GEAKKREDITEERDE VOORSIENERS VAN KIESERSOPVOEDING

- 1. Elke geakkrediteerde voorsiener van kieseropvoeding moet —
 - (1) kiesers inlig oor en bewus maak van hulle beskermde reg op vryheid van gewete en oortuiging, vryheid van spraak en uitdrukking, vryheid van assosiasie en vreedsame samekoms, vryheid van beweging en die reg om vryelik aan verkiesingsaktiwiteite deel te neem;
 - (2) die reg van kiesers respekteer om 'n kandidaat van hulle keuse te kies deur 'n onpartydige opleidingsmetode te gebruik;
 - (3) verseker dat kiesers ingelig is oor en bewus gemaak word daarvan dat dit die kandidate en die media vry staan om inligting en opinies weer te gee;
 - (4) altyd op 'n onpartydige wyse optree en vry wees van enige invloed of beheer deur enige politieke party of organisasie; en
 - (5) daarna strewende om demokratiese pluralisme en 'n kultuur van verdraagsaamheid te bevorder.
- 2. Elke geakkrediteerde voorsiener van kiesersopvoeding moet —
 - (1) sodanige rekeningboeke wat redelikerwys nodig is, byhou; en
 - (2) fondse wat ontvang word, vir die doel waarvoor dit begroot is, gebruik.
- 3. Geen geakkrediteerde voorsiener van kiesersopvoeding mag —
 - (1) misbruik maak van enige fondse wat ontvang word vir die doel van kiesersopvoeding nie;
 - (2) poog om vas te stel vir watter kandidaat enige kieser van voorneme is om te stem nie;
 - (3) 'n kieser oorhaal, beïnvloed, oorreed of kry om in 'n verkiesing te stem nie, wetende dat sodanige kieser nie daarop geregtig is om in die betrokke verkiesing te registreer of te stem nie;
 - (4) die keuse van 'n kieser betreffende enige kandidaat in 'n verkiesing beïnvloed of poog om te beïnvloed nie;
 - (5) enige valse inligting van welke aard ook al publiseer, herhaal of bekend maak nie; en

- (6) die werk van enige beampte of verteenwoordiger van die onafhanklike verkiesingsagentskap dwarsboom of daarmee inmeng nie.
4. Geakkrediteerde voorsieners van kiesersopvoeding —
- (1) moet streng neutraal en onpartydig optree in elke aangeleentheid wat op enige kandidaat of kieser betrekking het;
 - (2) mag niks doen wat daarop kan dui of wat beskou kan word as partydige ondersteuning van 'n kandidaat nie;
 - (3) mag geen geskenk of guns van enige persoon wat by die verkiesingsproses betrokke is, ontvang nie; en
 - (4) mag nie enige klaarblyklik partydige partysimbole of kleure aanhê, dra of vertoon nie.

AANHANGSEL 8

GEDRAGSKODE VIR GEAKKREDITEERDE WAARNEMERS

1. Elke geakkrediteerde waarnemer en persoon wat deur die waarnemer aangestel word, moet —
 - (1) die verkiesing onpartydig en onafhanklik van enige politieke party of kandidaat wat aan die verkiesing deelneem, waarneem;
 - (2) onpartydig en neutraal bly;
 - (3) bekwaam en professioneel wees in die waaneming van die verkiesing;
 - (4) die onafhanklike verkiesingsagentskap voorsien van 'n omvattende oorsig van die verkiesing, in ag genome alle omstandighede wat daarop betrekking het, met inbegrip van —
 - (a) die graad van onpartydigheid wat deur die onafhanklike verkiesingsagentskap getoon is;
 - (b) die graad van vryheid van kandidate om te organiseer, te beweeg, te vergader en hulle opinies in die openbaar uit te spreek;
 - (c) die geleentheid wat aan kandidate se agente gebied word om alle aspekte van die verkiesingsproses waar te neem;
 - (d) die regverdigheid van kandidate se toegang tot die media en ander staatsbronne;
 - (e) die behoorlike aanbidding van die stemming en die telling van stembriefies; en
 - (f) enige ander aangeleentheid wat betrekking het op die wesenlike vryheid en regverdigheid van die verkiesing.
 - (5) Voldoen aan alle opdragte wat gegee word en elke verpligting wat opgelê word deur —
 - (a) die onafhanklike verkiesingsagentskap;
 - (b) enige kiesbeampte; of
 - (c) enige werknemer of beampte van die onafhanklike verkiesingsagentskap; of
 - (d) 'n lid van die sekuriteitsdienste, handelende in opdrag van 'n beampte.
2. Die geakkrediteerde waarnemer en enige persoon wat deur die waarnemer aangestel word —
 - (1) Moet hulle daarvan weerhou om enigiets te doen wat as partydige ondersteuning van 'n kandidaat beskou kan word.
 - (2) Moet streng neutraal en onbevooroordeeld optree.
 - (3) Moet enige verhouding wat tot 'n botsing van belange aanleiding kan gee met betrekking tot die verrigting van hulle pligte as waarnemers of die waarnemingsproses of die beoordeling van die verkiesing, aan die onafhanklike verkiesingsagentskap bekend maak.
 - (4) Mag geen geskenke of gunste van 'n kandidaat, organisasie of persoon betrokke by die verkiesingsproses, aanvaar nie..
 - (5) Mag nie aan enige funksie of aktiwiteit deelneem wat kan lei tot 'n persepsie van simpatie vir 'n bepaalde kandidaat nie.
 - (6) Mag nie 'n mening uitspreek oor enige aangeleentheid wat die onderwerp van 'n verkiesingsveldtog is nie.
 - (7) Mag nie die keuse van 'n kieser beïnvloed of poog om te beïnvloed met betrekking tot enige kandidaat in 'n verkiesing nie.
 - (8) Mag nie enige geregistreerde party se simbole of kleure aanhê, dra of vertoon nie.

AANHANGSEL 9
VERKIESINGSVORMS

Vorm 1
BENOEMING VAN KANDIDATE VIR TRADISIONELE RAADSVERKIESINGS

ONAFHANKLIKE VERKIESINGSAGENTSAP
BENOEMING VAN KANDIDATE VIR TRADISIONELE RAADSVERGADERINGS

Verkiesingsdatum:

Isizwe:

Isigodi:

Ek, _____ (identiteitsnommer: _____)

gewoonlik woonagtig in bovermelde isizwe en isigodi en geregistreer as

'n kieser in daardie isizwe se deel van die kieserslys, benoem hierby _____

(identiteitsnommer: _____) om deel te neem aan die verkiesing in bovermelde isizwe as 'n kandidaat

Aangeheg is —

(a) die voorgeskrewe aanvaarding van benoeming onderteken deur die kandidaat;

(b) 'n gesertifiseerde afskrif van die kandidaat se identiteitsdokument waarop die kandidaat se foto, naam en identiteitsnommer verskyn; en

Handtekening: Plek:

Datum:

Kontakbesonderhede van —

(a)

Benoemer

(b)

Kandidaat Verwysingsnommer:

Vorm 2
AANVAARDING VAN BENOEMING DEUR 'n KANDIDAAT VIR TRADISIONELE RAADSVERKIESING

ONAFHANKLIKE VERKIESINGSAGENTSAP
AANVAARDING VAN BENOEMING DEUR 'n KANDIDAAT VIE TRADISIONELE RAADSVERKIESING

Verkiesingsdatum:

Isizwe:

Isigodi:

Ek, _____ (identiteitsnommer: _____)

aanvaar hierby my benoeming as 'n kandidaat [skrap wat nie van toepassing is nie] in bovermelde verkiesing deur

(Nota: Verstrek naam van benoemingsindividu)

Plek:

Datum:

Handtekening van kandidaat

Verwysingsnommer:

NB: Gebiede in grys gearseer is slegs vir amptelike gebruik deur OVK

Vorm 3

VOORSITTENDE BEAMPTTE SE STEMBRIEFVERKLARING IN TRADISIONELE RAADSVERKIESING

ONAFHANKLIKE VERKIESINGSAGENTSAP

VOORSITTENDE BEAMPTTE SE STEMBRIEFVERKLARING IN TRADISIONELE RAADSVERKIESING

Vekiesingsdatum:

Isizwe:

Stemdistrik:

Isigodi:

Stemlokaal:

DEEL 1: STEMBUSSE

Totale aantal stembusse ontvang	
Aantal stembusse gebruik	
Aantal ongebruikte stembusse	
Gebruik plus ongebruik moet dieselfde wees as totaal ontvang	

DEEL 2: STEMBRIEWE

(a) Totale aantal stembriewe ontvang	
(b) Totale aantal stembriewe uitgereik	
(c) Totale aantal stembriewe nie uitgereik nie	
(d) Totaal (b) + (c)	
(e) Totale aantal stembriewe gekanselleer	
(f) Totaal van stembriewe in die gebruikte busse	
(g) Totaal (e) + (f)	

NOTA:Die syfers in kolom (d) moet dieselfde wees as dié in kolom (a).

Die syfers in kolom (g) moet dieselfde wees as dié in kolom (b).

Handtekening van Voorsittende Beampte

Datum

Vorm 4

UITSLAGVORM MOET DEUR TELBEAMPTTE INGEVUL WORD TEN OPSIGTE VAN STEMME UITGEBRING VIR KANDIDATE IN TRADISIONELE RAADSVERKIESING

VERKIESINGKOMMISSIE

UITSLAGVORM MOET DEUR TELBEAMPTTE INGEVUL WORD TEN OPSIGTE VAN STEMME UITGEBRING VIR KANDIDATE IN TRADISIONELE RAADSVERKIESING

Verkiesingsdatum:

Tradisionele gemeenskap:

Distriksbestuursgebied [indien van toepassing]:

Stemdistrik:

UITSLAG VAN TELLING

NAAM VAN KANDIDAAT	AANTAL STEMME	HANDTEKENING VAN KANDIDAAT/AGENT/WAARNEMER

Handtekening van Telbeampte:	Naam van Telbeampte:	Identiteitsnommer:
Datum:	Telefoonkontaknommer:	Telefoonkontaknommer na ure:

Vorm 5
BESWAAR BETREFFENDE STEMMING IN TRADISIONELE RAADSVERKIESINGS

ONAFHANKLIKE VERKIESINGSAGENTSAP
BESWAAR BETREFFENDE STEMMING IN TRADISIONELE RAADSVERKIESINGS

Verkiesingsdatum:

Isizwe:

Stemdistrik:

Isigodi:

Beswaarmaker

Identiteitsnommer:

Volle Name

Agent/Kandidaat/ Kieser:
(Waar van toepassing)

Ek teken beswaar aan teen:

'n Kieser wat toegelaat is om te stem

'n Kieser wat toegelaat is om by hierdie lokaal te stem

'n Kieser (of ekself) aan wie 'n stembrief geweier is

Die gedrag van 'n beampte, agent of iemand anders by hierdie stemlokaal

Redes vir beswaar (met volledige besonderhede van kieser, beampte, agent of ander persoon betrokke)

Handtekening van beswaarmaker

Datum

Voorsittende Beampte se beslissing

Handtekening van beswaarmaker

Datum

Vorm 6
AANSOEK OM AKKREDITASIE VIR KIESERSOPVOEDING IN TRADISIONELE RAADSVERKIESINGS

ONAFHANKLIKE VERKIESINGSAGENTSAP
AANSOEK OM AKKREDITASIE VIR KIESERSOPVOEDING IN TRADISIONELE RAADSVERKIESINGS

Aansoek ten opsigte van al die Tradisionele Raadsverkiesings wat sal plaasvind op
_____ (Datum van verkiesing)

Notas:

- (i) Die oorspronklike aansoek moet by die Verkiesingsagentskap ingedien word

- (ii) Indien die verlangde inligting nie in die ruimte wat voorsien word verstrekk kan word nie, moet die inligting as 'n afsonderlike memorandum ingedien word en hierby aangeheg word. (iii) Skrap indien nie van toepassing nie.

1. BESONDERHEDE BETREFFENDE DIE AANSOEKER

1.1 Volle naam:

1.2 Handelsnaam:

1.3 Volle sake-/woonadres	1.4 Posadres: Poskode:
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1.5 Telefoonnommer:	1.6 Faksnommer (indien enige)
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1.7 Selfoonnommer (indien enige):	1.8 E-posadres (indien enige)
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1.9 Regstatus van aansoeker/houer (individu/beslote korporasie/maatskappy/trust/ander – spesifiseer):

1.10 Registrasienommer in die geval van 'n beslote korporasie/maatskappy/trust:

1.11 Volle besonderhede ten opsigte van die individu/elke verantwoordelike direkteur/aandehouer/ampsbekleër:

Naam	Hoedanigheid	Identiteitsno.	Nasionaliteit	Land waar permanent gewoon word

2. PERSOONLKE HOEDANIGHEID

2.1 Aantal opvoedingsvoorsieners in u diens:

2.2 Volle besonderhede van opvoedingsvoorsieners in die gebied van kiesersopvoeding of aangeleenthede betreffende verkiesingsadministrasie:

Volle Name	Pos	Kwalifikasie

2.3 Volle besonderhede van bestuurs-, finansiële en administratiewe vaardighede:

--

2.4 Volle besonderhede betreffende bankrekenings, ouditeurs en finansiële bestuur, ouditering en openbare boekhoustelsels wat bygehou word.

3. INSTITUSIONELE HOEDANIGHEID

3.1 Fasiliteite:				
Biblioteek	Oudio-visueel	Opleidingsentrum	Konferensie	Ander (spesifiseer)

3.2 Opleidingshulpmiddels:			
Oudio-visueel	Industriële teater	Brosjures	Ander (spesifiseer)

3.3 Taal waarin materiaal beskikbaar is:

3.4 Bron van befondsing:

4. KURRIKULUM EN SILLABUS VIR KIESERSOPVOEDING

4.1 Oogmerke:
4.2 Doelstellings:
4.3 Geprojekteerde teikengroepe (kategorie van persone om opgelei te word):
4.4 Geografiese omvang van werksaamheid:

4.5 Besonderhede van kursus:					
Module	Inhoud van sillabus	Metodologie	Prestasie van	Evalueringsmeganisme	Duur van leerderkursus
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

5. ONDERSTEUNENDE DOKUMENTE

Die volgende dokumente word aangeheg ter ondersteuning van die aansoek:
1.
2.
3.
4.

Ek doen hierby aansoek om akkreditasie om kiesersopvoeding te voorsien in 'n verkiesing en —

(a)

sertifiseer dat alle besonderhede wat in hierdie vorm verskaf is, asook die ondersteunende dokumente waar en juis is; en

(b)

sertifiseer dat ek die Kode vir Geakkrediteerde Kiesersopvoedingsvoorsieners onderskryf en onderneem om te verseker dat persone wat deur my aangestel word om kiesersopvoeding te voorsien, ook sodanige kode onderskryf.

Datum:

(geteken)

Naam:
Hoedanigheid:

Vorm 7

AANSOEK OM AKKREDITASIE AS WAARNEMER IN DIE TRADISIONELE RAADSVERKIESINGS

ONAFHANKLIKE VERKIESINGSAGENTSskap

AANSOEK OM AKKREDITASIE AS WAARNEMER IN TRADISIONELE RAADSVERKIESINGS

Aansoek ten opsigte van al die Tradisionele Raadsverkiesings wat plaasvind op

_____ (datum van verkiesing)

1.1 Naam van aansoeker:

1.2 Adres van geregistreerde kantoor van aansoeker

1.3 Telefoonnommer:

1.4 Faksnommer (indien enige):

1.5 E-posadres (indien enige):

1.6 Registrasienuommer van aansoeker (indien van toepassing):

1.7 Datum van totstandkoming:

1.8 Aantal persone wat as waarnemers aangestel gaan word:

1.9 Persoon in beheer van die koördinerende persoon van die aansoeker se waarnemers:

1.10 Merk of simbool van aansoeker:

--

1.11 Besonderhede van persone wat deur aansoeker aangestel word:

Naam	Hoedanigheid	Identiteits-/ paspoortnommer	Nasionaliteit	Datum van aankoms in en vertrek uit Suid-Afrika (indien van toepassing)

NB. Indien daar nie genoeg ruimte is nie, kan papier waarop die nodige kolomme getrek is, gebruik word. Ondersteunende dokumente: Die aansoek moet van die volgende vergesel gaan:

(a) Afskrif van die stigtings- of samestellingsakte van die aansoeker.

(b) 'n Verklaring van die redes waarom die aansoeker geskik is vir akkreditering om die verkiesingsproses waar te neem.

(c) 'n Bevestiging dat die aansoeker hom of haar daartoe verbind om met die Agentskap saam te werk met betrekking tot die opleiding, gedrag en die aanwending van persone. Ons doen hierby aansoek om akkreditering as waarnemer en sertifiseer dat alle besonderhede wat in hierdie vorm verstrekk is, waar en korrek is en sertifiseer dat alle persone wat deur ons aangestel word, die Gedragskode vir Waarnemers sal onderskryf.

Handtekening van behoorlik gemagtigde persoon namens die aansoeker

Datum

Hoedanigheid:

Naam

Vorm 8

VERKLARING VAN GEHEIMHOUDING IN DIE TRADISIONELE RAADSVERKIESINGS

ONAFHANKLIKE VERKIESINGSAGENTSskap

VERKLARING VAN GEHEIMHOUDING IN DIE TRADISIONELE RAADSVERKIESINGS

Verkiesingsdatum:

Ek _____ (volle name) wat aangestel gaan word as 'n beampte in die hoedanigheid van

1. erken dat ek betrokke sal wees by die sake van die Onafhanklike Verkiesingsagentskap;

2. erken dat in my pos as 'n lid van die plaaslike verkiesingspersoneel, inligting en dokumentasie betreffende die sake van die Verkiesingsagentskap aan my bekend gemaak sal word;

3. kom ooreen en bevestig dat ek al sodanige inligting en dokumentasie as streng vertroulik sal hanteer en dit sal beskerm en nie aan enige persoon bekend sal maak nie, tensy ek gemagtig word om aldus te doen;

4. bevestig dat ek gebind sal wees deur hierdie Verklaring van Geheimhouding, nieëstaande die beëindiging van my aanstelling.

Handtekening

Datum

GETUIES:

UMNYANGO WOHULUMENI BASEKHAYA NEZINDABA ZOMDABU**UMTHETHO WOBUHOLI BOMDABU KWISIFUNDAZWE SAKWAZULU-NATALI 2005
(UMTHETHO ONGUNOMBOLO 5 KA 2005)****IMITHETHO NQUBO YOBUHOLI BOMDABU KWAZULU-NATALI**

NNGOKULANDELA isigaba 44(2) soMthetho ongunombolo 5 ka 2005 wobuHoli boMdabu NokuBusa Esifundazweni SaKwaZulu-Natali, iLungu Lomkhandlu Olawulayo elibhekene nezoHulumeni Basekhaya, kanye nezoMdabu selenze imithethonqubo evezwe ohlelweni olukhona lapha.

Imithethonqubo izoqala ukusebenza ngosuku lokukhishwa kwigazethi Yesifundazwe.

M MABUYAKHULU

UNgqongqoshe Wohulumeni Basekhaya, Ezezindlu Nezindaba zoMdabu.

UHLELO**IMITHETHONQUBO YOBUHOLI BOMDABU KWAZULU-NATALI, 2006****OKUQUKETHWE****INGXENYE A — IZINCAZELO NOKUHUNYUSHWA**

1. Izincazelo
2. Ukuhunyushwa

INGXENYE B — OKUTHINTA IZINDAWO ZONKE

3. Ukufakwa kwezicelo zokwamukeleka njengomphakathi omiswe ngokwenqubo yoMdabu
4. Ukusungulwa kwemikhandlu emiswe ngokwenqubo yoMdabu
5. Izigodi
6. Ubulungu boMkhandlu WezoMdabu
7. Amalungu aqokiwe emikhandlu yezoMdabu
8. Amalungu akhethiwe emikhandlu yezoMdabu
9. Imihlangano yemikhandlu yezoMdabu
10. Izindlu zesifunda zabaholi bezoMdabu
11. Imihlangano yezindlu zesifunda.
12. Amakomidi alawulayo ezindlu zesifunda
13. INdlu Yesifundazwe Yabaholi BezoMdabu
14. Imihlangano yeNdlu Yesifundazwe
15. Ikomidi elilawulayo leNdlu Yesifundazwe
16. Ukuzibophezela ukuqala ukusebenza

INGXENYE C — UKHETHO

17. Lapho kuzosebenza khona iNgxenywe C
18. Ukuqashwa kwabazimele abazosingatha ukhetho
19. Ukumenyenzelwa nokulungiselelwa kokhetho
20. Ilungelo lokuvota
21. Ilungelo lokuphakanyiswa
22. Ukuphakanyiswa nokuqokwa kwabangenele ukhetho
23. Ukumiswa kwezikhungo zokuvota
24. Abasebenzi bokhetho
25. Ukubhaliswa kwabavoti nokwenziwa kohla lwabavoti
26. Impahla yokuvota
27. Ukuphathwa kokuqhubeka kokhetho
28. Amahora okuvota

29. Imingcele yezikhungo zokuvota
30. Izikhungo zokuvota ezingomahambanendlwana
31. Izinqubo zangasekuqaleni
32. Inqubo yokuvota
33. Usizo kubavoti abathize
34. Ukukhishwa kwamaphepha okuvota
35. Ukufakwa kophawu esandleni
36. Ukuvalwa kwamabhokisi okuvota
37. Ukuqedelwa kwesitatimende samaphepha okuvota kanye nokuvalwa kwempahla yokuvota.
38. Indlela yokubala amavoti
39. Inqubo mayelana nemiphumela kanye nempahla yokuvota
40. Ukulingana kwamavoti nokumeleleka
41. Impikiswano okhethweni kanye nokufakwa kwezikhalo
42. Ukumiswa Kwesigungu Sokulalela Amacala.
43. Ukufunga kwamalungu omkhandlu akhethiwe
44. Ukhetho Lokuchibiyela
45. Inqubo Yokuziphatha
46. Indlela yokuziphatha engamukelekile
47. Ukukhethwa kwamalungu esigungu ezindlu zesifunda.
48. Ukukhethwa lwamalungu ezindlu zesifunda ukuba angene eNdlini Yesifundazwe.
49. Ukukhethwa kwamalungu ekomidi elilawulayo leNdlu Yesifundazwe.
50. Ukufunga kwamalungu amakomidi alawulayo eziNdlu Zesifunda Nezesifundazwe.
51. Izihlinzeko ezijwayelekile
52. Imfundo mayelana nokuvota
53. Izingqapheli zokhetho
54. Ukukhankasela ukhetho
55. Ukuqiniswa kobumfihlo
56. Ukwephulwa kwemithetho kanye nokunikezwa kwezijeziso
57. Izihloko ezimfushane

INGXENYE D- IZENGEZO

IMITHETHONQUBO YOBUHOLI BOMDABU KWAZULU-NATALI, 2006

INGXENYE A – IZINCAZELO NOKUHUNYUSHA

1. Izincazelo

Kule mithethonqubo igama noma umusho onikezwe incazelo kuMthetho kuyobe kuchazwa lokho, ngaphandle uma ingqikithi yendabo isho okunye —

“**uMthetho**” kusho uMthetho 2005 (Umthetho nombolo 5 ka 2005) woBuholi boMdabu nokuBuswa kwisiFundazwe saKwaZulu-Natali;

“**Ukhetho lokuchibiyela**” kusho ukhetho lokuchibiyela olushiwo kumthethonqubo 22 wale mithethonqubo;

“**abangenele ukhetho**” kusho umuntu igama lakhe eliphakanyisiwe ngokomthethonqubo 22 wale mithethonqubo;

“**isakhamuzi**” ngokwale mithethonqubo kusho isakhamuzi saseNingizimu Afrika esinomazisi;

“**usuku**” ngokwale mithethonqubo usuku lusho usuku lokusebenza, ngaphandle kwezimpelasonto kanye namaholidi omphakathi;

“**umnyango**” kusho umnyango kuHulumeni wesiFundazwe saKwaZulu-Natali oqondene nezoMdabu;

“**uMasipala Wesifundazwe**” kusho umasipala oneziphathimandla ezilawulayo nezishaya imithetho endaweni enomasipala besifunda abangaphezu kowodwa, njengoba kubekiwe esigabeni 5 soMthetho wokuNqunywa kweziNhlobo zoMasipala, 2000 nec-haziwe esigabeni 155(1)(c) soMthethosisekelo njengomasipala owuhlobo C;

“**ukhetho**” kusho ukhetho olushiwo kule mithethonqubo;

“**uhlelo lwezikhathi zokuvota**” kusho uhlelo lwezikhathi zokuvota oluzokwakhiwa nenhlangano ezimele ezosingatha ukhetho ngokomthethonqubo 19(3) wale mithethonqubo;

“**iSigungu Sokulalela Amacala**” kusho ibandla elizoqokwa ngokomthethonqubo-42 wale mithethonqubo;

“**UMthetho wezoKhetho**” kusho uMthetho wezoKhetho, 1998 (uMthetho No. 73 ka 1998);

“**iGazethi**” kusho *iGazethi Yesifundazwe* esemthethweni yaKwaZulu-Natali;

“**umazisi**” kusho umazisi okhishwe ngemva komhlazi-1 kuNtulikazi 1996, ngokwesigaba 8 soMthetho woKwazisa, 1986 (uMthetho No. 72 ka 1986), noma isitifiketi sesikhashana soKwazisa ekhishwe ngokoMthetho woKwazisa, 1997 (UMthetho No. 68 ka 1997);

“**IKhomishana Yokhetho Ezimele**” kusho iKhomishana eyasungulwa ngaphansi koMthetho weKhomishana yoKhetho, 1996 (uMthetho No. 51 ka 1996);

“**Imbizo**” kusho umhlangano wokubonisana njengoba kuchaziwe kuMthetho;

“**inkosi**” kusho umholi omiswe ngokwenqubo yoMdabu ophezulu ngokwesikhundla njengoba kuchaziwe kuMthetho, kanti “**amakhosi**” angubuningi bakhona;

“**isigodi**” kusho ukuklanywa kwemingcele kwesifunda sasemakhaya emphakathini omiswe ngokwenqubo yoMdabu;

“**iSilo**” kusho Inkosi enkulu Yesifundazwe saKwaZulu-Natali njengoba kuchazwe kuMthetho;

“**indlu yesifunda**” kusho indlu yesifunda yabaHoli boMdabu njengoba kuchazwe kuMthetho;

“**Ilungu Lomkhandlu Ophethe**” kusho iLungu loMkhandlu oLawulayo elibhekene nezindaba zoMdabu kwisiFundazwe;

“**ukuphakanyiswa**” kusho ukuphakanyiswa okushiwo kumthethonqubo 22 wale mithethonqubo;

“**izingqapheli**” kusho umuntu ongunya lokubheka ukuqhubeka kokhetho ngokwale mithethonqubo;

“**umsebenzi**” kusho —

(a) ophethe isikhundla esithize noqokwe ngokomthethonqubo 24 wale mithethonqubo;

(b) umsebenzi owengamele;

(c) isekela lomsebenzi owengamele;

(d) umsebenzi ovotisayo;

(e) umsebenzi wokubala amavoti;

(f) umbali wamavoti;

(g) umsebenzi woMnyango.

“**umsebenzi owengamele**” kusho umuntu owengamele okhethweni noqokwe ngokwemithethonqubo 24(3)(a) yale mithethonqubo;

“**isiFundazwe**” kusho isiFundazwe saKwaZulu-Natali;

“**iNdlu Yesifundazwe**” kusho iNdlu Yesifundazwe yabaHoli abamiswe ngokwenqubo yoMdabu njengoba kuchaziwe kuMthetho;

“**ukuthathwa njengofanele**” kusho ukwazeka noma ukwamukeleka njengoba kushiwo kuMthetho, kanti u “-aziwa/ -amukeleka” unencazelo ehambisana nako;

“**imithethonqubo**” kusho le mithethonqubo kanti kufaka nezithasiselo;

“**isakhamuzi**” kusho umuntu ohlala endaweni eyingxenywe yomphakathi omiswe ngokwenqubo yzoMdabu;

“**umphakathi omiswe ngokwenqubo yoMdabu**” kusho umphakathi omiswe ngokwenqubo yoMdabu njengoba kuchaziwe kuMthetho;

“**umkhandlu omiswe ngokwenqubo yoMdabu**” kusho umkhandlu omiswe ngokwenqubo yoMdabu njengoba kuchaziwe kuMthetho;

“**umvoti**” kusho umuntu ogama lakhe livela ohlwini labavoti”;

“**uhla lwabavoti**” kusho lawo mazinga ohla lwabavoti oluyosetshenziswa okhethweni ngokwale mithethonqubo eyaqinisekiswa yilungu lomkhandlu ophethe ngokomthethonqubo 25 wale mithethonqubo;

“**isigodi sokuvota**” ngokwezinhloso zale mithethonqubo kusho indawo enengxenywe eyodwa yesigodi kumbe inhlanganisela yezigodi ezimbili noma ngaphezulu ezakhelwe uhla labavoti ngokomthethonqubo 25 wale mithethonqubo;

“**isikhungo sokuvota**” kusho isikhungo sokuvota ngokwezinjongo zokuvota ezisungulwe ngokomthethonqubo 23 wale mithethonqubo.

2. Ukuhunyushwa

(1) Umuntu ohumusha noma osebenzisa le mithethonqubo kumele —

(a) enze njalo ngendlela efeza okushiwo ngumthethosisekelo. Iziqiniseko kanye nemisebenzi equkethwe kuMthethosisekelo;

(b) aqikelele uMthetho Ochibiyelwe woHlaka lobuHoli omiswe ngokwenqubo yoMdabu kanye nokuBuswa, 2003 (uMthetho No. 41 ka 2003) noMthetho; futhi

(c) aqikelele amasiko nezinkolelo zemiphakathi emiswe ngokwenqubo yoMdabu inqobo nje uma ingashayisani nohlaka lomthetho kanye noMthethosisekelo;

INGXENYE B – OKUTHINTA IZINDAWO ZONKE**3. Ukufakwa kwezicelo zokwamukeleka njengomphakathi omiswe ngokwenqubo yoMdabu**

- (1) Umphakathi ofisa ukufaka isicelo sokwazeka njengomphakathi omiswe ngokwenqubo yoMdabu kumele ugcwalise iFomu A elikwisiThasiselo 1, futhi kumele uyise ifomu eligcwalisiwe kuNdunankulu wesiFunda saKwaZulu-Natali.
- (2) Ifomu kumele ligcwalisiwe ngokugcwele, lisayinwe ngosemthethweni njengokulindelekile, omele lowo mphakathi.
- (3) Ifomu lingayiswa kuNdunankulu ngesandla noma liposwe ngeposi eliqale ngokukhokhelwa labhaliswa, lithunyelwe kuNdunankulu, ngezandla zomphathi womnyango wesifunda obhekene nezindaba zoMdabu.
- (4) Ezinyangeni ezintathu emva kokuthola isicelo esigcwalisiwe njengokufaneleyo uNdunankulu kumele asho ukuba lowo mphakathi ungemukeleka yini njengomphakathi omiswe ngokwenqubo yoMdabu, noma enqabe ukwenza njalo.
- (5) UNdunankulu kumele atshele umphakathi lowo ngesinqumo sakhe ngokuwubhalela emasontweni amathathu, futhi kumele akhiphe lesi sinqumo njengesaziso kwigazethi. Ukwaziwa komphakathi njengomphakathi omiswe ngokwenqubo yoMdabu kuzoqala ukusebenza ngemva kokukhishwa kwesaziso kwigazethi.
- (6) Isaziso esazisa umphakathi njengomphakathi omiswe ngokwenqubo yoMdabu kumele naso sicacise —
 - (a) igama umphakathi omiswe ngokwenqubo yoMdabu ozokwaziwa ngalo
 - (b) inani lamalungu omkhandlu omiswe ngokwenqubo yoMdabu okufanele lisungulwe yilowo mphakathi.
- (7) uNdunankulu kumele anikeze umphakathi owaziwa njengomphakathi omiswe ngokwenqubo yoMdabu isitifiketi sokwamukeleka.
- (8) Ekwaziweni, umphakathi omiswe ngokwenqubo yoMdabu kumele uqikelele ukuthi izinyathelo ezifanele ziyathathwa ukuqinisekisa ukuhambisana noMthetho, ikakhulukazi izigaba 3 nsesi 6(1).
- (9) Umphakathi uhlala waziwa njengomphakathi omiswe ngokwenqubo yoMdabu kuze kube wukuthi ukwemukeleka kwawo kuyahoxiswa njengoba kushiwo esigabeni 5 soMthetho.
- (10) Uma umphakathi omiswe ngokwenqubo yoMdabu ucela uNdunankulu ukuba ahoxise ukwaziwa kwawo njengomphakathi omiswe ngokwenqubo yoMdabu njengoba kushiwo esigabeni 5(1) soMthetho, kumele wenze njalo ngokubhala phansi futhi uveze imininingwane eyanele ukuze uNdunankulu akwazi ukucubungula isicelo, kubalwa kulokho —
 - (a) izingathu ezigculisayo zaleso sicelo; kanye
 - (b) nobubanzi bokusingathwa kwaleso sicelo yilowo mphakathi, nokuthi lokho kusingathwa kubonakala kanjani.
- (11) Ukuhoxiswa kokwamukeleka njengomphakathi omiswe ngokwenqubo yoMdabu kuqala ukusebenza ngemva kokukhishwa kwesaziso kwigazethi sokuhoxisa lowo mphakathi njengomphakathi omiswe ngokwenqubo yoMdabu.

4. Ukusungulwa kwemikhandlu emiswe ngokwenqubo yoMdabu

- (1) Ekwamukelekeni komphakathi omiswe ngokwenqubo yoMdabu nguNdunankulu, umnyango kumele uhlinzeke lowo mphakathi ngosizo olufanele lokuphatha nokuwusekela ukuze ukwazi ukusungula umkhandlu omiswe ngokwenqubo yoMdabu ezinyangeni ezintathu wamukeliwe.

5. Izigodi

- (1) Umnyango kumele unqume isigodi emphakathini ngamunye, bese wakha futhi ugcine uhla lwezigodi emkhandlwini omiswe ngokwenqubo yoMdabu ngamunye.
- (2) Ukunqunywa kwezigodi ngumnyango kumele kwenziwe kulandelwa ukuklanywa kwemingcele yezigodi emphakathini omiswe ngokwenqubo yoMdabu, nangemva kokuxhumana nenkosi efanele yomphakathi omiswe ngokwenqubo yoMdabu.

6. Ubulungu boMkhandlu WoMdabu

- (1) Amalungu omkhandlu omiswe ngokwenqubo yoMdabu aqokethe —
 - (a) Inkosi yaleso sizwe soMdabu;
 - (b) Amalungu okumele aqokwe yinkosi njengokwesigaba 6(3)(a) soMthetho;
 - (c) Namalungu omkhandlu omiswe ngokwenqubo yoMdabu azokhethwa njengokwesigaba 6(3)(b) soMthetho.
- (2) Inani lamalungu omkhandlu omiswe ngokwenqubo yoMdabu angedlule kwangamashumi amathathu esewonke.

7. Amalungu aqokiwe emikhandlu yoMdabu

- (1) Amalungu omkhandlu omiswe ngokwenqubo yoMdabu okumele aqokwe ngokwesigaba 6(3)(a) soMthetho —
 - (a) anommeli oyedwa oqokwe yiNkosi yesigodi ngasinye, nangedlule amalungwini ayishumi nesikhombisa;
 - (b) kumele abe nokungenani ingxenye eyodwa kokuthathu yabesifazane, njengokushiwo yisigaba 6(8) soMthetho.
- (2) Lapho kunezigodi ezevile eshumini nesikhombisa, iNkosi ngokubonisana nomnyango kuyofanele ihlanganise izigodi ezimbili noma ngaphezulu nokuyiqokwa kuzo ilungu elilodwa.
- (3) INkosi kumele iqoke amalungu omkhandlu omiswe ngokwenqubo yoMdabu nokumele aqokwe njengokwesigaba 6(3)(a) soMthetho, futhi kuyomele ukuqoka kwayo lowo ikuveze obala amalungwini omphakathi omiswe ngokwenqubo yoMdabu ezinsukwini eziyishumi nane zokwaziwa kwalowo mphakathi njengomphakathi omiswe ngokwenqubo yoMdabu, noma ngokuphelelwa yisikhathi sokusebenza komkhandlu omiswe ngokwenqubo yoMdabu wangaphambilini, kuya ngokuthi yikuphi okwenzekayo kulokho okubaliwe.

8. Amalungu akhethiwe emikhandlu yoMdabu

- (1) Amalungu omkhandlu omiswe ngokwenqubo yoMdabu kumele njengokwesigaba 6(3)(b) soMthetho —
 - (a) kumele akhethwe kwamanye amalungu omphakathi omiswe ngokwenqubo yoMdabu;
 - (b) kumele abe okungenani nengxenye eyodwa kokuthathu yabesifazane, njengokushiwo yisigaba 6(8) soMthetho;
 - (c) kumele enze amaphesenti angamashumi amane enani lamanye amalungu omkhandlu omiswe ngokwenqubo yoMdabu okuyiNkosi namanye amalungu aqokwe yiNkosi.
- (2) Noma yiliphi iqhezu leshumi elidaleka ngenxa yokubala okubalulwe esigatshaneni sesomthethonqubo (1)(c) ngenhla kuyomele lishaywe indiva, kanti inombolo leyo iyokwehliswa.
- (3) Uma kuvela ohlwini labavoti ukuthi ubungako bomphakathi omiswe ngokwenqubo yoMdabu abufanelani nobuningi bokucina benani lamalungu omkhandlu omiswe ngokwenqubo yoMdabu anqunyiwe kuMthetho, uNgqongqoshe wesifunda anganquma ubungako obufanele bomkhandlu ngokuhambisana nesiThasiselo 2 sale mithethonqubo.
- (4) Ukhetho lwamalungu omkhandlu omiswe ngokwenqubo yoMdabu okumele lwenzeke ngokwesigaba 6(3)(b) soMthetho kumele luqhubeka ngokulandela imithethonqubo ekungxenywe C.

9. Imihlangano yemikhandlu yoMdabu

- (1) INkosi kumele ibize umhlangano wokuqala womkhandlu omiswe ngokwenqubo yoMdabu esikhathini esingangezinsuku ezingamashumi amabili okusungulwa kwalowo mkhandlu. Kumele yenze lokho ngesaziso esibhaliwe esiveza usuku, isikhathi nendawo yomhlangano ohlongozwayo, kanti futhi isaziso kumele siyiswe kulelo nalelo lungu okungenani ezinsukwini ezine ngaphambi kosuku lomhlangano.
- (2) Umkhandlu omiswe ngokwenqubo yoMdabu kumele uhlange njalo ngenyanga ngosuku nesikhathi okunqunywe ngumphathisihlalo. Kumele enze njalo ngesaziso esibhaliwe esiveza usuku, isikhathi kanye nendawo yomhlangano ohlongozwayo, kanti futhi isaziso kumele siyiswe elungwini ngalinye okungenani ezinsukwini ezine ngaphambi kosuku lomhlangano.
- (3) Imihlangano ephuthumayo ingabizwa ngumphathisihlalo noma ngamalungu amabili omkhandlu omiswe ngokwenqubo yoMdabu ngesaziso esibhaliwe esiveza usuku, isikhathi nendawo yomhlangano ohlongozwayo, kanti isaziso kumele siyiswe elungwini ngalinye okungenani ezinsukwini ezine ngaphambi komhlangano.
- (4) Umkhandlu omiswe ngokwenqubo yoMdabu kumele usebenzise imithetho efana nalena ukuhlinzekela ezinye izikhundla kanye namakomijana njengoba kungadingeka ukuqhuba umsebenzi wawo.

10. Izindlu zesifunda zabaholi boMdabu

- (1) Ilungu Lomkhandlu Ophethe (uNgqongqoshe) kumele akhiphe isaziso somhlangano wokuqala weNdlu yesiFunda ekwamukelekeni kwemiphakathi emiswe ngokwenqubo yoMdabu emihlanu noma ngaphezulu kumasipala wesifunda.
- (2) Isaziso okukhulunywe ngaso esigatshaneni somthethonqubo (1) kumele —
 - (a) siveze ukusungulwa kendlu yesifunda;
 - (b) sibize umhlangano wokuqala waleyo ndlu yesifunda, ucacise usuku, isikhathi kanye nendawo yomhlangano wokuqala, nokumele ube ezinsukwini eziyisikhombisa ngemva kokukhishwa kwesaziso kwigazethi, futhi
 - (c) sinqume inani lamalungu okumele akhethwe kwiNdlu yesifunda akhethelwe ukuya kwiNdlu Yesifundazwe, kubekwe emqodweni okubalulwe esigatshaneni 33(2) soMthetho.
- (3) Indlu yesifunda izokwaziwa ngegama lamasipala wesiFunda esiyiphethe.

11. Imihlangano yezindlu zesifunda

- (1) Yonke imihlangano yezindlu zesifunda izovuleleka kuwo wonke amalungu omphakathi: Inqobo nje uma lo mthethonqubo ungezuketshenziswa uma isizathu salokho sizwakala, kubhekwa ubunjalo bodaba oluyobe ludingidwa kulowo mhlango.
- (2) Imihlangano eyejwayelekile yezindlu zesifunda ibizwa ngumphathisihlalo wendlu yesifunda, nokumele ahambise isaziso esibhaliwe elungwini ngalinye okungenani ezinsukwini ezine ngaphambi kosuku lomhlangano. Isaziso kumele siyiswe endaweni yokuhlala eyejwayelekile yelunga ngalinye, noma-ke endaweni eshiwo yilunga ngokubhala phansi.
- (3) Umphathisihlalo kumele abize umhlangano ophuthumayo wendlu yesifunda uma amalungu ayiningi efaka isicelo esibhaliwe, nongabizwa esikhathini esingaphansi kwezinsuku ezine uma okungenani amalungu enza okubili kokuthathu akhona eveza ukuthi indaba iyaphuthuma.
- (4) Izindlu zesifunda zingenza imithetho nemiyalelo okumayelana nokuphathwa kwemisebenzi yayo nezinqubo.
- (5) Ikharamu (inani labantu elanele ukuthi umhlangano ungaqhubeka) yendlu yesifunda ingaba okungenani yingxenye eyodwa kokuthathu yamalungu aleyo ndlu ukuze kume umhlangano osemthethweni, kanti futhi kumele kube wukuthi okungenani yenze ingxenye enguhhafu yamalungu aleyo ndlu uma ivotela noma yiluphi udaba olusemandleni ayo.
- (6) Zonke izinqumo zendlu yesifunda zithathwa yiningi lamalungu akhona emhlanganweni.
- (7) Amalungu kuphela angakhuluma noma avote ngezikhathi zemihlangano yezindlu zesifunda: Inqobo nje uma amalungu omphakathi engakhuluma endlini yendawo uma evumelekile ukwenza lokho nokwesivumelwano sendlu.
- (8) Kulo mthethonqubo "umhlangano" usho yonke imihlangano yezindlu zesifunda namakomidi akhona.

12. Amakomidi alawulayo ezindlu zesifunda

- (1) Indlu yesifunda ingasungula ikomidi elilawulayo uma leyondlu ifisa ukwenza njalo.
- (2) Ikomidi elilawulayo lendlu yesifunda lingaba namalungu angevile kwayisikhombisa kulawo endlu yesifunda, inqobo nje uma Ilungu Lomkhandlu Ophethe linganquma inani lamalungu amakomidi alawulayo ezindlu zesifunda ngesaziso kwigazethi, uma lifisa ukwenza njalo.
- (3) Ukukhethwa kwamalungu ekomidi elilawulayo kumele kwenziwe ngokulandela imithethonqubo yokhetho ememezelve yiLungu Lomkhandlu Ophethe.
- (4) Ikomidi elilawulayo liyoba nomthwalo nemisebenzi eliyithweswe noma eliyinikezwe yileyo ndlu yesifunda.

13. INdlu Yesifundazwe Yabaholi boMdabu

- (1) Ubulungu beNdlu Yesifundazwe buyoba neSilo; kanye namalungu angekho ngaphansi kwamathathu futhi angevile kwayisikhombisa akhethwe kwindlu yesifunda ngayinye.
- (2) Indlu yesifunda ingaqoka ilungu elilodwa emalungwini alo eNdlu Yesifundazwe, emakhosini ayisithupha akuleyo ndlu yesifunda.
- (3) Ukukhetho oluyokwenzeka ngokwesigatshana somthethonqubo (1) kumele luqhutshwe ngokulandela imithethonqubo ekwiNgxenywe C.

14. Imihlangano yeNdlu Yesifundazwe

- (1) uNgqongqoshe kumele akhiphe isaziso sokubiza umhlangano wokuqala weNdlu Yesifundazwe emva kokuba imiphakathi emiswe ngokwenqubo yoMdabu engamashumi amahlanu isiyamukeliwe, nangemuva kokuba amalungu eNdlu Yesifundazwe esekhethiwe esibalweni esiyiningi lezindlu zesifunda.
- (2) Esazisweni esikhishiwe ngokwesigatshana sesomthethonqubo (1) uNgqongqoshe kumele asho usuku, isikhathi kanye nendawo yalowo mhlangano, nokumele kungabi yizinsuku ezingaphansi kwezisikhombisa futhi zingevi ezinsukwini ezingamashumi amathathu emva kokukhishwa kwesaziso kwigazethi.
- (3) Imihlangano ejwayelekile yeNdlu Yesifundazwe ibizwa wuMphathisihlalo, nokumele ayise isaziso esibhaliwe kulelo nalelo lungu okungenani ezinsukwini ezine ngaphambi kosuku lomhlangano. Isaziso kumele siyiswe endaweni yokuhlala ejwayelekile yelungu ngalinye, noma indawo eshiwo yilungu ngokubhala phansi.
- (4) Yonke imihlangano yeNdlu Yesifundazwe iyovuleleka emphakathini: inqobo nje uma lo mthethonqubo ungeyukusetshenziswa uma isizathu salokho sigculisa, kubhekwa ubunjalo bendaba eyobe idingidwa kulowo mhlangano.
- (5) INdlu Yesifundazwe kumele ihlangane okungenani izikhathi ezine ngonyaka, bese emuva kwalokho ihlangane ngokwesidingo, ukuqhuba imisebenzi yayo njengokoMthetho.
- (6) Ukuze amalungu eNdlu Yesifundazwe avumeleke ukuqhuba imisebenzi, kumele anikezwe amakhophi anoma yimiphi imibhalo efanele, umthetho osalindiwe, umthethosivivinyo okukhulunywe ngakho kwisigatshana 34(1) soMthetho okungenani ezinsukwini eziyisikhombisa ngaphambi kokuba indlu ihlale icubungule lowo mbhalo, umthetho osalindiwe kanye nomthethosivivinyo.
- (7) uMphathisihlalo kumele abize umhlangano ophuthuma isipesheli eNdlini Yesifundazwe —
 - (a) uma lowo mhlangano unesidingo ukuze indlu ikwazi ukwenza imisebenzi yayo eshiwo esigabeni 34(1) no (3) soMthetho, nokumele kwenzeka ngokwezilinganiso ezifanele zesikhathi; noma
 - (b) kucele amalungu ayiningi; noma
 - (c) uNgqongqoshe ebona ukuthi umhlangano onjalo uyadingeka ngokwesimo.
- (8) Umhlangano ophuthumayo oyisipesheli weNdlu Yesifundazwe ungabizwa esikhathini esingangezinsuku ezingaphansi kwazine kunoma yiziphi izimo ezibalulwe esigatshaneni (7), uma zikhona.
- (9) INdlu Yesifundazwe ingenza imithetho nemiyalelo ehlangene nokuphathwa komsebenzi wangaphakathi nezinqubo.
- (10) Ikhoram (inani labantu elanele ukuthi umhlangano ungaqhubeka) yeNdlu Yesifundazwe ingaba okungenani yingxenywe eyodwa kokuthathu yamalungu aleyo ndlu ukuze kume umhlangano osemthethweni, kanti futhi kumele kube wukuthi okungenani yenza ingxenywe enguhhafu yamalungu aleyo ndlu uma ivotela noma yiluphi udaba olusemandleni alo.
- (11) Zonke izinqumo zeNdlu Yesifundazwe zithathwa yiningi lamalungu akhona kulowo mhlangano.
- (12) Amalungu kuphela angakhuluma noma avote ngezikhathi zemihlangano yeNdlu Yesifundazwe: Inqobo nje uma amalungu omphakathi engakhuluma endlini yendawo uma evumelekile ukwenza lokho ngokwesivumelwano sendlu.
- (13) INdlu Yesifundazwe ingaphakamisa ukubiza umhlangano wokubonisana ngezinhlalo zokubonisana namalungu omphakathi, kodwa leyo mhlangano iyoba ngeyokubonisana kuphela futhi ayiyukuma ngokusemthethweni.
- (14) Kulo mthethonqubo "umhlangano" usho yonke imihlangano yeNdlu Yesifundazwe namakomidi akhona.

15. Ikomidi elilawulayo leNdlu Yesifundazwe

- (1) iNdlu Yesifundazwe ingasungula ikomidi elilawulayo, nokumele libe nenani lamalungu angekho ngaphansi kwamahlanu futhi angevile kwayishumi uma esephelele.
- (2) Ikomidi elilawulayo liyokuba noMphathisihlalo, iphini likaMphathisihlalo kanye namanye amalungu akhethwe yiNdlu Yesifundazwe.

- (3) Ikomidi elilawulayo liyokuba nemisebenzi eliyithweswe noma eliyikezwe yiNdlu Yesifundazwe.
- (4) Ukukhethwa kwamalungu ekomidi elilawulayo kumele kuqhutshwe ngokulandela imithethonqubo yokhetho ememezelve yiLungu Lomkhandlu Eliphethe.

16. Ukuzibophezela ukuqala ukusebenza

- (1) Amalungu asanda kukhethwa emikhandlu emiswe ngokwenqubo yzoMdabu elawulayo, izindlu zesifunda kanye neNdlu Yesifundazwe kumele agcwalise, futhi asayine noma enze umaka kwifomu efana kakhulu nale ekwisiThasiselo 2 ngenkathi enza isifungo noma evuma njengoba kusho isigaba 43 soMthetho.

INGXENYE C – UKHETHO

17. Lapho Kuzosebenza Khona Ingxenye C

- (1) Le ngxenye izosebenza —
 - (a) okhethweni lemikhandlu emiswe ngokwenqubo yoMdabu;
 - (b) okhethweni lamakomidi alawulayo ezindlu zesifunda;
 - (c) okhethweni lwamalungu ezindlu zesifunda ekhethelwa ukuba seNdlini Yesifundazwe;
 - (d) okhethweni lwekomidi elilawulayo lesiFundazwe.

18. Ukuqashwa kwabazimele abazosingatha ukhetho

- (1) UMnyango kumele uqashe inhlangano ezimele ezophatha noma yiluphi ukhetho olushiwo kule mithethonqubo. Uhlelo lokuqashwa luzofaka ukuphakanyiswa kwabazongenela ukhetho, ukumenyenzelwa kwemiphumela kanye nokugoqwa kwanoma yiziphi izimpikiswano nezikhalo ezingavuka ngesikhathi sokhetho.
- (2) Emva kokunqunywa kosuku lokhetho, uMnyango ungacela iKhomishana Ezimele Yokhetho ukuba iqashwe njengabazosingatha ukhetho, kanti uma kungenzeki lokho uMnyango kumele uqashe abazimele abazosingatha ukhetho ngezinqubo ezisemthethweni zohlelo lokutholakala kwabahlinzeka ngemisebenzi ezisetshenziswayo ngaleso sikhathi.
- (3) Ekuqasheni inhlangano ezimele ezosingatha ukhetho uMnyango kumele uqikekele okulandelayo —
 - (a) isipiliyoni nokujwayela ukwenza imisebenzi eqondene nokhetho;
 - (b) ukukwazi kwenhlangano ukufeza lokho okuyizibopho;
 - (c) ukujwayelana kwenhlangano ezimele nemiphakathi yoMdabu kanye nobuholi boMdabu;
 - (d) ukujwayelana kwenhlangano ezimele nemithetho ephathelene namasiko zoMdabu;
 - (e) noma yiziphi ezinye izinto uMnyango ongazithatha njengezinesidingo ekuhlanganiseni imibhalo yamathenda.

19. Ukumenyenzelwa nokulungiselelwa kokhetho

- (1) UNgqongqoshe ophethe kumele amemezele usuku lokhetho lomkhandlu omiswe ngokwenqubo yoMdabu futhi abeke ilanga elilodwa nosuku lokuvota.
- (2) Ilanga elimenyenzeliwe nosuku lokhetho kumele lukhishwe kwigazethi futhi lunikeze okungenani izinsuku ezingamashumi ayisithupha ukuze kuhambisane nohlelo lwezikhathi zokuvota.
- (3) Emva kokumenyenzelwa kosuku lokuvota, uhlelo lwezikhathi zokuvota kumele lwakhiwe yinhlangano ezimele ezosingatha ukhetho ngokubonisana noNgqongqoshe ophethe. uNgqongqoshe ophethe kumele likhiphe uhlelo lwezikhathi zokuvota kwigazethi.
- (4) Uhlelo lwezikhathi zokuvota lungachitshiyelwa yinhlangano ezimele esingethe ukhetho ngesaziso kwigazethi uma lokho ikubona kuyisidingo ekubeni nokhetho olukhululekile nelinobulungiswa kumbe uma usuku lokuvota luhlehliwiwe.
- (5) Ukhetho okujwayelekile nje noma ukhetho lomkhandlu wezoMdabu lungahlehliswa kuphela ngaphambi kosuku olumenyenzeliwe lokhetho uma inhlangano ezimele yokhetho ngokubonisana neNhloko YoMnyango, noma umsebenzi onikezwe yiyo lowo msebenzi, ibona ukuthi ukuqhubeka nokhetho kungalimaza ukuqhubeka kobulungiswa, ukuhleleka, ukuthula nokuphepha, kanti kuyofanele yazise uNgqongqoshe ophethe ngokukhulu ukuphuthuma.
- (6) Ekuhleleni kokhetho ngokwanoma yisiphi isizathu esibalulwe kumtheshwananqubo (5), uNgqongqoshe ophethe kumele enze isinqumo sakhe saziwe nganoma yiyiphi indlela elungile nezoqinisekisa ukwaziseka okwanele kokuhlehla futhi libeke olunye usuku, kanti lolo suku kumele ludalulwe kwigazethi: Inqobo nje uma usuku olusha olumenyenzeliwe lumenyenzelwe zingakapheli izinsuku ezingamashumi ayisishiyagalolunye ngaphambi kokuphela kwesikhathi sokusebenza komkhandlu omiswe ngokwenqubo yoMdabu okhona ngaleso sikhathi.
- (7) UNgqongqoshe ophethe angathi ngokushicilela isaziso kugazethi, anciphise noma yisiphi isikhathi esibekwe yile mithethonqubo okhethweni lokuqala lomkhandlu woboMdabu, kusukela ekusebenzeni koMthetho.

20. Iingelo lokuvota

- (1) Umuntu ofisa ukubamba iqhaza okhethweni lwanoma iyiphi indlu emiswe ngokwenqubo yoMdabu kumele —
 - (a) abe yisakhumuzi seRiphabhuliki yaseNingizimu Afrika;
 - (b) abe ngumhlali wasendaweni yomphakathi omiswe ngokwenqubo yoMdabu okuqondwene naso;
 - (c) abe nomazisi;

- (d) abe neminyaka eyishumi nesishiyagalombili noma ngaphezulu; futhi
- (e) kube ubhalisiwe ohlwini lwabavoti lomphakathi omiswe ngokwenqubo yoMdabu.

21. Iungelo lokuphakanyiswa

- (1) Umuntu ofuna ukumela ukhetho njengomunye wabakhankasele ukukhethelwa eMkhandlwini omiswe ngokwenqubo yzoMdabu yanoma yimuphi umphakathi kufanele:-
 - (a) abe ngohlala ngokuphelele kulowo mphakathi okuzokwenziwa kuwo ukhetho;
 - (b) afakazise ukuthi uneminyaka okungenani eyishumi nesishiyagalombili yobudala;
 - (c) abe nomazisi;
 - (d) igama lakhe livele ohlwini lwabavoti balowo mphakathi;
 - (e) kube umuntu ongakaze alahlwe yicala waze walidonsele isigwebo esingangezinyanga eziyishumi nangaphezulu, futhi engalinikwanga nelungelo lokubheya; okungaba yicala eliphathelene nokungathembeki, ukuphehla udweshu, noma yicala eliphathelene nodlame kumbe ukuphazamisa ukuthula emphakathini; ngaphandle kokuba lokhu sekuneminyaka emihlanu kwenzeka njengalokhu kuhlinzekelwe uMthethosisekelo waseNingizimu Afrika.
 - (f) Kungabi ngosevele ekhethiwe iNkosi njengokulandisa kwesigaba sesi-6 (3)(a) soMthetho, kanye nomthethonqubo we-7.
- (2) Ukwamukelwa kokuphakanyiswa kwegama kuyokwenziwa ngokugcwaliswa kwefomu, futhi kusayindelwe khona embizweni. Uma kwenzeka ukuthi ophakanyisiwe ubengekho embizweni, kuyakuthi uma abavoti, okungenani abangamashumi amabili, ababhaliswe ngokusemthethweni, futhi bekhona nabo embizweni, sebekhombise ngezandla ukuthi bayameseka, naye-ke useyoletha esakhe isiqinisekiso esivumelana nokuphakanyiswa kwegama lakhe. Lokhu kuyokwenziwa ngokuhambisana nesikhathi esiklanyelwe ukhetho.

22. Ukuphakanyiswa nokuqokwa kwabangenele ukhetho

- (1) Inkosi iyobiza futhi yengamele imbizo ukuze inhlango yokhetho ezimele iqhube umsebenzi wokuphakanyiswa kwamagama abalo abazongenela ukhetho, ukuze kuhanjiswa nesikhathi ebese sazisiwe sohlelo lokhetho.
- (2) Labo asebephakanyiselwe ukhetho njengokulandisa kwesigaba 6(3)(6) soMthetho, ufundwa kanyekanye nomthethonqubo 8, bayophakanyiswa ngomlomo yilowo owenza isiphakamiso, basekelwe ngokuphakanyiswa kwezandla ngabantu okungenani ababili, bonke labo kube abavoti ababhalisiwe ngokusemthethweni, bevela kuwo lowo mphakathi wzoMdabu, futhi bebe bekhona geqele labo embizweni.
- (3) Abaphakanyisiwe mabakwemukele lokhu kuphakanyiswa kwamagama abo ngokuba bagcwalise ifomu elifanele lokuvuma, lokhu kuhambisane nesikhathi esibekiwe sokhetho. Leli fomu malifane ncamashi no Fomu 1 weSithasiselo 9, libe-
 - (a) isiginesha noma uphawu lwalowo ophakanyisiwe;
 - (b) isiginesha yesikhulu senhlango ezimele eyengamele ukhetho;
 - (c) amasiginesha ofakazi ababili abakhona ngesikhathi kuphakanyiswa amagama;
 - (d) igama/amagama nesibongo salowo ophakanyisiwe njengoba evela kumazisi;
 - (e) inombolo kamazisi wophakanyisiwe;
 - (f) noma yiliphi elinye igama noma-ke isidlaliso esemukelekile aziwa ngaso emphakathini lowo ophakanyisiwe;
 - (g) ikheli lalapho ehlala khona, kufakwe nesigodi asakheleyo;
 - (h) usuku lokuphakanyiswa;
 - (i) isiqinisekiso sokuthi uyakwamukela ukuphakanyiswa ukuba amele ukhetho, nokuthi ongenele ukhetho uyakuqonda ukuthi ukuphakanyiswa kwegama lakhe kwenzelwe kuphela lolo lukhetho kumbe ukhetho lokuchibiyela lwangaleso sikhathi, akuphathelene nokhetho oluyobuyela lwenziwe kamuva, nalolo oselwake lwenziwa ngaphambili; kanye
 - (j) neminingwane eyotholwa kuyo ophakanyisiwe (uma ingatholakala);
- (4) Abaphakanyisiwe bengekho kuyofanele balethe okuqinisekiso ukuthi bayakwemukela ukuphakanyiswa kwabo njengoba kuhlinzekelwe kumthethonqubo 21(2).
- (5) Ithimba elizimele elengamele ukhetho liyoqopha phansi konke okwenzekileyo likuhambise emnyangweni. Labo abaphakanyisiwe bengekho bayoletha okufakazisa ukwamukela kwabo ukuphakanyiswa, zingakapheli izinsuku ezinhlanu emva kwembizo, futhi ithimba elizimele elengamele ukhetho liyokuqopha phansi ukuthi lowo ophakanyisiwe engekho embizweni, wesekeliwe abavoti okungenani abangamashumi amabili abebekhona embizweni.
- (6) Lapho kuphakanyiswa amagama, ithimba elizimele elengamele ukhetho liyoqinisekisa ukuthi inani elifunekayo labesilisa nabesifazane litholakele, nokuthi lowo nalowo ophakanyisiwe ulisayinile ifomu lokwamukela kwakhe ukuphakanyiswa, efo-mini elifana ncamashi no Fomu 2, weSithasiselo 9.
- (7) Inani eliphezulu elingujuqu liyokuba inani lamakhansela abakhethiwe adingekayo kulowo nalowo Mkhandlu WezoMdabu, lengezwe ngabayishumi ngaphezulu.
- (8) Akekho oyochitha noma aphikisane nanoma yimuphi ophakanyisiwe futhi wasekelwa embizweni, ngaphandle kokuba lowo ophakanyisiwe enqatshelwa yimibandela equkethwe yile mithethonqubo noma yimuphi-ke omunye umthetho ohambisana nalokhu.
- (9) Lapho kuqokwa labo abayisilinganiso sama 60% abadingekayo ngokwesigaba 6(3)(a) soMthetho, Inkosi iyokwenza lokhu okulandelayo —

- (a) iyokwazisa lelothemba lokhetho elizimele elikhethiwe ngalokho kuqokwa, futhi ifune usizo lwaleli themba ekwenzeni lomsebenzi ngendlela engancikile emibandeleni ethile yokwenzela, kanye nokufakazelwa yilo leli themba lokhetho, ukuze kuqinisekise ukuhambisana kwalokhu nalokho okuhlinzekelwe umyalelo wesi 5 wale mithethonqubo;
 - (b) iyokwazisa labo ebaqokile ukuthi ubukhansela babo buqala ukusebenza kuphela uma wonke umsebenzi wokuqinisekiswa kwemininingwane usuphuthuliwe, futhi nabo sebefungisiwe babekwa ngokusemthethweni ezikhundleni;
 - (c) iyohambisana nombandela wokuqokwa kwenani elincane elingujuqu lomuntu oyedwa wesifazane kwabathathu abaqokelwa emkhandlwini;
 - (d) iyokwenza ukuba aziwe amagama alabo abangama 60% ebaqokile ukuba amalunga omkhandlu, nasebeqinisekisiwe ithimba elizimele elengamele ukhetho njengokulandisa komthethonqubo 5; futhi
 - (e) iyokhuthaza umphakathi ukuba wesekele ukubanjwa kweqhaza ngabantu abadala nabasha, kanye nalabo abakhubazekile ngokomzimba.
- (10) Inkosi iyowethula embizweni amalunga omkhandlu wzoMdabu ewaqokile.
- (11) Ithemba lokhetho maliqiniseke ukuthi bonke abaphakanyisiwe bayayiqonda kahle le mithethonqubo, nendlela yokuziphatha kanye nalokho okuhlinzekelwe uMthetho ngaphambi kosuku lokhetho.
- (12) Uma kuvela isikhala njengokulawula kwesigaba sesi 7(1) soMthetho, lesi sikhala sekhansela kumele sigwaliswe. Umphathi wehhovisi lomkhandlu wzoMdabu noma Inkosi uqobo, bayokwazisa umnyango ngencwadi ngalesi sikhala nembangela yaso, osekuyothi emva kwalokho Inkosi iqoke ozosigwalisa embizweni, singakapheli lesi sikhathi esinqunywe uMthetho, bese ewazisa umnyango ngokuqokwa kwekhansela okusha.

23. Ukumiswa kwezikhungo zokuvota

- (1) UMnyango kufanele uklame umngcele wendawo yalowo nalowo mphakathi wzoMdabu, futhi ukhombise izikhungo zokuvota zesifunda, kuleso naleso sigodi somphakathi wzoMdabu, ukuze unqume ukuthi zizoba ngaki izikhungo zokuvota emphakathini ngamunye.
- (2) Makumiswe isikhungo sokuvota esiseduze nezakhamizi kuleso naleso sigodi. Ithemba elizimele elengamele ukhetho linganquma ukuthi sikhona yini isidingo sokwengeza izikhungo zokuvota esigodini, uma lokhu kudingeka.
- (3) Leso naleso sikhungo masihambisane nalokho okuhlinzekelwe isigaba sama 64 soMthetho Wokhetho, kanye nemithethonqubo eyenziwe ngokulandisa kwalowo Mthetho.

24. Abasebenzi bokhetho

- (1) Leso naleso sikhungo sokuvota siyophathwa abasebenzi abaqashwe yithimba elizimele lokhetho, futhi abawufanele lowo msebenzi nabavela kuwo lowo mphakathi okuzokwenziwa kuwo ukhetho.
- (2) Ukuze umuntu afanele ukuqashelwa ukuba umsebenzi wokhetho kumele ukuba abonise ukuthi —
 - ubhalisele ukuvota esikhungweni lapho ezobekwa khona;
 - (a) akasebenzeli nanoma yimuphi kulabo asebhaphakanyiselwe ukukhankasela ukhetho;
 - (b) akalungenele yena ukhetho;
 - (c) akanaso isikhundla eqenjini lezombusazwe;
 - (d) akalona ilunga lanoma yisiphi isishayamthetho; futhi
 - (e) uyahlangabezana nezidingo zeqophelo lemfundo, noma-ke eminye imibandela emiswe ithimba elizimele lokhetho.
- (3) Leso naleso sikhungo sokuvota siyoba nalaba basebenzi —
 - (a) isikhulu esengamele ukhetho;
 - (b) iphini lesikhulu esengamele ukhetho; kanye
 - (c) nenani elanele labasebenzi bokwesekela, kumbandakanya abasebenzi bokuvotisa kanye nababalayo.
- (4) Abasebenzi abavotisiyo nababalayo yibo ababhekene nakho konke okwenziwa kuleso naleso sikhungo, kumbandakanya okulandelayo nokunye ngaphezulu kwakho —
 - (a) Ukuqinisekisa ukuthi umuntu ubhaliswe ngokusemthethweni;
 - (b) ukugxivizwa nokukhishwa kwamaphepha okuvota;
 - (c) ukuphawulwa kwabavoti ngophawu olukhombisiyo;
 - (d) ukusiza abavoti abadinga usizo;
 - (e) ukuqinisekisa ukuthi amaphepha okuvota afakwa ebhokisini lamavoti;
 - (f) ukuqinisekisa ukuthi lawo mabhokisi amavoti asegcwele avalwa ngezinamatheliso, abekwe endaweni ephophile esikhungweni sokuvota; kanye
 - (g) nokubalwa kwamaphepha okuvota.
- (5) Isikhulu esengamele ukhetho sibhekene —
 - (a) nokuphathwa, ukuhlelwa kanye nokubheka ukuvota esikhungweni.
 - (b) ukuthatha izinyathelo eziphusile ukuze kuqinisekise ukuziphatha ngendlela ehlelekile esikhungweni.

- (6) Isikhulu esengamele ukhetho —
- singanika umsebenzi oqaphe ukuphepha umyalelo wokuba asize ekuqinisekiseni ukuziphatha kwabantu ngendlela ehlelekile ngaphakathi esikhungweni;
 - uma kunezizathu ezizwakalyo, singamkhiphela umuntu ngaphandle kwemingcele yesikhungo, futhi
 - singenza zonke izinqumo nezincwadi ngokuphathelene nezimpikiswano, noma yiluphi olunye udaba oluphathelene nomsebenzi wokuvota esikhungweni, kumbandakanya nokuthi impikiswano ingadluliselwa yini noma ingedluliselwe eSigungwini Sokulalela Amacala esiqokwe ngokwemibandela yale mithethonqubo.
- (7) Abasebenzi bokhetho bayothobela Inqubo Yokuziphatha ebekwe kuSithasiselo 4 sale mithethonqubo.
- (8) Ithimba lokhetho elizimele liyoyekisa umsebenzi noma yimuphi umsebenzi wokhetho owephule iNqubo Yokuziphatha njen-goba ibekwe kuSithasiselo 4 sale mithethonqubo, uma kungukuthi lokho kumiswa kulandele indlela enobulungisa neyemukelekile.
- (9) Kungumsebenzi wethimba elizimele elengamele ukhetho ukuqeqesha abasebenzi bokhetho abazotshalwa kuleso naleso sikhungo, nokunikezela abasebenzi ngezidingo zokuvota ezikhonjwe kuSithasiselo 5 sale mithethonqubo.
- (10) Abasebenzi bokhetho bayoqashwa futhi baphathwe yithimba lokhetho elizimele, ngaphansi kwaleyo mibandela eyobekwa yilo ithimba, futhi yiyo le mibandela eyonquma ngamalungelo nezibopho zabo. uMnyango awunayo inkontileka ewujubayo ukuthi ungenelele kumbe ubhekane nodaba lwempikiswano engavela phakathi kwethimba lokhetho elizimele kanye nomuntu elimqashileyo.
- (11) Lapho kuqashwa abasebenzi bokhetho emphakathini wendawo, ithimba lokhetho liyokwenza lokho ngendlela engakhethi, nenokulinganisa, futhi bagweme izenzo ezingahle zibukeke njengezivunayo, ukuqasha ngobuhlobo noma ukwenzelela.
- 25. Ukubhaliswa kwabavoti nokwenziwa kohla lwabo**
- Uhlu lwabavoti lwaleso naleso sikhungo sokuvota luyokwenziwa uMnyango ngaphambili kokuba iLungu Lomkhandlu Ophethe (uNgqongqoshe) ememezele usuku lokhetho: Ngombandela wokuthi ukubhaliswa kwabavoti kuyokwenziwa isigodi nesigodi kulowo nalowo mphakathi wzoMdabu.
 - uMnyango uyoqaphelisisa okuhlinzekelwe iSahluko sesi 2 soMthetho Wokhetho lapho usuwenza uhlu lwabavoti.
 - Uhlu lwabavoti olwenziwe ngokomtheshwananqubo (1) ngenhla, luyoqinisekiswa uNgqongqoshe ngosuku lolo olubekwe ohlelweni lwesikhathi sokhetho.
- 26. Impahla Yokuvota**
- Inhlangano ezimele yokhetho iyoqinisekisa ukuthi kuleso naleso sikhungo, zanele lezo zinto ezisosetshenziswa lapho kuvotwa, kumbandakanya nalezo ezibaluliwe kuSithasiselo 5 sale mithethonqubo.
- 27. Ukuphathwa kokuqhubeka kokhetho**
- uMnyango yiyo oyokwengamela, futhi uqaphe umsebenzi wokuvota, ukusebenza kwethimba elizimele lokhetho, nezinye izindaba ezingaqhamuka ngaleso sikhathi.
 - Ukhetho luyophathwa yinhlangano ezimele yokhetho ukuze kuqinisekise ukhetho olukhululekile nolungakhethi njengoba kubekiwe kumithethonqubo.
 - uMnyango kumele uhlinzekele ukhetho ngezimali ulandela isabelozimali esivezwe yithimba lokhetho elizimele, futhi savun-ywa uMnyango ngokulandela imibandela ehambisana namathenda.
 - uMnyango unganikezela ngabasebenzi ukuba balekelele ithimba lokhetho ekuphathweni nasekwenziweni kokhetho.
- 28. Amahora okuvota**
- Amahora okuvota asukela ensimbini yesi 07h00 kuya kweyesi 19h00 ntambama; ngaphandle kokuba uNgqongqoshe enqume ngenye indlela esimemezeleni asenze kwigazethi.
- 29. Imingcele yezikhungo zokuvota**
- Ngosuku lokuvota, isikhulu esengamele ukhetho siyonquma umngcele wesikhungo emva kokubonisana neNkosi, kun-gakaqali ukuvota.
 - Isikhulu sengamele ukhetho siyowuklama umngcele wesikhungo ngokuba sisebenzise izimpawu ezibonakalayo, omaka noma ithephu ebekwe yagudla umngcele, kumbe ebekwe ezikheleni ezanele ekugudleni umngcele, lapho kunokwenzeka khona.
- 30. Izikhungo zokuvota ezingomahambanendlwana**
- Uma kunesidingo, ithimba elizimele elengamele ukhetho linganquma ukusebenzisa izikhungo ezingomahambanendlwana ukwengeza, noma isikhundleni salezo ezingagudluki, futhi liyokwenza isimemezelo esicacile emphakathini mayelana nezindlela ezizohanjwa, nezikhathi nezindawo izikhungo ezingomahambanendlwana eziyoba kuzo.
 - Izindlela zokusebenza ezibalulwe ezigabeni 31 nasesigabeni 32 sale mithethonqubo ziyolandelwa lapho kusetshenziswa isikhungo esingomahambanendlwana.
- 31. Izinqubo zangasekuqaleni**
- Ngaphambidlana kancane kokuba kuvulwe isikhungo sokuvota, isikhulu esiphethe ukhetho siyokhombisa zonke izingqapheli

ezigunyaziwe nalabo abakhankasele ukhetho abakhona ukuthi lelo nalelo bhokisi lokuvota elizosetshenziswa kuleso sikhungo kalinalutho.

- (2) Uma labo abakhona sebenelisiwe ukuthi ibhokisi lokuvota alinalutho, isikhulu esiphethe ukhetho siyokulivala lelo bhokisi ngesinamatheliso esenziwe futhi sanikezelwa ukuba senze wona lowo msebenzi.

32. Inqubo yokuvota

- (1) Ovatayo angavota —
- okhethweni kuphela kuleso sikhungo sokuvota esisesifundeni sokuvota abhaliswe kuso ngokomthetho; futhi
 - avote kanye kulolo khetho.
- (2) Ovatayo angavota esikhungweni sokuvota —
- uma eveza umazisi wakhe ewukhombisa isikhulu esiphethe ukhetho noma umsebenzi wokhetho esikhungweni sokuvota; futhi
 - negama lakhe livela ohlwini oluqinisekisiwe lwabavoti lwalweso sifunda sokuvota esimiselwe leso sikhungo.
- (3) Lapho ovatayo eveza umazisi wakhe kulowo owengamele ukhetho noma umsebenzi wokhetho, labo bayohlola umazisi wakhe bese benquma ukuthi —
- nguyena ngempela yini lona ovatayo okhonjiswa umazisi awuphethayo.
 - igama lakhe liyavela yini ohlwini lwabavoti oluqinisekisiwe lwaleso sikhungo sokuvota; futhi
 - lowo ovatayo ubengakaze yini avote kulolu khetho.
- (3) Uma owengamele ukhetho, kumbe umsebenzi wokhetho esenelisiwe yile mibandela ebalulwe esigatshaneni sesi (3), lowo msebenzi —
- uyogqophisa phansi ukuthi lowo mvoti usethathwa njengosevotile okhethweni;
 - aphawule isandla sakhe ovatayo ngomaka oshiwo kumthethonqubo 35;
 - agxivize ngesitembu esisemthethweni emhlanje wephepha lokuvota afanele ukunikwa lona ovatayo.
 - anikezele ovatayo iphepha lokuvota.
- (4) Uma ovatayo eselitholile iphepha lokuvota elimakwe njengoba kulandisa isigatshana sesi (4)(c), ovatayo —
- useyongena egunjini elingenamuntu lokuvota.;
 - afake uphawu ephepheni lokuvota eyedwa, ngendlela eyokwenza kucace ukuthi ngubani kwabakhankasele ukhetho ovatayo afisa ukumvotela;
 - agoqe iphepha lokuvota ukuze afihle ivoti lakhe;
 - ahambise iphepha lokuvota ebhokisini lalo, akhombise owengamele ukhetho noma umsebenzi ovotisayo ngendlela eyokwenza ukuthi umsebenzi asibone kahle isigxivizo esigxivizwe njengoba kulandisa isigatshana (4)(c);
 - afake iphepha lokuvota ebhokisini lamavoti; bese
 - kuthi ngaphandle kokulinda, aphume esikhungweni sokuvota.
- (6) Ukuvota kuyokwenziwa ngendlela eyimfihlo.

33. Usizo kubavoti abathize

- (1) Umuntu nje omunye, okungesiye owengamele ukhetho kumbe umsebenzi ovotisayo, angakwazi ukumsiza ovatayo kuphela uma —
- ovotayo eludinga lolo lusizo ngenxa yokukhubazeka emzimbeni;
 - lowo ovatayo ecelile ukuba asizwe yilowo muntu; futhi
 - isikhulu esengamele ukhetho senelisiwe ukuthi lowo onikezela omunye usizo —
 - okungenani uneminyaka eyi 18; futhi
 - akayona ingqapheli noma okhankasele ukhetho.
- (2) Isikhulu esengamele ukhetho kumbe umsebenzi ovotisayo angamsiza ovatayo ukuba avote, noma bamnikezele usizo lolo aludingayo, uma yena elucela, lokho kwenziwe phambi komuntu —
- oqokwe ingqapheli esemthethweni uma ekhona; kanye
 - nomsebenzi esivotisayo.
- (3) Uma kulandelwa lo mthethonqubo, kumele kwenziwe konke okusemandleni ukuba imfihlo yevoti ebalulwe kumthethonqubo 32(6) ihlonishwe.

34. Ukukhishwa kwamaphepha okuvota

- (1) Uma kwenzeka ovatayo ona iphepha lokuvota ngokulimaka ngendlela engakhombisi ngokucacile ukuthi ubani afisa ukumvotela, futhi nephepha lokuvota libe lingakafakwa ebhokisini lamavoti, ovatayo angalibuyisela esikhulwini esengamele ukhetho kumbe umsebenzi wokhetho lelo phepha.

- (2) Lapho isikhulu esengamele ukhetho, kumbe umsebenzi semukela lelo phepha, sebeyolimaka ngombhalo othi "likhanseliwe" emhlangane walo, bese belifaka efayilini balehluhanise.

35. Ukufakwa kophawu esandleni

- (1) Isandla salowo ovtotayo siyophawulwa ngokuba sidwetsiwe umugqa omfishane ngoyinki esithupheni sesandla sokunxele, naphezu kozipho lwaso.
- (2) Uma kungukuthi ovtotayo akanaso isithupha esandleni sesinxele noma ozisheni lwaso, noma-ke kungukuthi ukumakwa kwaso kungenzeke ngenxa yokulimala, isifo esithile noma kungenxa yanoma yisiphi esinye isizathu, sekuyomakwa noma ngumuphi umunwe wesandla sesinxele noma esokudla kanye nozipho lwawo.
- (3) Uma kungukuthi ngenxa yesinye salezi zizathu ezibalwe esigatshaneni sesi (2), awukho umunwe noma uzipho lwalowo ovtotayo ulungaphawulwa, isikhulu esengamele ukhetho siyoqopha phansi igama lakhe lowo mvoti, ikheli, inamba kamazisi, kanye nezizathu ezenze ukuba isandla sakhe singakwazi ukumakwa.

36. Ukuvalwa kwamabhokisi okuvota

- (1) Masinyane emva kokuba amabhokisi okuvota egcwele, owengamele ukhetho makawavale ngesinamatheliso; uyophinde avale ngesinamatheliso futhi ibhokisi obesekukhishwa kulo iphepha lokugcina lokuvota, kanjalo nalawo mabhokisi okuvota anamaphepha angazange asebenze.
- (2) Ibhokisi lamavoti elivaliwe liyohlala linjalo, futhi lingaphakathi kwesikhungo sokuvota kuze kubalwe amavoti.

37. Ukuqedelwa kwesitatimende samaphepha okuvota kanye nokuvalwa kwempahla yokuvota

- (1) Ngokushesha okunokwenzeka, emva kokuba sekuvaliwe ukuvota esikhungweni, kuyakuthi phambi kwezinqopheli nabakhankasele ukhetho abakhona, isikhulu esengamele ukhetho —
- (a) sigcwalise isitatimende samaphepha okuvota efomini elifana ncamashi no fomu 3 weSithasiselo 9 sale mithethonqubo, futhi sibonise nenani —
- (i) lamabhokisi amaphepha okuvota abekade enikezwe leso sikhulu esengamele;
- (ii) lamabhokisi amaphepha okuvota asebenzile;
- (iii) lamabhokisi amaphepha okuvota angazange asebenze;
- (iv) lamaphepha okuvota abekade enikezwe leso sikhulu esengamele;
- (v) lamaphepha okuvota akhishiwe;
- (vi) lamaphepha okuvota angasebenzanga; kanye
- (vii) nelalawo maphepha okuvota akhanseliwe.
- (b) kumele sivale lelo nalelo bhokisi lamaphepha okuvota ebekade silinikiwe kodwa alangabe lisasebenza;
- (b) sivalele ezitsheni ezahlukene lokhu okulandelayo —
- (i) uhlu lwabavoti oluqinisekisiwe lwaleso sifunda;
- (ii) amaphepha okuvota angasetshenziswanga abenikezwe leso sikhulu esengamele ukhetho; kanye
- (iii) namaphepha okuvota akhanseliwe.

38. Indlela yokubala amavoti

- (1) Isikhulu esengamele ukhetho siyosebenza njengesikhulu sokubala amavoti.
- (2) Isikhulu esibalayo masiqiniseke ukuthi inqubo ehlinzekelwe Kule mithethonqubo iyaqala ukusebenza ngokushesha okunokwenzeka emva kokuba sekuvaliwe ukuvota esikhungweni, futhi kuyonanyathelwa kuyo ingaphazanyiswa, kuze kuphothulwe.
- (3) Isikhulu esibalayo masihlale ukuthi izinamatheliso kulokho okunanyathelisiwe azikaze zithintwe, ngaphambi kokuba kuqale ukuvota.
- (4) Uma esezihlalele izinamatheliso, isikhulu sokubala masivule wonke lawo mabhokisi amaphepha okuvota nezistha ezisavaliwe, futhi masibhekane nakho konke okungahambile ngendlela kanye namaphutha atholakalayo, kuthi-ke uma kusolakala ukuthi kukhona okuke kwathintwa ngokungemthetho kumbe okwedukile, isikhulu sokubala sicele usizo komunye walabo abaqaphe ukuthula ukuze kuphenywe ngalolo daba, futhi asisize nasekuhlwayweni lokho okulahlakile.
- (4) Uma kungekho maphutha atholakalayo, isikhulu sokubala siyowavula wonke amabhokisi asavaliwe, futhi silichithe iphepha lokuvota elikhombisa —
- (a) ukuthi ngubani ovtotile;
- (b) ivoti elifakelwe abakhankasi abaningi lilinye;
- (c) alinawo maka, noma elimakwe ngendlela yokuthi alikhombisi kahle ukuthi ngubani ovtotelwe;
- (c) ukuthi alinawo umaka osemthethweni emhlangane walo; noma
- (d) ukuthi alisilo iphepha lokuvota elisemthethweni.

39. Inqubo mayelana nemiphumela kanye nempahla yokuvota

- (1) Isikhulu sokubala amavoti masinqume ngemiphumela yamavoti aleso sikhungo sokuvota, futhi siqophe phansi leyo

miphumela ngokuba sigcwalise ifomu lemiphumela okuyoba yifomu elifana ncamashi nefomu 4 leSithasiselo 9, elikhombisa umphumela wokhetho olwenziwe kuleso sikhungo.

- (2) Isikhulu sokubala siyomemezela imiphumela yesikhashana yaleso sikhungo uma sesisigcwalisile isitatimende samaphepha okuvota
- (3) Uma isikhulu sokubala amavoti sesikwenzile lokho okushiwo isigatshana (1), siyoyivalela emabhokisini ahlukene yonke into esetshenziselwe ukuvota, kumbandakanya amaphepha okuvota asebenzile nangakasebenzi, isitatimende samaphepha okuvota, bese sizihambisa esikhungweni sesifunda sethimba elizimele lokhetho zonke lezi zitsha.
- (4) Uma imiphumela yaleso naleso sikhungo sokuvota isiyamukelwe yisifunda, sona-ke sesiyothumela yonke imiphumela yaso esizindeni sesifundazwe ukuze ithimba elizimele lokhetho likwazi ukumemezela imiphumela yokugcina embizweni ebhekene nalokho eyobizwa yiNkosi.
- (5) Imbizo eshiwo kumtheshwananqubo (4) iyokwenziwa zingakapheli izinsuku eziyisikhombisa emva kokuba ithimba elizimele lokhetho selinqumile ngemiphumela yokugcina.

40. Ukulingana kwamavoti nokumeleleka

- (1) Emva kokubalwa kwawo wonke amavoti, nangaphambi kokumnyezelwa kwawo embizweni, ukubambana ngamavoti kuyoxazululwa ngokuba, kwenyulwe abe munye kusetshenziswa izimvalaphi ezifana ncamashi, ezifakwe phakathi amagama abhaliwe alabo ababambene ngamavoti
- (2) Amagama alabo ababambene ngamavoti ayofakwa ezimvalaphini ezifanayo yisikhulu sokubala amavoti, futhi ayotonyulwa ngendlela ngaphandle kokucabanga.
- (3) Ukutonyulwa kwemvalaphi kuyokwenganyelwa yiNkosi, kodwa kwenziwe yinhlangano yokhetho ezimele, okuyothi, isebenzisa ukubona kwayo, idumbe noma ngubani ukuba acoshe imvalaphi.
- (4) Esimweni lapho singatholalalanga khona isibalo esincane esingujuqu sokumeleleka kwabantu besifazane, kuyoba owesifazane oseyomenyezela njengonqobile, ukuze kuhlangekane nombandela wokumeleleka kahle ngokobulili, njengoba kuhlinzekelwe uMthetho: Ngaphandle kokuthi, uma kungabesifazane bodwa ababambene ngamavoti, kusayofanele kwenziwe lokhu kwenyulwa.
- (5) Imiphumela yalokhu kwenyulwa, isiyoba yingxenywe yemiphumela eyomenyezela embizweni ebizelwe lowo msebenzi.

41. Impikiswano okhethweni kanye nokufakwa kwezikhalo

- (1) Uma kwenzeka omunye wabaphathekayo okhethweni, kumbandakanya nengqapheli noma obemele ukhetho, efuna ukufaka isikhalo ngendlela elandeliwe ekuphathweni kokhetho noma imiphumela yalo, lokho uyokwenza ngokuba asibhale phansi isikhhalazo, asibhekise esikhulwini esengamela ukhetho kuleso sikhungo.
- (2) Isikhulu esengamele ukhetho siyosebenzisa isu lokulamula, noma elokuxoxisana ekuzameni ukuluthombulula, okuyothi uma lawo malinge ehluleka, isikhulu sokhetho senze esaso isinqumo.
- (3) Isikhulu esengamele ukhetho siyokubhala phansi ukuchithwa kwesithombululo kanye nesinqumo saso ngodaba lolo, futhi simazise ngomlomo nje ngaleso sinqumo lowo osichithile isithombululo.
- (4) Uma lowo ophikisayo enganelisiwe isinqumo sesikhulu sokhetho, uyofaka isicelo sokwedlulisela udaba lolo eSigungwini Sokulalela Amacala njengokulandisa komthethonqubo 42 wale mithethonqubo, engakapheli amahora angama 48 isikhulu sokhetho sisenzile isinqumo saso.

42. Ukumiswa kwesiGungu Sokulalela Amacala

- (1) Ngemuva kokuba uNgqongqoshe ememezele usuku lokhetho, useyomisa ngokushesha iSigungu Sokulalela Amacala esiyokwakiwa abantu abangengaphansi kwabathathu, futhi bangabi ngaphezulu kwabahlanu.
- (2) Abangamalunga alesu Sigungu makube ngabantu abafanelekile, futhi babe nalo ukungenani elilodwa kula makhono alandelayo —
 - (a) ulwazi ngokusebenza kwezomthetho;
 - (b) ulwazi ngokwenziwa kokhetho;
 - (c) ulwazi ngezindaba zobuholi boMdabu;
 - (d) ulwazi ngokulamula izimpikiswano; noma
 - (e) olunye ulwazi oluyobonwa uNgqongqoshe.
- (4) uNgqongqoshe uyokoka omunye wamalunga alesu Sigungu ukuba abe usihlalo wayo.
- (5) lesu sigungu siyozakhela sona izinhlelo zokwenza umsebenzi waso.
- (6) Lesu sigungu siyoba namandla phezu kwazo zonke izindaba ezithinta ukhetho, nezindaba zokwekwepulwa kweNqubo Yokuziphatha eziyodluliselwa kuso, futhi siyothatha noma yisiphi isinqumo kanjalo sinikezele isijeziso esifanele ngokunakisisa neminye imithetho nemithethonqubo ethintekayo
- (7) Lesu sigungu kuyothi ngokwaso ukuzinqumela, nangokubheka isisindo sokwepulwa komthetho noma isikhalo, sedlulisele udaba ethimbeni elinamandla okwenza lowo msebenzi.
- (8) Zonke izikhalo ziyobhalwa phansi efomini elifana ncamashi noFomu 5 weSithasiselo sesi 9.
- (9) isigungu siyohlalanga zingakapheli izinsuku ezintathu kufakwe isikhalo noma kubikwe ukwaphulwa komthetho okuthile.

- (10) Isikhathi sokusebenza kweSigungu Sokulalela Amacala siyophela emva kokumenyezelwa kwemiphumela, noma-ke ngesinye isikhathi esibekwe ukuze kuphotulwe kahle imiphumela.
- (11) Amagunya eSigungu Sokulalela Amacala alawulwe kuSithasiselo 6 sale mithethonqubo.
- (12) uNgqongqoshe angasusa noma yiliphi ilunga lalesi sigungu ngenxa yanoma yisiphi esinye isizathu.

43. Ukufunga kwamalunga omkhandlu akhethiwe

- (1) Amalunga amasha akhethiwe omkhandlu wzoMdabu kumele afungiswe ngumuntu obekwe yiLungu Lomkhandlu Ophethe (uNgqongqoshe) zingakapheli izinsuku ezingamashumi amabili nanye emva kokhetho noma emva kokumenyezelwa kwemiphumela yokhetho ngokulandela izindlela ezejwayelekile ezihlinzekwe kuHlelo 2 loMthetho, futhi kumele bagcwalise, futhi basayine noma benze uphawu efomini efana naleyo ekuSithasiselo 2.
- (2) Kusukela ngesikhathi amalungu omkhandlu wzoMdabu esemenyezelwe njengakhethiwe kuze kube yisikhathi lapho efungiswa, inkosi iyokwenza yonke imisebenzi yansuku zonke yomkhandlu wzoMdabu.
- (3) Umkhandlu wzoMdabu ngamunye kumele uthi, emva kokuba amalungu awo esefungisiwe, uqhubeke nokukhetha usekelasihlalo.
- (4) Ukukhethwa kukasekelasihlalo kumele kwenziwe ngokuthi kucelwe iziphakamiso zamagama kanye namagama asekelo labo abaphakanyisiwe okungafanele ukuba ege kwamathathu: Inqobo nje uma kwenzeka ukuthi kuphakanyisiwe igama elilodwa, lowo muntu uyothathwa ngokuthi nguye okhethelwe lesi sikhundla.
- (5) Umuntu ngamunye ophakanyisiwe okukhulunywe ngaye kumtheshwananqubo (4) kumele aveze ukuba uyasamukela isiphakamiso.
- (6) Ukhetho okukhulunywe ngalo kumtheshwananqubo (4) kumele lwenziwe ngokuvota okuyimfihlo.
- (7) Inkosi kumele imemezele umphumela womhlangano.

44. Ukhetho lokuchibiyela

- (1) Uma kuvela isikhala kunoma yimuphi omkhandlu owesekwe ngokwenqubo yzoMdabu njengokulandisa kwesigaba sesi 7 (1) soMthetho, nangokulawulwa isigatshana sesi (2) nesesi (3) salo mthethonqubo, isikhala lesi esesivele eMkhandlwini Osekwe Ngokwenqubo YzoMdabu masigcwalise yilowo owathola amavoti amaningi elama awalabo obakhethwa kulo lokhetho.
- (2) Lowo owabe ekhankasile kodwa akaze athola mavoti okhethweni lomkhandlu owesekwe ngokwenqubo yezoMdabu, angeze aba yilunga loMkhandlu owesekwe ngokwenqubo yzoMdabu, ngenxa yalokho useyothathwa njengokhishiwe.
- (3) Uma kungukuthi isikhala lesi sidaleke ngekhasela lesifazane, yilowo wesifazane olandelayo ohlwini labangenele ukhetho futhi owathola amavoti amaningi kunabanye besifazane okhethweni oseyogcwalisa lesi sikhala.
- (4) Uma lowo owabe ethole amavoti alandelayo amaningi ngesikhathi sokhetho engeke atholakale ukuba agcwalise isikhala, noma ngasiphi isizathu, lowo-ke olandela yena ngenani lamavoti useyoba yilunga loMkhandlu WezoMdabu.
- (5) Lowo oselilunga loMkhandlu WzoMdabu oqokwe ngokwale mithethonqubo, useyomenyezelwa kwigazethi.
- (6) Lapho kube khona ukulingana ngamavoti kulabo abasohlwini, lokho kulingana kuyothonjululwa njengoba kukhomba isigaba sama 40 sale mithethonqubo.
- (7) Uma kungekho muntu ozothatha ubulunga boMkhandlu wzoMdabu njengokulawulwa yilo mthethonqubo, sekuyokwenziwa ukhetho olusha kulandelwa wona lo mthethonqubo.
- (8) Uma kuzodingeka kwenziwe ukhetho olusha, uNgqongqoshe uyomememezela usuku lokhetho lokuchibiyela kwigazethi, ebhekela nenani lezinsuku ezidingekile zokusebenza kohlelo lwesikhathi sokhetho.
- (9) Uma usuku selumenyezelwe njengokulawula komtheshwananqubo (8), lolo suku luyokhishwa futhi ephephandabeni laleyo ndawo okwenziwa kuyo ukhetho lokuchibiyela.
- (10) Uhlu lwabavoti oluyosetshenziswa okhethweni lokuchibiyela yilolo luhlu lwabavoti oluyobe lukhona mhla uNgqongqoshe ememezela usuku lwevoti lokuchibiyela, kodwa-ke kuyoba yilezo zingxenyane zohla lwabavoti oluqondene nesigodi lesi okuvuleke kuso isikhala.
- (11) Ikhansela elikhethwe okhethweni lokuchibiyela liyosebenza isikhathi lesi esisasalele lowo Mkhandlu WezoMdabu okhona kuze kuyofika ukhetho olulandelayo.

45. Inqubo Yokuziphatha

- (1) Lowo nalowo muntu ongenele ukhetho uyolandela le mithethonqubo kanye noMthetho, kanjalo neNqubo Yokuziphatha Emisiwe ehlinzekelwe kuSithasiselo (6) salo mthethonqubo.
- (2) Noma ngubani owephula kumbe-ke ahluleke ukhambisana Nenqubo Yokuziphatha Emisiwe usenecala, okuyokuthi uma limehlula abhekane nenhlawulo; kungenjalo-ke aboshwe isikhathi ubude baso osebuyoshiwo inkantolo yomthetho enamandla okukwenza lowo msebenzi.

46. Indlela yokuziphatha engamukelekile

- (1) Akukho muntu oyoziphatha ngendlela eyokwenza ukuba: —
 - (a) athonyele omunye umuntu ekubeni avote noma angavoti, ngendlela engafanele;
 - (b) aphoqe noma anxenxe umuntu ngokungemthetho ukuba; avotele kumbe angamvoteli lowo okhankansele ukhetho;

- (c) aphazamise ukuzimela kwethimba elizimele elengamele ukhetho;
 - (d) avimbele abavoti ngokungemthetho ukuba bangafinyeleli ezikhungweni zokuvota;
 - (e) azifanise ngokungemthetho nalowo ongenele ukhetho, isikhulu sokhetho kumbe-ke ingqapheli yalo;
 - (f) enze ngamabomu izitatimende ezingamanga noma akhiphe ulwazi olungamanga nolungahle ludunge ukhetho noma-ke ukwenziwa kwalo;
 - (g) adale ubutha ngokungemthetho noma ingebhe ukuze adunge ukwenziwa kokhetho kumbe umphumela walo.
 - (h) aphazamise ngokungemthetho ilungelo eliyimfihlo lokuvota komuntu;
 - (i) asuse ngokungemthetho, kumbe ashabalalise noma-ke alimaze lezozinto ezisetshenziselwa ukhetho;
 - (j) abhale, athuthe noma asuse ngokungemthetho amaphepha okuvota kumbe-ke akhiqize noma yini enye esetshenziselwa ukhetho;
 - (k) asuse ngokungemthetho noma alimaze izingqwembe namabhodi okhetho;
 - (l) athiye ngokungemthetho noma akhombise ukungahambisani nomyalelo wesikhulu esengamele ukhetho ngaphakathi kwemingcele yesikhungo sokuvota;
 - (m) apathe noma aveze ngokungemthetho isikhali esiyingozi ngaphakathi kwemingcele yesikhungo sokuvota;
 - (n) ngosuku lokuvota abe yingxenywe yomhlangano wezombusazwe, yenhlalaluhide yokukhonona noma-ke yombhikisho; futhi
 - (o) enze noma yini ephathelene nezombusazwe ngaphandle kokuvota ngaphakathi kwemingcele yesikhungo sokuvota.
- (2) Noma ngubani oyokwephula noma angahambisani nalokho okuhlinzekelwe yilo myalelo, usenecala, okuyothi lingamlahla, akhoke inhlawulo noma-ke aboshwe isikhathi ubude baso obuyoshiwo yinkantolo enamandla okwenza lowomsebenzi.

47. Ukukhethwa kwamalunga esigungu ezindlu zesifunda

- (1) Emhlanganweni wokuqala wendlu yabaholi boMdabu besifunda, umuntu oyokwengamela ukhetho lukasihlalo kanye nesekela lakhe uyokhonjwa uNgqongqoshe.
- (2) Ukhetho lukasihlalo kanye nolwesekela lakhe kuyokwenziwa ngokuba kucelwe iziphakamiso ezesekelwe zamagama angekho ngaphezulu kwamathathu isikhundla ngasinye: Kodwa-ke uma igama eliphakanyisiwe lasekelwa lilinye, lowo ophakanyisiwe useyomenyezelwa njengosekethiwe kulesosikhundla.
- (3) Lowo ophakanyisiwe njengoba kulandisa isigatshana sesi (2) ngenhla kumele azwakalise ukuthi uyakwamukela ukuphakanyiswa.
- (4) Iziphakamiso kanye nokhetho okukhulunywa ngalo esigatshaneni sesi (2) ngenhla luyokwenziwa ngohlobo lokukhetha oluyimfihlo.
- (5) Uma usihlalo nesekela lakhe sebekhethiwe, usihlalo nguye oseyokwengamela ukhetho lwamalunga esigungu sekomidi asasele ngokulandela izigatshana sesi (6) kuya kwesesi (9).
- (6) Usihlalo uyomema amalunga endlu yabaholi boMdabu besifunda ukuba baphakamise amagama aphindwe kabili kulelo nani elidingekayo ukuze kugcwaliswe ngalo izikhala ezisasalele.
- (7) Lelo nalelo gama eliphakanyisiwe liyokwesekelwa okungenani ngumuntu oyedwa, futhi lowo ophakanyisiwe uyokwemukela lokho kuphakanyiswa kwegama lakhe.
- (8) Kuyosetshenziswa amaphepha okuvota lapho kukhethwa amalunga esigungu sendlu yabaholi boMdabu besifunda, athi angamakwa bese efakwa ebhokisini lamavoti.
- (9) Amavoti ayobalwa usihlalo okuyothi eswabaliwe amemezele umphumela.

48. Ukukhethwa kwamalungu ezindlu zesifunda ukuba angene eNdlini Yesifundazwe

- (1) Lapho indlu yobuholi boMdabu yesifunda sebukhetha amalungu azoyobumela Endlini Yabaholi BoMdabu Yesifundazwe, njengalokhu kulandisa isigaba 13, kuyoqikelelwa ukuthi omasipala abangaphansi kwesifunda leso ebekade sikhethelwa ubuholi boMdabu, bameleleke kahle.
- (2) Usihlalo uyomema leyo naleyo yindlu yabaholi boMdabu besifunda ukuba ikhethe amalunga aphindwe kabili kulelo nani labantu abadingekayo ukugcwalisa izikhala zabaselelyo.
- (3) Leso naleso siphakamiso siyokwesekwa okungenani umuntu oyedwa, futhi-ke lesa naleso siphakamiso siyokwemukelwa yilowo ophakanyiswayo, andukuba kuqhutshwe ukhetho ngendlela yokukhetha eyimfihlo.
- (4) Kuyosetshenziswa amaphepha okuvota uma kukhethwa amalunga esigungu esikhulu seNdlu yabaHoli boMdabu yeSifunda, okuyothi angamakwa afakwe ebhokisini lamavoti.
- (5) Amavoti ayobalwa bese umphumela umenyezelwa usihlalo.

49. Ukukhethwa kwamalungu ekomidi elilawulayo leNdlu Yesifundazwe.

- (1) Emhlanganweni wokuqala Wendlu Yabaholi BoMdabu Yesifundazwe, oyokwenganyelwa yijaji eliyokhethwa uNgqongqoshe, kuyolandelwa lomhlahlandlela olandelayo uma sekukhethwa isigungu Sendlu Yesifundazwe.
- (2) Emhlanganweni wokuqala Wendlu yabaHoli boMdabu Yesifundazwe, oyobizwa uma sekwemukelwe imiphakathi esekelwe ngokwenqubo yzoMdabu engamashumi amahlanu nangaphezulu, noma emva kokhetho lwendlu entsha, iJaji lase Nkantolo

Enkulu yeRiphabliki yase Ningizimu Afrika liyoba uSihlalo, kuze kufike isikhathi lapho amalunga endlu eyokhetha khona uSihlalo weNdlu yabaHoli boMdabu Yesifundazwe Nephini lakhe.

- (3) Lapho ijaji selimema ukuba kuphakanyiswe kwamagama kasihlalo Wendlu Yesifundazwe kanye nesekele lakhe, uyoyala futhi Indlu Yesifundazwe ukuba igunyaze inani lamalunga esigungu Sendlu Yesifundazwe; lelo nani elingeyukuba ngaphansi kwabantu abahlanu futhi abangeqile kwabayishumi. Emva kwalokhu uSihlalo omusha Wendlu useyothatha indawo yakhe njengosihlalo womhlangano, bese eqhubeka nokhetho lwamalunga aseleyo.
- (4) Ukukhethwa kukasihlalo kanye nesekele lakhe kumele kwenziwe ngokuthi kucelwe iziphakamiso zamagama nokwesekwa kwazo ngamagama angengaphezulu kwamathathu isikhundla ngasinye. Inqobo nje uma kwenzeka ukuthi kuphakanyiswa igama elilodwa, lowo muntu kumele athathwe ngokuthi usekhethiwe kuleso sikhundla.
- (5) Nakuphi ukuphakanyiswa kwagama okukhonjwe esigatshaneni sesi (4) ngenhla kuyokwamukelwa yilowo ophakanyisiwe.
- (6) Iziphakamiso kanye nokhetho okukhulunywa ngalo esigatshaneni sesi (4) ngenhla luyokwenziwa ngendlela yokhetho eyimfihlo.
- (7) Uma usihlalo nesekele lakhe sebekhethiwe, usihlalo nguye oseyokwengamela ukhetho lwamalunga aseleyo esigungu Sendlu Yesifundazwe Yaboholi BoMdabu ngokulandela isigatshana sesi-8 kuya kwese - 12.
- (8) Kuyophakanyiswa amagama abe mathathu ukugcwalisa lesa naleso sikhala, futhi zonke iziphakamiso ziyokwesekelwa okungenani umuntu abe munye.
- (9) Uma igama eliphakanyisiwe lasekelwa lilinye, lowo ophakanyisiwe useyomenyezelwa njengosekhethiwe kulesosikhundla.
- (10) Kuyosetshenziswa amaphepha akuvota lapho kukhethwa amalunga esigungu, athi angamakwa bese efakwa ebhokisini lamavoti.
- (12) Amavoti ayobalwa bese umphumela usumenyezelwa usihlalo.

50. Ukufunga kwamalunga amakomidi alawulayo eziNdlu Zesifunda Nezesifundazwe

- (1) Amalunga akhethiwe Ezigungu Zendlu Yaboholi BoMdabu yeSifunda kanye Nabendlu Yesifundazwe bayofungiswa noma benze isiqinisekiso njengokulandisa kuka Sheduli yesi (2) yomthetho, futhi bayogcwalisa, basayine noma benze umaka efofomini elifana ncamashi nalelo elikuSithasiselo (2).

51. Izihlinzeko ezijwayelekile

- (1) Imikhandlu emiswe ngokwenqubo yedabuko, izindlu zobaholi boMdabu zesifunda kanye nendlu yaboholi boMdabu yesifundazwe zingazakhela eyabo imithetho nezindlela zokusebenza.
- (2) Imikhandlu emiswe ngokwenqubo yedabuko, izindlu zobaholi boMdabu zesifunda kanye nendlu yaboholi boMdabu yesifundazwe zingazakhela amakomidi amancane ngokwezidingo zawo ukuba zihambise kahle imsebenzi wazo.

52. Imfundo mayelana nokuvota

- (1) uMnyango uyoqoka ithimba eliyobhekana nokufundiswa ngokuvota emiphakathini yzoMdabu, futhi neyogunyaza izinhlangano ukuba zifundise ngokuvota njengalokhu kuhlonza Umthetho Wokhetho, futhi isicelo sokugunyazwa ukuba umfundisi wokuvota siyokwenziwa efofomini elifana ncamashi Nefomu lesi 6 LeSithasiselo sesi 9.
- (2) Wonke umfundisi wokuvota ogunyaziwe uphoqekile ukuhambisana Nendlela Yokuziphatha Yabafundisi Bokuvota njengalokhu ibekiwe kuSithasiselo 7.

53. Izingqapheli zokhetho

- (1) Lowo muntu kumbe inhlangano efisa ukuba yingqapheli yokhetho, iyokwenza isicelo sokugunyazwa njengengqapheli, isibhekise enhlanganweni yokhetho ezimele kuze iqaphe ukhetho njengokulandisa kwalomthetho, futhi isicelo salokhu siyokwenziwa ngokuba kugcwaliswe ifomu elifana ncamashi Nefomu lesi 7 LeSithasiselo sesi 8.
- (2) Yonke ingqapheli egunyaziwe iphoqekile ukulandela iNqubo Yokuziphatha Kwezingqapheli ebekwe kusithasiselo 8.

54. Ukukhankasela Ukhetho

- (1) Imikhankaso yokhetho iyokwenziwa ngokulandela izihlinzeko zemithethonqubo 45 kanye 46, kanjalo futhi NeSithasiselo sesi 6 sale mithethonqubo

55. Ukuqiniswa kobumfihlo

Isimememezelo sokuzijuba ekugcineni izimfihlo siyosayindwa yilowo okhethiwe ngaphambi kokuba aqashelwe kulesosikhundla, siyoba sefofomini elifana ncamashi Nefomu lesi 8 LeSithasiselo sesi 9.

56. Ukwephulwa kwemithetho kanye nokunikezwa kwezijeziso

- (1) Noma ngubani owenza isitatimende esingamanga noma anikezele ngemininingwane engesilo iqiniso kunoma yisiphi isicelo noma umbhalo ofunekayo ngokwalomthetho, useyoba necala, okuyothi uma limlahla akhokhe inhlawulo, kumbe aboshwe isikhathi esingekho ngaphezu konyaka noma-ke akwenze kokubili ukuhlawula nokuboshwa.

57. Izihloko ezifingqiwe

Le mithetho iyokwaziwa ngelokuthi Yimithetho Yobuholi BoMdabu yaKwaZulu-Natali ka 2006.

9. Amagama abantu umphakathi obathatha njengabaholi bawo, kanye nendlela okubizwa ngayo izikhundla zawo ngokwesiko lalowo mphakathi:

(a).....Isikhundla sakhe.....

(b).....Isikhundla sakhe.....

(a).....Isikhundla sakhe.....

(d).....Isikhundla sakhe.....

(e).....Isikhundla sakhe.....

Indawo.....(indawo).....(usuku)

Igama lomele:.....

Isikhundla:.....

ISITHASISELO 2

Isifungo esenziwa amalunga emikhandlu emiswe ngokwenqubo yoMdabu, izindlu zabaholi boMdabu zesifunda kanye neNdlu Yabaholi BoMdabu Yesifundazwe.

[Umthethonqubo we-16]

Mina

[faka amagama aphelele]

[faka inombolo kamazisi]

Ngiyokwethembeka kwiRiphabliki yaseNingizimu Afrika, eSifundazweni SaKwaZulu-Natali futhi ngiyothobela, ngihloniphe, ngiqhakambise uMthethosisekelo kanye nayo yonke eminye imithehto yeRiphabliki yaseNingizimu Afrika kanye neSifundazwe SaKwaZulu-Natali; ngenhlonipho ngethembisa ukwenza imisebenzi yami njengelunga le

[faka igama lomkhandlu wzoMdabu, Indlu Yesifundazwe noma iNdlu

Yesifunda Yabaholi BoMdabu.]

Ngokwamandla onke enginawo.

Ofakazi: _____

ukusayina/uphawu lwelunga

ISITHASISELO 3

INANI LAMALUNGA ESIGUNGU SAMAKHANSELA OMDABU

A Amalunga Aqokiwe	B Inkosi	C Amalunga Akhethiwe*	D Inani Labesifazane**	Inani Labesifazane Abakhonjiwe	Inani Labesifazane Abakhethiwe	Inani Selilonke Lamalunga (A+B+C)
17	1	12	10	6	4	30 (hhayi ngaphezulu)
16	1	11	10	6	4	28
15	1	10	9	5	4	26
14	1	10	9	5	4	25
13	1	9	8	5	4	23
12	1	8	7	4	3	21
11	1	8	7	4	3	20
10	1	7	6	3	3	18
9	1	6	6	3	3	16
8	1	6	5	3	2	15
7	1	5	4	2	2	13
6	1	4	4	2	2	11
5	1	4	4	2	2	10
4	1	3	3	2	1	8

* Lesi samba siyotholwa ngokubala kanje $(A + 1) \times 40\%$

** Ngokwesigaba 6 (2) (c) Somthetho, umkhandlu wamakansela oMdabu uyokwakhiwa ngokuthi okungenani ingxenye eyodwa kwezintathu kube abesifazane. Izinombolo zisondezelwe lapho umphumela kube liqhezu khona.

ISITHASISELO 4
INQUBO NGABASEBENZI ABAQASHIWE
(Umthethonqubo wama-24)

1. Bonke abasebenzi abaqashiwe:
 - (1) Ziyongena emsebenzini ngesikhathi bashayise kuphela uma ukubala sekuphuthuliwe;
 - (2) Bayolalela imiyalelo eyokwenziwa uMphathi Wokhetho kumbe iphini lakhe;
 - (3) Bayoyenza ngendlela efanele yonke imisebenzi ababelwe yona;
 - (4) Bayosebenza, baziphathe ngokungenzeleli nangendlela engachemi namuntu okhankasele ukhetho;
 - (5) Bayosebenzela futhi basize abavoti ngenhlonipho nangokunakekela;
 - (6) Bayowenzisisa ngobunono nangeqiniso umsebenzi wabo;
 - (7) Bayogcina umsebenzi wabo ungasolisi;
 - (8) Bayogcina imfihlo yevoti;
 - (9) Bayophatha ngenhlonipho abalingani babo, izingqapheli kanye nababhekele ezokuphepha;
 - (10) Bayogqoka ngendlela enokuhlonipheka engajivazi;
 - (11) Bayokuziphatha ngobungcweti emsebenzini wabo;
 - (12) Bayoqinisekisa ukuthi isikhungo sokuvota sihlanzekile futhi sisesimeni esihle;
 - (13) Bayohlala njalo besebenza ngokulawulwa ngumthetho; futhi
 - (14) Uma kunesidingo, babuze esikhulwini esengamele ukhetho kumbe iphini laso lapho kunezinto ezingabakhanyeli kahle.
2. NgoSuku Lokuvota, umsebenzi wokhetho abavumelekile:
 - (1) Ukukhankasela nokunxenela amavoti anoma yimuphi kulabo abangenele ukhetho;
 - (2) Ukusebenzisa izinto zomuntu okhankasele ukhetho;
 - (3) Ukuziphatha budlabha;
 - (4) Ukuziphatha ngendlela enenkohlakalo;
 - (5) Ukugqoka izevatho ezinemibala, amagama, izimpawu noma iziqubulo zanoma yiliphi iqembu lombusazwe;
 - (6) Ukuxhaphaza izinto zomsebenzi ngokuzisebenzisela eyaso inzuzo ngesikhathi sokuvota nokubala;
 - (7) Ukusebenzisa izidakamizwa noma uphuzo olunamandla; kanye nokudalula ulwazi ngesimo sevoti sanoma ngumuphi umuntu.

ISITHASISELO 5
IZIMPAHLA ZOKUVOTA

1. Okulandelayo izidingo okumele okungenani zibe khona kuléso naleso sikhungo sokuvota.
 - (1) amaphepha okuvota;
 - (2) amabhokisi amaphepha okuvota;
 - (3) amagumbi okuvotela;
 - (4) ingxenye eqinisekisiwe yohla lwabavoti besifunda;
 - (5) Uyinki ongacishi (indelebuli);
 - (6) izisicilelo;
 - (7) izigxivizo ezisemthethweni;
 - (8) amafomu asemthethweni;
 - (9) amapeni nemisizi;
 - (10) amarula;
 - (11) ithephu eklama umngcele wesiteshi;
 - (12) amabhanela;
 - (13) ithephu;
 - (14) izimvalaphi;

- (15) izincingwana zokubamba amaphepha;
- (16) izitikha kanye namaphepha okubhala amagama abantu;
- (17) umshini wokubhoboza amaphepha.

ISITHASISELO 6

INQUBO YOKUZIPHATHA KWABAKHANKASELE UKHETHO LWEMIKHANDLU EMISWE NGOKWENQUBO YOMDABU

Ingxenye 1

Ukuziphatha okungavunyelwe

1. Ukuthonywa kwabantu ngendlela engamukelekile

- (1) Akukho muntu: —
 - (a) oyophoqa kumbe anxenxe omunye ngendlela engekho emthethweni ukuba;
 - (i) abhalisele noma angakubhaliseli ukuvota;
 - (ii) avote noma angavoti;
 - (iii) avotele noma angavoteli umuntu osekhonjelwe ukhetho; noma
 - (iv) asekele noma angamesekeli lowo okhankasele ukhetho.
 - (b) oyophazamisa ukuzimela noma ukungachemi kwenhlangano ezimele yabengamele ukhetho, noma yiliphi ilunga, umsebenzi noma isikhulu seNhlangano Eyengamele Ukhetho;
 - (c) oyobandlulula omunye ngenxa yokwenza umsebenzi kwesikhathi esedlule, isikhathi samanje nesizayo, ngokwale mithethonqubo;
 - (d) oyokwenzelela noma athembise ukwenzelela umuntu ngoba engewenzanga umsebenzi ngokwale mithethonqubo;
 - (e) oyakuvimbela noma ngubani kulaba abalandelayo ukuba bafinyelele ngokunokwenzeka kubavoti, esidlangalaleni noma ngasese:
 - (i) noma ngubani omele lowo okhankasele ukhetho noma nguye uqobo okhankasayo;
 - (ii) noma ngubani okhankasele ukhetho ngesikhathi sokuvota;
 - (iii) noma iliphi ilunga, umsebenzi noma isikhulu sethimba elizimele elengamele ukhetho;
 - (iv) noma ngubani oqashwe ingqapheli esemthethweni; kumbe-ke
 - (v) noma ngubani ogunyazelwe ukufundisa ngokuvota.
- (2) Ngokulawulwa yile mithethonqubo, akekho umuntu ongavimbela omunye ukuba asebenzise ilungelo lakhe alinikwa yile mithethonqubo.
- (3) Akukho muntu, oyothi azi kahle ukuthi umuntu othile akavumelekile ukuba abhaliswe ngengomvoti, kodwa —
 - (a) amnxenxe lowo muntu ngokuthi ufanelekile ukuba abhaliselwe ukuvota; noma
 - (b) adukise omunye umuntu ngokuthi lowo muntu unelungelo lokubhaliselwa ukuvota.
- (4) Akekho umuntu oyothi azi kahle ukuthi omunye akanalo ilungelo lokuvota, kodwa —
 - (a) asize, aphoqe noma anxenxe lowo muntu ukuba avote; kumbe
 - (b) adukise omunye ngokuthi lowo muntu unelungelo lokuvota.

2. Ukuzenza omunye umuntu.

- (1) Akekho umuntu —
 - (a) ongafaka isicelo sokubhaliselwa ukuvota egameni lomunye umuntu, kungaba osaphila noma ongasekho kumbe-ke umuntu nje ongekho kodwa oqanjweyo.
 - (b) ongafaka isicelo sephepha lokuvota esikhungweni egameni lomunye umuntu, kungaba osaphila noma osewafa noma-ke umuntu nje ongekho oqanjweyo.
 - (c) othi kanti akavunyelwe ukuvota okhethweni noma esikhungweni esithile, avote okhethweni noma esikhungweni lesi;
 - (c) ongavota kaningi kunalokho akugunyazelweyo; noma
 - (d) azifanise nomunye —
 - (i) ngokumela lowo okhankasela ukhetho;
 - (ii) ngokuba abe okhankasela ukhetho ngesikhathi salo;
 - (iii) ngokuba yilunga, umsebenzi noma isikhulu seNhlangano Ezimele Eyengamele Ukhetho;
 - (iv) ngokuba abe umuntu oqashwe ingqapheli esemthethweni; noma
 - (v) abe umuntu ogunyaziwe ukufundisa ngokhetho.

3. Iziphatimende Zamanga Ezenziwe Ngenhloso.

- (1) Akukho muntu okuyothi uma kudingeka enze isitatimende ngokuhambisana nale mithethonqubo, asenze lesi sitatimende ebe —
 - (a) azi kahle ukuthi singamanga; noma
 - (b) ebe engakholwa ngokungabazisiyo ukuthi isitatimende lesi siliqiniso.
- (2) Akekho umuntu oyoshicilela ulwazi olungamanga ngenhloso —
 - (a) yokudunga noma avimbele ukhetho;
 - (b) yokudala ingxabano nokufaka ingebhe ukuze athonye ukuphathwa kokhetho noma imiphumela yalo;
 - (c) yokuthonya ukuphathwa kokhetho kumbe umphumela walo.

4. Ukungagcinwa kwesifuba.

- (1) Akukho muntu oyogxambukela elungelweni lokugcinwa kwesifuba ngevoti lomuntu.
- (2) Ngaphandle kokuba kuvunyelwe yile mithethonqubo, akekho umuntu —
 - (a) oyodalula ulwazi ngokuvota kumbe ukubalwa kwamavoti; noma
 - (b) avule noma iliphi ibhokisi lamavoti noma isitsha abekwe kuso ngokuhambisanayo nale mithethonqubo, noma asuse uphawu lokunamathelisa.

5. Okungavunyelwe mayelana nokuvota kanye nezinto zokuvota.

- (1) Ngaphandle kokuba kuvunyelwe yilemiyalelo, akekho umuntu —
 - (a) oyobhala, akhiqize noma anikezele noma yini enye esetshenziselwa ukuvota nokhetho;
 - (b) oyosusa noma afihle noma yini esetshenziselwa ukuvota nokhetho;
 - (c) oyolimaza noma abhidlize noma yini enye esetshenziselwa ukuvota nokhetho; noma
 - (d) oyothatha uhlu lwabavoti noma yini enye esetshenziselwa ukuvota nokhetho, ayisebenzisele izinhloso okungasezona ezokhetho.
- (2) Inhlangano ezimele eyengamele ukhetho ingagunyaza —
 - (a) ukubhalwa, ukukhiqizwa kanye nokunikezelwa kwanoma yini esetshenziselwa ukuvota nokhetho;
 - (b) ukuthathwa kohla lwabavoti noma yini enye esetshenziselwa ukuvota nokhetho ukuba isetshenziselwe ezinye izinhloso ezingasaqondene nokhetho; kanye
 - (c) nokususwa noma ukudilizwa kwanoma yini esetshenziselwa ukuvota nokhetho.

6. Okungavunyelwe mayelana nezingqembe kanye namabhodi ngesikhathi sokhetho.

- (1) Kusukela ngosuku ukhetho olumenyezwe ngalo kuze kube lusuku imiphumela yokhetho ezokwaziwa futhi imenyezwe ngalo njengokuhambisana nomthethonqubo wama-23, akekho umuntu oyokona noma asuse ngokungemthetho amabhodi kanye nezingqembe ezikhangiswe omunye wabakhankasele ukhetho.

7. Ukuphazanyiswa noma ukungahambisani nemiyalelo yenhlangano ezimele eyengamele ukhetho kanye nezinye izikhulu.

- (1) Akukho muntu oyokwala noma ongeyukulalela umyalelo osemthethweni owenziwa yinhlangano ezimele eyengamele ukhetho, noma yilunga, umsebenzi noma isikhulu salo leli thimba.
- (2) Akukho muntu oyophazamisa kumbe anqinde ithimba elizimelelyo elengamele ukhetho, noma lowo muntu okukhulunywa ngaye esigatshaneni soku (1), noma umuntu oqashwe yingqapheli egunyaziwe, lapho esemsebenzini wakhe.

8. Ukwephulwa kwenqubo yokuziphatha.

- (1) Akukho muntu noma iqembu elibhaliswe ngokusemthethweni futhi elilawulwa YiNqubo Yokuziphatha eliyokwephula noma lingahambisani nalokho okushiwo yilo mthetho.

Ingxenywe 2**Ukuphoqelelwa komthetho.****9. Ukumangalelwa kanye nokungenelela kwenhlangano ezimele eyengamele ukhetho.**

- (1) ILungu Lomkhandlu Ophethe lingathi lona ngokwalo noma-ke ngokusebenzisa inhlangano ezimele eyengamele ukhetho lifake isimangalo enkantolo ukuze liphokelele le mithethonqubo kumbe umthetho wokuziphatha, ngokuvunyelwa yile mithethonqubo noma omunye umthetho.
- (2) ILungu Lomkhandlu Ophethe noma-ke ngokusebenzisa ithimba elizimele elengamele ukhetho lingangenelela esimangalweni secala uma lona qobo lwalo, kumbe ithimba elizimele elengamele ukhetho lithinteka ngokusemthethweni kuleso isimangalo.

10. Amandla esiGungu Sokulalela Amacala

- (1) IsiGungu Sokulalela Amacala yisona esinamandla kuzo zonke izimpikiswano eziphatelene nokhetho nezikalazo zokwephulwa komthetho wokuziphatha.

- (2) Uma isiGungu Sokulalela Amacala sithola ukuthi umuntu wephule umbandela mumbe ngaphansi kweNgxenywe 1 yale Nqubo Yokuziphatha, siyothi ngokucabangela ukhetho olukhululekile nolungenzeleli, sijeziwe ngendlela efanele lowo oseqe umthetho, kumbandakanya lezi zindlela ezilandelayo —
- (3) isexwayiso sangokomthetho;
- (4) inhlawulo engeqile ezinkulungwaneni eziyishumi zamarandi (R10,000.00)
- (5) umyalelo ovimbela lowo muntu ukuba —
 - (a) asebenzise izinhloko zomphakathi zokusakaza izindaba;
 - (b) abambe umhlangano womphakathi, umbhikisho inhlabaluhide noma yimuphi-ke omunye umhlangano;
 - (c) angene kunoma yisiphi isifunda sokuvota ngenhloso yokukhankasela ukhetho noma-ke yisiphi esinye isizathu esiphathelene nokhetho;
 - (d) ukufaka noma akhiphe amabhodi, izingqwembe noma kukuphi;
 - (e) ukukhipha noma asakaze noma yini ebhaliwe yokukhankasela ukhetho;
 - (f) akhangise ngokuphathelene nokhetho; noma
 - (g) umyalelo onikeza imikhawulo emalungelweni alowo muntu noma ekwenzeni imisebenzi ethize ebaluliwe esigabeni (d)
 - (h) umyalelo ovimbela lowo muntu kanye nanoma yibaphi abantu abasebenzela lowo muntu ekungeneni esikhungweni sokuvota.
 - (i) umyalelo onciphisa inani lamavoti avotele lowo muntu
 - (j) umyalelo ophuca lowo omele ukhetho amalungelo okubamba iqhaza; noma
- (6) Noma yisiphi isijeziwo noma isivimbo esihlinzekelwe kulesi sigaba siyoba yisijeziwo esengeziwe kunoma yisiphi kulezo ezihlinzekwe kwiNgxenywe 3 yale Nqubo Yokuziphatha.

Ingxenye 3

11. Ukwepulwa kwemithetho nezijeziwo

- (1) Noma yimuphi umuntu ophula eminye yale mithethonqubo uyotholakala enecala bese kuthi ekubanjweni kwakhe abhekane nenhlawulo noma aboshwe izinyanga ezingevile kweziyishumi nambili noma ajeziwe ngakho kokubili.

Ingxenye 4

Amandla angeziwe nemisebenzi yenhlangano ezimele esingethe ukhetho

12. Inqubo Yendlela Yokuziphatha Okhethweni nezinye izinqubo

- (1) Inqubo Yendlela Yokuziphatha Okhethweni kumele ilandelwe —
 - (a) yiwo wonke umuntu obhalisele ukungenele ukhetho ngaphambi kokuba avunyelwe ukungenele ukhetho;
 - (b) yiwo wonke umuntu ongenele ukhetho ngaphambi kokuba abekwe ohlwini lwabangenele ukhetho.
- (2) Ukuze kugqugquzeleke ukhetho olukhululekile, olunobulungiswa noluhlekile, inhlangano ezimele ezosingatha ukhetho lungakha bese lunikezela eminye imithetho.
- (3) Inhlangano ezimele esingethe ukhetho ingaguqula noma ifake eminye imithetho esikhundleni sale enikeziwe ngokwale Ngxenywe.
- (4) Inqubo ekhishwe ngokwale Ngxenywe, noma ukushintshwa kwayo kumbe ukufakwa kweminye imithetho esikhundleni sayo, kumele kukhishwe kwigazethi.

ISITHASISELO 7

IMITHETHO YABAHLINZEKI BEMFUNDO YOKUVOTA ABASEMTHETHWENI

1. Bonke abahlinzeki bemfundo yokuvota abasemthethweni kumele —

- (1) bazise abavoti ngamalungelo abo avikelekile enkululeko kanembeza yenkolelo, inkululeko yokukhuluma nokusho noma yini, inkululeko yokuhlanganyela nokubuthana okunokuthula, inkululeko yenhlangano neyokubamba iqhaza ngenkululeko nangokuthula ekuvoteni;
- (2) bahloniphe ilungelo labavoti lokuvotela lowo ongenele ukhetho othandwa yibona ngokusebenzisa uhlobo lokuqeqesha olungakhetshi;
- (3) baqinisekise ukuthi abavoti bayatshelwa futhi bayaqonda ukuthi abangenele ukhetho kanye nabazindaba bakhululekile ukunikeza imininingwane nemibono;
- (4) njalo baziphathe ngendlela engakhetshi okuhambisana nabo futhi bangafakwa umthelela kumbe benze okushiwo yiqembu elithize lezopolitiki noma inhlangano; futhi
- (5) balwele ukugqugquzela ukundela amaqembu ahlukahlukene okukhululekile kanye nosiko lokubekezelelana.

2. Bonke abahlinzeki bemfundo yokuvota abasemthethweni kumele —

- (1) bagcine amabhuku ezimali abonakala eyisidingo; futhi

- (2) basebenzise izimali kuphela kulokho ebezikhishelwe kona
3. Abekho abahlinzeki bemfundo yokuvota abasemthethweni —
- (1) abangasebenzisa budedengu noma yiziphi izimali ezikhishelwe ukusetshenziselwa imfundo yokuvota.
 - (2) abangazama ukuthola ukuthi umvoti uzovotela bani kwabangenele ukhetho
 - (3) abangavumisa, bathonye, bancenge kumbe bakhokhele umvoti ukuba abhalise noma avote ngesikhathi sokhetho, uma azi ukuthi lowo muntu akanagunya lokubhalisa noma lokuvota okhethweni lolo;
 - (4) abangaba nomthelela noma bazame ukufaka umthelela ekukhetheni komvoti umuntu angamvotela kwabangenele ukhetho;
 - (5) abangashicilela, baphinde noma basabalalise nganoma iyiphi indlela imininingwane engesiyo;
 - (6) abangathiya noma baphazamise umsebenzi wanoma ubani ophathiswe isikhundla noma omele inhlango ezimele esingethe ukhetho.
4. abahlinzeki bemfundo yokuvota abasemthethweni kumele —
- (1) baziphathe ngendlela engaqhamisi buhlobo nengathathi macala kukona okuhlangene nongenele ukhetho noma umvoti
 - (2) bangenzi lutho engatshengisa, noma ibukeke sengathi itshengisa, ukuhambisana nongenele ukhetho;
 - (3) bangathathi siphonoma isihle kunoma ubani obandakanyekayo ekuqhubekeni kokhetho; futhi
 - (4) bangagqoki, baphathe noma bakhangise noma yiziphi izimpawu noma imibala esobala ehambisana neqembu elithize.

ISITHASISELO 8

IMITHETHO YENDLELA YOKUZIPHATHA YEZINGQAPHELI EZISEMTHETHWENI

1. Yonke ingqapheli esemthethweni kanye nomuntu oqashwe yingqapheli kumele —
- (1) aqaphe ukhetho ngendlela engakhethi qembu lezopolitiki noma ongenele ukhetho nenokuzimela.
 - (2) ahlale engaqamisi buhlobo futhi angathathi macala.
 - (3) atshengise ikhono nobungcweti ekuqapheni ukhetho.
 - (4) ahlinzeke inhlango ezimele esingethe ukhetho ngesithombe esigcwele ngakubonile ngenkathi ehlola, futhi aveza zonke izimo ezifanele, okubalwa kuzo —
 - (a) izinga lokwenzelela elitshengiswe yinhlango ezimele esingethe ukhetho.
 - (b) izinga lenkululeko yabangenele ukhetho lokuhlela, ukunyakaza, nokuhlanganyela baveze imibono yabo emphakathini.
 - (c) ithuba labangenele ukhetho lokuba babe nabantu babo abazozapha zonke izingxenyane zokuqhubeka kokhetho
 - (d) ukukwazi kwalabo abangenele ukhetho ukusebenzisa ngokulingana abezindaba bakazwelonke namanye amandla kahlumeni.
 - (e) ukuphathwa kahle kwezindawo zokuvotela nokubalwa kwamavoti; kanye
 - (f) nanoma yikuphi okunye okubandakanya ukukhululeka okubalulekile nobulungiswa bokhetho.
 - (5) avume ukulandela yonke imiyalo enikeziwe nazo zonke izibopho ezinikezwe
 - (a) yinhlango ezimele esingethe ukhetho
 - (b) umsebenzi wezokhetho;
 - (c) nanoma wubani oqashiwe noma umsebenzi egatsheni elizimele elisingethe ukhetho; noma
 - (d) ilungu lophiko lwezokuphepha nelisebenza ngokwemiyalo yomsebenzi.

ISITHASISELO 9

EMAFOMU OKHETHO

IFomu loku-1

UKUQOKWA KWAMAKHOSI AZOBA NGAMALUNGU LOMKHANDLU WOBUHOLI BOMDABU

UHLAKA OLUZIMELE LWABASINGATHI BOKHETHO

UKUQOKWA KWAMAKHOSI AZOBA NGAMALUNGU OMKHANDLU WOBUHOLI BOMDABU

Usuku lokhetho:

Isizwe:

Isigodi:

Mina, _____ (Inombolo kamazisi): _____

Ngiyisakhamuzi esizweni nasesigodini esibhalwe ngenhla futhi ngibhalisile ohleni lwabavoti engxenyeni yesigodi sami sohla lwabavoti, lapha ngiqoka _____

(Inombolo kamazisi: _____) ukuba angenele

ukhetho esizweni esibhalwe ngenhla. Okufakiwe yilokhu—

(a) ukwemukela ukuqokwa okusayinwe ngozovotelwa;

(b) ikhophi eqinisekisiwe kamazisi yozovotelwa lapho kuvela khona isithombe sakhe, igama kanye nenombolo kamazisi; kanye Nesiginesha: Indawo: Usuku: Imininingwane yokuxhumana ka—

(a)

Umqoki

(b)

Ozovotelwa

Inombolo Yenkomba:

Ifomu lesi-2

UKWEMUKELA UKUQOKELWA OKHETHWENI LWEMIKHANDLU YOBUHOLI BOMDABU

INHLANGANO EZIMELE ESINGATHA UKHETHO

UKWEMUKELA UKUQOKWA NGUMVOTELWA OKHETHWENI LWEMIKHANDLU YOMDABU

Usuku lokhetho:

Isizwe:

Isigodi:

Mina, _____ (Inombolo kamazisi: _____)

Ngamukela lapha ukuqokelwa (Susa ongakuqokanga) okhethweni olubalulwe ngenhla ngu

(Qaphela: Faka igama lokuqokile)

Indawo:

Usuku:

Isiginesha yozovotelwa

Inombolo Yenkomba:

Qaphela: Lapho kuqanyiswe khona ngombala ompunga okokusetshenziswa ngabakwa-IEC kuphela.

Ifomu lesi-3

ISITATIMENDE SOSINGETHE KHETHO NGAMAPHEPHA OKUVOTA NGOKHETHO LWEMIKHANDLU YOBUHOLI BOMDABU

INHLANGANO EZIMELE YABASINGATHI BOKHETHO

ISITATIMENDE SOSINGETHE KHETHO NGEPEPHA LOKUVOTA NGOKHETHO LWEMIKHANDLU YOBUHOLI BOMDABU

Usuku lokhetho:

Isizwe:

Isifunda sokuvota:

Isigodi:

Isikhungo sokuvota:

INGXENYE 1: AMABHOKISI AMAPHEPHA OKUVOTA

Isamba samabhokisi amaphepha okuvota	
Inani lamabhokisi amaphepha okuvota	
Inani lamabhokisi amaphepha okuvota angasetshenziswanga	
Asetshenzisiwe nangasetshenzisiwe kumele ahlanganise inani enze inani lesibalo sonke	

INGXENYE 2: AMAPHEPHA OKUVOTA

(a) Inani lamaphepha okuvota atholakele	
(b) Inani lamaphepha okuvota akhishiwe	
(c) Inani lamaphepha okuvota angakhishwanga	
(d) Inani (b) + (c)	
(e) Inani lamaphepha okuvota akhanseliwe	
(f) Inani lamaphepha okuvota asemabhokisini asetshenzisiwe	
(g) Inani (e) + (f)	

QAPHELA:

Izibalo kukholamu (d) kumele zifane nakukholamu (a).

Izibalo kukholamu (g) kumele zifane nakukholamu (b). *Isiginesha Yosingethe Ukhetho Usuku*

IFomu lesi-4

IFOMU LEMIPHUMELA ELIGCWALISWA OWENGAMELE UKUBALWA KWAMAVOTI YALOWO ONGENELE UKHETHO LWEMIKHANDLU YOBUHOLI BOMDABU

IKHOMISHANI YOKHETHO

IFOMU LEMIPHUMELA ELIGCWALISWA OWENGAMELE UKUBALWA KWAMAVOTI YALOWO ONGENELE UKHETHO LWEMIKHANDLU YOBUHOLI BOMDABU

Usuku lokhetho:

Umpakathi oMdabu:

UMkhandlu Wokuphatha Wesifunda [Uma ukhona]:

Isifunda sokuvota:

IMPUMELA YOKUBALWA

IGAMA LOVOTELWE	INANI LAMAVOTI	ISIGINESHA YOVOTELWE / ABASINGATHI/UMQAPHI
Isiginesha yowengamele ukubalwa:	Igama lowengamele ukubala:	Inombolo kamazisi:
Usuku:	Inombolo yocingo:	Inombolo yocingo emuva kwesikhathi somsebenzi:

Ifomu lesi-5

UKUPHIKISA OKHETHWENI LWEMIKHANDLU YOBUHOLI BOMDABU

INHLANGANO EZIMELE YABASINGATHI BOKHETHO
UKUPHIKISA OKHETHWENI LWEMIKHANDLU YOBUHOLI BOMDABU

Usuku lokhetho:**Isizwe:****Isifunda sokuvota:****Isigodi:****Ophikisayo***Inombolo kamazisi:***Amagama aphelele***Abasingathi/Ovotelwayo/ Umvoti:**(Lapho kufanele khona)***Ngiphikisa :**

Ukuba umvoti avunyelwe ukuvota

Ukuba umvoti avunyelwe ukuvota kulesi sikhungo

Ukuba umvoti (noma mina) anganikezwa iphepha lokuvota

Ukuziphatha kowengamele, osingethe ukhetho noma ubani kulesi sikhungo

Izizathu zokuphikisa (imininingwane ephelele yomvoti, owengamele, osingethe noma ngubani okuqondene naye)*Isiginesha Yophikisayo**Usuku***Isinqumo sowengamele ukhetho***Isiginesha yophikisayo**Usuku***Ifomu lesi-6**

ISICELO SOKUGUNYAZELWA UKUFUNDISA NGOKHETHO EMIKHANDLWINI YOBUHOLI BOMDABU

INHLANGANO EZIMELE YABASINGATHI BOKHETHO

ISICELO SOKUGUNYAZELWA UKUFUNDISA NGOKHETHO EMIKHANDLWINI YOBUHOLI BOMDABU

Isiceleo mayelana nokhetho lomasipala oluzoba ngomhlaka**(Usuku lokhetho)****Qaphela:**

(i) Isicelo kumele sinikwe abasingathi bokhetho

(ii) Lapho ulwazi oludingekayo lungeke lwanikezwa esikheleni esilapha, lolo lwazi kumele luhanjiswe lubhalwe lunanyathiselwe efomini.

(iii) Kususe okungenasidingo

1. IMINININGWANE ETHINTA OFAKA ISICELO

1.1 Amagama aphelele:

1.2 Igama lokuhweba:

1.3 Ikheli eliphelele lebhizinisi noma lokuhlala:	1.4 Ikheli leposi: Ikhodi:
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1.5 Inombolo yocingo:	1.6 Inombolo yefeksi (uma ikhona)
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1.7 Inombolo kamakhalekhukhwini (uma ikhona):	1.8 Ikheli le imeyili (uma likhona)
---	-------------------------------------

1.9 Umthetho ovuna ofaka isicelo (ozimele/inkampani/nokunye – gagula):
--

1.10 Inombolo yebhizinisi uma kuyinhlango, nkampani:
--

1.11 Imininingwane egcwele mayelana nozimele/ umqondisi/onamasheya/ilungu/umphathi sikhundla:				
Igama	Isikhundla	Inombolo kamazisi	Ubuzwe	Izwe ahlala kulo ngokugcwele

2. IMINININGWANE NGABAKWENZAYO NABANAKHO

2.1 Inani labafundisi emsebenzini wakho:
--

2.2 Imininingwane ephelele yabafundisi endaweni yokufundisa ukuvota noma imisebenzi ephathelene nokhetho:		
Amagama Aphelele	Isikhundla	Okufundelwe

2.3 Imininingwane ephelele ngolwazi lokuphatha nezezimali:

2.4 Imininingwane ephelele mayelana nama akhawunti asebhange, abacwaningimabhuku nokuphathwa kwezimali izinhlelo ezisetshenziswayo zokucwaningwa kanye nokubala umphakathi.

3. AMAKHONO NAMANDLA

3.1 Okusetshenziswayo:				
Umtapo wolwazi	Okokulalela nongakubuka	Isikhungo sokuqeqesha	Ingqungquthela	Okunye (gagula)

3.2 Izinsiza zokuqeqesha:			
Okokulalela nongakubuka	Indawo	Izincwajana ezichazayo	Okunye (gagula)

3.3 Ulimi okutholakala ngalo inzinsizakufunda:

3.4 Lapho kuthathwe khona imali:

4. OKUQUKETHWE WUHLELO LOKUFUNDISA NGOKUVOTA

4.1 Izimpokophelo:
4.2 Izinjongo:
4.3 Abantu okubhekiswe kubo (uhlobo lwabantu abazoqeqeshwa):
4.4 Indawo okuzosetshenzelwa kuyo:

4.5 Imininingwane ngokuzofundiswa:					
Imoduli	Okuqukethwe yisilabhasi	Indlela yokufundisa	Okuzuzwa ngumfundi	Indlelayokuhlolai	Ubude besikhath sesifundo
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

5. ULWAZI OLUBHALWE PHANSI LOKWESEKELA

Le mibhalo ihlanganiswe ukwesekela isicelo:
1
2
3
4

Lapha ngifaka isicelo sokuba ngigunyazwe ukufundisa ukuvota futhi—

(a)

ngiyaqinisekisa ukuthi imininingwane enikeziwe kuleli fomu kanye namadokodo athunyelwe kuyiqiniso futhi akunaphutha; futhi

(b)

Ngiyaqinisekisa ukuthi ngiyahambisana neMigomo Yabafundisi Bokhetho Abagunyaziwe futhi ngizimisele ukwenza isiqiniseko ukuthi abantu engibaqashaya ukuba bafundise ngokhetho nabo bayayisayina.

Usuku:

(isayinwe)

Igama:

Isikhundla:

Ifomu lesi- 7

ISICELO SOKUGUNYAZWA NJENGOMQAPHI OKHETHWENI LWEMIKHANDLU YOBUHOLI BOMDABU

INHLANGANO EZIMELE YABASINGATHI BOKHETHO

ISICELO SOKUGUNYAZWA NJENGOMQAPHI OKHETHWENI LWEMIKHANDLU YOMDABU Isicelo

mayelana noqapha ukhetho lwemiKhandlu Yobuholi BoMdabu oluzokuba mhla ka

(Usuku lokhetho)

1.1 Igama lofaka isicelo:

1.2 Ikheli lehhovisi elibhalisiwe lofaka isicelo:

1.3 Inombolo yocingo:

1.4 Inombolo yefeksi (uma ikhona):

1.5 Ikheli le imeyli (uma likhona):

1.6 Inombolo yokubhalisa yomfakisicelo (uma ikhona):

1.7 Usuku lokusungulwa:

1.8 Inani labantu abazobekwa njengabaqaphi:

1.9 Umuntu obhekene nokuxhumanisa abaqaphi bomfakisicelo:

1.10 Umaka noma uphawu lofaka isicelo:

1.11 Imininingwane yabantu abazoqashwa ngumfakisicelo:

Igama	Isikhundla	Inombolo kamazisi noma iphasiphothi	Ubuzwe	Usuku lokufika kanye nokuhamba eNingizimu Afrika (uma kukhona)

Qaphela. Uma isikhala singanele, kungasetshenziswa iphepha eliphelele elidwetshwe amakhohlamu.

Amadokodo asekeleayo:

Isicelo kumele sihambisane nalokhu okulandelayo:

(a) Ikhophi yencwadi yomthetho noma umthethosisekelo womfaki sicelo.

(b) Isitatimende esisho izizathu zokuthi kungani umfakisicelo efanelekile ukuba agunyazwe ukuqapha ukhetho.

(c) Isiqinisekiso sokuthi umfakisicelo uyazibophezela ukuba asebenzisane neKhomishane mayelana nokuqeqesha, ukuphatha kanye nokusatshalaliswa kwabantu.

Lapha sicela ukuba sigunyazwe njengabaqaphi futhi siyaqinisekisa ukuthi imininingwane enikiwe kuleli fomu kanye namadokodo asekeleayo kuyiqiniso futhi akunaphutha, futhi siyaqinisekisa ukuthi bonke abantu esibaqashile bazosayina neNqubo Yokuziphatha Kwabaqaphi.

Isiginesha yomuntu ongunyaziwe omele umfaki sicelo

Usuku:

Igama:

Isikhundla:

IFomu 8

UKUQINISWA KOBUMFIHLO BOKHETHO LOMKHANDLU WOBUHOLI BOMDABU

INHLANGANO EZIMELE YABASINGATHI BOKHETHO

UKUQINISWA KOBUMFIHLO BOKHETHO LOMKHANDLU WOBUHOLI BOMDABU

Usuku lokhetho

Mina (amagama aphelele) sengizoqashwa njengomphathi sikhundla

- (1) ngiyavuma ukuba ngizozibandakanya nomsebenzi wabasingathi bokhetho abazimele;
- (2) ngiyavuma ukuthi esikhundleni sami njengelungu labasebenzi bokhetho, ngizokhonjiswa ulwazi kanye namadokodo okumayelana nokhetho;
- (3) ngiyavuma futhi ngiyaqinisekisa ukuthi lonke lolo lwazi namadokodo ngizokuphatha njengokuyimfihlo enkulu futhi ngizokuvikela futhi ngingakuvezi kunoma wubani, ngaphandle uma ngigunyaziwe ukwenze njalo.
- (4) ngiyafakazisa ukuthi ngizoba ngaphansi kwalokhu kuQiniswa kobuMfihlo noma ngabe ukuqashwa kwami kuyaphela.

Isiginesha: Usuku:

OFAKAZI:

No. 1646, 2006

15 September 2006

DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**THE KWAZULU-NATAL TRADITIONAL LEADERSHIP AND GOVERNANCE ACT, 2005
(ACT NO. 5 OF 2005)****THE KWAZULU-NATAL TRADITIONAL LEADERSHIP REGULATIONS**

ACTING in terms of section 44(2) of the KwaZulu-Natal Traditional Leadership and Governance Act, No. 5 of 2005, the Member of the Executive Council responsible for Local Government and Traditional Affairs has made the regulations set out in the Schedule hereto.

The regulations will come into effect on the date of publication thereof in the *Provincial Gazette*.

M MABUYAKHULU

Minister of Local Government, Housing and Traditional Affairs

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11. Meetings of local houses
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40. Election ties and representivity
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42. The establishment of an Election Tribunal
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44. By-Elections
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PART D – APPENDICES

THE KWAZULU-NATAL TRADITIONAL LEADERSHIP REGULATIONS, 2006

PART A – DEFINITIONS AND INTERPRETATION

1. Definitions

In these regulations a word or expression to which a meaning has been assigned in the Act has that meaning and, unless the context otherwise indicates —

“**the Act**” means the KwaZulu-Natal Traditional Leadership and Governance Act, 2005 (Act No. 5 of 2005);

“**by-election**” means a by-election contemplated in regulation of these regulations;

“**candidate**” means a person who has been nominated in terms of regulation of these regulations;

“**citizen**” for purposes of these regulations means a South African citizen in possession of a valid identity document;

“**day**” for the purposes of these regulations a day means a working day, excluding weekends and public holidays;

“**the department**” means the department in the Provincial Government of Kwa-Zulu-Natal responsible for traditional affairs;

“**district municipality**” means a municipality that has municipal executive and legislative authority in an area that includes more than one local municipality, as contemplated by section 5 of the KwaZulu-Natal Determination of Types of Municipalities Act, 2000, and which is described in section 155(1)(c) of the Constitution as a category C municipality;

“**election**” means an election contemplated by these regulations;

“**election timetable**” means the election timetable to be compiled by the independent election agency in terms of regulation of these regulations;

“**Election Tribunal**” means the Tribunal to be appointed in terms of regulation of these regulations;

“**the Electoral Act**” means the Electoral Act, 1998 (Act No. 73 of 1998);

“**gazette**” means the official Provincial Gazette of KwaZulu-Natal;

“**Identity Document**” means an identity document issued after 1 July 1996, in terms of section 8 of the Identification Act, 1986 (Act No. 72 of 1986), or a temporary identity certificate issued in terms of the Identification Act, 1997 (Act No. 68 of 1997);

“**Independent Electoral Commission**” means the Commission established under the Electoral Commission Act, 1996 (No. 51 of 1996);

“**Imbizo**” means a consultative meeting as defined in the Act;

“**Inkosi**” means a senior traditional leader as defined in the Act, and “**amakhosi**” is the plural thereof;

“**Isigodi**” means the customary demarcation of a traditional ward in a traditional community, and “**izigodi**” is the plural thereof;

“**Isilo**” means the Monarch of the Province of KwaZulu-Natal as defined in the Act;

“**ocal house**” means a Local House of Traditional Leaders as defined in the Act;

“**the MEC**” means the Member of the Executive Council responsible for traditional affairs in the Province;

“**nomination**” means a nomination contemplated in regulation of these regulations;

“**observer**” means a person accredited to observe the election in terms of these regulations;

“**officer**” means —

(a) an officer appointed in terms of regulation 24 of these regulations;

(b) a presiding officer;

(c) a deputy presiding officer;

(d) a voting officer;

(e) a counting officer;

(f) a counter;

(g) an officer of the Department;

“**presiding officer**” means the person presiding at an election and appointed in terms of regulations 24(3)(a) of these regulations;

“**the Province**” means the Province of KwaZulu Natal;

“**Provincial House**” means the Provincial House of Traditional Leaders as defined in the Act;

“**recognition**” means recognition as contemplated in the Act, and “**recognised**” has a corresponding meaning;

“**regulations**” means these regulations, and includes the appendices;

“**resident**” means a person who is ordinarily resident in an area which forms part of a traditional community;

“**traditional community**” means a traditional community as defined in the Act;

“**traditional council**” means a traditional council as defined in the Act;

“**voter**” means a person whose name appears on the voter’s roll;

“**voter’s roll**” means those segments of the voters roll to be used in an election in terms of these regulations and certified by the MEC in terms of regulation 25 of these regulations;

“**voting district**” for purposes of these regulations means an area comprising of one or part of *isigodi* or a combination of two or more *isigodi* for which a voter’s roll is compiled in terms of regulation 25 of these regulations;

“**voting station**” means a voting station for voting purposes established in terms of regulation 23 of these regulations.

2. Interpretation

- (1) A person interpreting or applying these regulations must —
 - (a) do so in a manner that gives effect to the constitutional declarations, guarantees and responsibilities contained in the Constitution;
 - (b) take into account the Traditional Leadership and Government Framework Act, 2003 (Act No. 41 of 2003) and the Act; and
 - (c) take into account the traditions and customs applicable to the traditional community provided they do not contradict the legislative framework and the Constitution.

PART B - GENERAL

3. Applications for recognition as a traditional community

- (1) A community which wishes to apply for recognition as a traditional community must complete Form A in Appendix 1, and must lodge the completed form with the Premier of the Province of KwaZulu-Natal.
- (2) The form must be completed in full, and signed by a duly authorised representative of the community concerned.
- (3) The form may be lodged with the Premier by hand delivery or posted by pre-paid registered post to the Premier, care of the head of the provincial department responsible for traditional affairs.
- (4) Within three months after receiving a duly completed application the Premier must determine whether to recognise the community concerned as a traditional community, or whether to decline to do so.
- (5) The Premier must notify the community concerned of his decision in writing within three weeks thereof, and must publish such decision by notice in the *Gazette*. The recognition of a community as a traditional community shall be with effect from publication of the notice in the *Gazette*.
- (6) The notice in which a community is recognised as traditional community must also specify —
 - (a) the name by which that traditional community will be known; and
 - (b) the number of members of the traditional council to be established by that community.
- (7) The Premier must issue a certificate of recognition to a community recognised as a traditional community.
- (8) On recognition a traditional community must ensure that appropriate steps are taken to ensure compliance with the Act, and in particular sections 3 and 6(1).
- (9) A community remains recognised as a traditional community until recognition is withdrawn as contemplated by section 5 of the Act.
- (10) If a traditional community requests the Premier to withdraw its recognition as a traditional community as contemplated in section 5(1)(a) of the Act, it must do so in writing and must set out sufficient information to enable the Premier to properly consider the request, including —
 - (a) a full motivation for the request; and
 - (b) the extent of the support for the request within that community, and how that support has been determined.
- (11) The withdrawal of recognition of a traditional community takes effect on publication of a notice in the gazette withdrawing recognition of that community as a traditional community.

4. The establishment of traditional councils

- (1) On recognition of a traditional community by the Premier, the department must provide that community with the necessary administrative assistance and support to enable it to establish a traditional council within three months of recognition.

5. *Isigodi* (traditional wards)

- (1) The department must determine the *isigodi* (traditional wards) within each a traditional community, and must compile and maintain a list of *isigodi* (traditional wards) in each traditional council.
- (2) The determination the *isigodi* (traditional wards) by the department must take place in accordance with the customary demarcation of the *isigodi* (traditional wards) in a traditional community, and after consulting with *Inkosi* of the relevant traditional community.

6. Membership of traditional councils

- (1) The members of a traditional council comprise of —
 - (a) the *Inkosi* of that traditional community;

- (b) the members to be selected by *Inkosi* in terms of section 6(3)(a) of the Act; and
 - (c) the members of a traditional council to be elected in terms of section 6(3)(b) of the Act.
- (2) The number of members of a traditional council may not exceed thirty in total.

7. The selected members of a traditional council

- (1) The members of a traditional council to be selected in terms of section 6(3)(a) of the Act —
- (a) comprise of one representative selected by *Inkosi* from each *isigodi* (traditional ward), subject to a maximum of seventeen members;
 - (b) must comprise of at least one-third women, subject to the provisions of section 6(8) of the Act.
- (2) Where there are more than seventeen *isigodi* (traditional wards), *Inkosi* in consultation with the Department must group two or more *isigodi* (traditional wards) from which one member will be appointed.
- (3) *Inkosi* must select the members of a traditional council to be selected in terms of section 6(3)(a) of the Act, and must publicly make his or her selection known to the members of the traditional community within fourteen days of the recognition of that traditional community, or of the expiry of the office of the preceding traditional council, as the case may be.

8. The elected members of a traditional council

- (1) The members of a traditional council to be elected in terms of section 6(3)(b) of the Act —
- (a) must be elected from other members of that traditional community;
 - (b) must comprise of at least one-third women, subject to the provisions of section 6(8) of the Act;
 - (c) must constitute forty percent of the number of the other members of that traditional council made up by *Inkosi* and the members selected by *Inkosi*.
- (2) Any decimal fraction resulting from the calculation referred to in sub-regulation above must be disregarded, and the number will be rounded down.
- (3) Where it appears from the voter's roll that the size of the traditional community does not warrant the maximum number of members of the traditional council prescribed in the Act, the MEC may determine the appropriate size of the council in accordance with Appendix 2 to these regulations.
- (4) The election of the members of a traditional council to be elected in terms of section 6(3)(b) of the Act must take place in accordance with the regulations in Part C.

9. Meetings of traditional councils

- (1) The *Inkosi* must call the first meeting of a traditional council within twenty-one days of the establishment of that council. He or she must do so by a written notice setting out the date, time and place of the proposed meeting, and the notice must be delivered to each member at least four days prior to the date of the meeting.
- (2) A traditional council must meet each month on a day and time determined by the chairperson. He or she must do so by a written notice setting out the date, time and place of the proposed meeting, and the notice must be delivered to each member at least four days prior to the date of the meeting.
- (3) Special meetings may be called by the chairperson or two members of the traditional council by a written notice setting out the date, time and place of the proposed meeting, and the notice must be delivered to each member at least four days prior to the date of the meeting.
- (4) A traditional council must adopt such rules to provide for other positions and subcommittees as may be necessary to conduct its business.

10. Local houses of traditional leaders

- (1) The MEC must issue a notice convening the first meeting of a Local House on recognition of five or more traditional communities within a district municipality.
- (2) The notice referred to in sub-regulation must —
- (a) record the establishment of the local house;
 - (b) convene the first meeting of that local house, and specify the date, time and location of the first meeting, which must be on a date at least seven days after publication of the notice in the *Gazette*; and
 - (c) determine the number of members to be elected to the Provincial House from that local house, having regard to the considerations mentioned in sub-section 33(2) of the Act.
- (3) A local house will be known by the name of the district municipality within whose area of jurisdiction it falls.

11. Meetings of local houses

- (1) Every meeting of local houses will be open to the public: Provided however that this regulation will not apply when it is reasonable to do so, having regard to the nature of the business to be transacted at that meeting.
- (2) Ordinary meetings of a local house are convened by the chairperson of the local house, who must deliver a written notice to each member at least four days prior to the date of the meeting. The notice must be delivered to the usual place of residence of each member, or at such place designated by a member in writing.

- (3) The Chairperson must call a special meeting of a local house upon the written request of a majority of the members, which may be called on less than four days prior notice if at least two-third of the members present resolve that the matter is urgent.
- (4) Local houses may make rules and orders in connection with the conduct of their internal business and proceedings.
- (5) The quorum for a meeting of a local house is at least one-third of all members of that house in order to constitute a valid meeting of that house, and is at least one-half of all the members of that house when voting on any matter within its power.
- (6) All decisions of a local house are taken by the majority of the members present at that meeting.
- (7) Only members may speak and vote at meetings of the local houses: Provided that members of the public may address a local house if permitted to do so by a resolution of that house.
- (8) In this regulation "meeting" means all meetings of local houses and committees thereof.

12. Executive committees of local houses

- (1) A local house may establish an executive committee if that house deems it desirable to do so.
- (2) The executive committee of a local house may comprise of no more than seven members from that local house, provided however that the MEC may determine the number of members of the executive committees of the local houses by notice in the *Gazette*, should he deem it desirable to do so.
- (3) The election of members of the executive committee must be held in accordance with electoral regulations promulgated by the MEC.
- (4) An executive committee will have the role and functions conferred or imposed upon it by that local house.

13. The Provincial House of Traditional Leaders

- (1) Membership of the Provincial House will consist of *Isilo*; and a minimum of three and a maximum of seven members elected from each local house.
- (2) Each local house may elect from its members one member of the Provincial House, per six *amakhosi* in that local house.
- (3) The elections to be held in terms of sub-regulation (1) must be held in accordance with the regulations in Part C.

14. Meetings of the Provincial House

- (1) The MEC must issue a notice convening the first meeting of the Provincial House after fifty or more traditional communities have been recognised, and after members of the Provincial House have been elected from the majority of the local houses.
- (2) In the notice issued in terms of sub-regulation the MEC must specify the date, time and location of that meeting, which must be a date no less than seven days and no more than thirty days after publication of the notice in the *Gazette*.
- (3) Ordinary meetings of the Provincial House are convened by the Chairperson, who must deliver a written notice to each member at least four days prior to the date of the meeting. The notice must be delivered to the usual place of residence of each member, or at such place designated by a member in writing.
- (4) Every meeting of the Provincial House will be open to the public: Provided however that this regulation will not apply when it is reasonable to do so, having regard to the nature of the business to be transacted at that meeting.
- (5) The Provincial House must meet at least four times a year, and thereafter as is necessary, in order to perform its roles and functions in terms of the Act.
- (6) In order to permit members of the Provincial House to properly perform their roles and functions, they must be provided with copies of any relevant documents, pending legislation or draft bill referred to in sub-section 34(1) of the Act at least seven days before the house sits to consider such document, pending legislation or draft bill.
- (7) The Chairperson must convene a special extraordinary meeting of the Provincial House —
 - (a) if such a meeting is necessary to enable the house to perform the role and functions contemplated in section 34(1) and (3) of the Act, within the applicable time limits; or
 - (b) on the request of a majority of the members; or
 - (c) if the MEC is of the opinion such a meeting is desirable in the circumstances.
- (8) A special extraordinary meeting of the Provincial House may be convened on less than four day's prior notice in any of the circumstances referred to in sub-regulation are present.
- (9) The Provincial House may make rules and orders in connection with the conduct of their internal business and proceedings.
- (10) The quorum for the Provincial House is at least one-third of all members of that house in order to constitute a valid meeting of that house, and is at least one-half of all the members of that house when voting on any matter within its power.
- (11) All decisions of the Provincial House are taken by the majority of the members present at that meeting.
- (12) Only members may speak and vote at meetings of the Provincial House: Provided that members of the public may address the House if permitted to do so by a resolution of the House.
- (13) The Provincial House may resolve to call a consultative meeting for the purposes of consulting with members of the public, but such meetings will only be for consultative purposes and will have no official standing. Consultative meetings may only be called with the concurrence of the MEC, and are called following the processes referred to in sub-regulation (9) above.
- (14) In this regulation "meeting" means all meetings of the Provincial House and committees thereof.

15. The executive committee of the Provincial House

- (1) The Provincial House may establish an executive committee, which must consist of a minimum of five and a maximum of ten members in total.
- (2) The executive committee will comprise of the Chairperson, deputy Chairperson and other members elected by the Provincial House.
- (3) The executive committee will have the role and functions conferred or imposed upon it by the Provincial House.
- (4) The election of members of the executive committee must be held in accordance with electoral regulations promulgated by the MEC.

16. Pledge on assuming office

- (1) Newly appointed members of traditional councils, local houses and the Provincial House must complete, and sign or make their mark on a form substantially similar to the form in Appendix 2 when they swear the oath or affirm as required by section 43 of the Act.

PART C – ELECTIONS**17. The Scope of Part C**

- (1) This part will apply to —
 - (a) the election of traditional councils;
 - (b) the election of the executive committees of local houses;
 - (c) the election of the members of local houses to the Provincial House; and
 - (d) the election of the executive committee of the Provincial House.

18. Appointment of Election Agency

- (1) The department must appoint an independent election agency to conduct any election contemplated by these regulations. The scope of the appointment will include the nomination of candidates for the election, the announcement of the election results and the finalisation of any disputes and appeals that may have arisen during those elections.
- (2) After the determination of the date of an election the Department may approach the Independent Electoral Commission to be appointed as the independent election agency, failing which the Department must appoint an independent election agency through the official procurement processes which applies at that time.
- (3) In appointing an independent election agency the Department must take into account the following —
 - (a) the experience and familiarity of the agency with the electoral processes;
 - (b) the capacity of the agency to carry out its obligations;
 - (c) the familiarity of the agency with traditional communities and leadership;
 - (d) the familiarity of the agency with customary and traditional norms; and
 - (e) any other consideration that the Department may consider necessary in compiling the tender documentation.

19. Proclamation of and preparation for elections

- (1) The MEC must proclaim the date for the election of a traditional council and must set a single day and date for voting.
- (2) The proclaimed day and date of the election must be published in the *Gazette* allowing at least sixty days for compliance with the election timetable.
- (3) After the proclamation of the election date, the election timetable must immediately be compiled by the independent election agency in consultation with the MEC. The MEC must publish the election timetable in the *Gazette*.
- (4) The election timetable may be amended by the independent election agency by notice in the *Gazette* only if it considers it necessary for a free and fair election or if the voting day is postponed.
- (5) The elections in general or the election for a particular traditional council may only be postponed before the proclaimed date of the election if the independent election agency in consultation with the Head of the Department, or the official assigned or designated by him or her, is of the opinion that proceeding with the elections may grossly prejudice the administration of justice, order, peace and security, and must inform the MEC thereof as soon as possible.
- (6) In the event of a postponement of an election for any reason mentioned in sub-regulation (5), the MEC must make his or her decision known in any appropriate way that will ensure sufficient publicity of the postponement and must set another date and such date must be proclaimed in the *Gazette*: Provided that the newly proclaimed date is within ninety days of the expiry of the term of office of the existing traditional council.
- (7) The MEC may by notice in the *Gazette* shorten any of the time periods contemplated by these regulations for the first election of a traditional council following the commencement of the Act.

20. Qualification to vote

- (1) A person who wishes to participate in the elections of any traditional council must —

- (a) be a citizen of the Republic of South Africa;
- (b) be a resident of the traditional community concerned;
- (c) be in possession of an identity document;
- (d) be eighteen years of age or older; and
- (e) be registered on the traditional community's voter's roll.

21. Qualification for nomination

- (1) A person who wishes to stand for and accept a nomination as candidate for election to the traditional council of any community must —
 - (a) permanently reside within the community where the elections will be conducted;
 - (b) prove that he or she is at least eighteen years of age;
 - (c) be in possession of an identity document;
 - (d) appear on the voters' roll of the community concerned;
 - (e) not have been previously convicted of a criminal offence for which he or she has been sentenced to an effective period of twelve months or more without the option of a fine for an offence relating to dishonesty, incitement or any other offence involving violence and public disorder; provided where a period of five years has expired after conviction as provided for in the Constitution of South Africa; and
 - (f) not already have been selected by *Inkosi* in terms of section 6(3)(a) of the Act, and regulation 7.
- (2) The acceptance of the nomination must be completed and signed at *Imbizo*, or in the event that the candidate is not at *Imbizo* and nominated in absentia, the candidate must submit the acceptance of nomination after at least twenty registered voters have shown their support by a show of hands for the nomination at *Imbizo*, within five days after *Imbizo* in accordance with the election timetable.

22. Nominations and selection of candidates.

- (1) *Inkosi* must convene and preside over *Imbizo* to enable the independent election agency to conduct the nomination of candidates in terms of the published election timetable.
- (2) Candidates who are proposed for election in terms of section 6(3)(6) of the Act, read with regulation 8, are orally proposed and seconded by a show of hands by the proposer and at least two seconders, all of whom are registered voters from that traditional community, and who are present at the *Imbizo*.
- (3) The nominated candidate must acknowledge and confirm acceptance of the nomination by completing the relevant form of acceptance of nomination in accordance with the election time table, in a form substantially similar to Form 1, Appendix 9, which must contain —
 - (a) the signature or mark of the nominee;
 - (b) the signature of the independent election agency officer;
 - (c) signatures of two witnesses present at the nomination;
 - (d) the name(s) and surname of the nominee as they appear on the identity document;
 - (e) the identity number of the candidate;
 - (f) any other name or non offensive nickname by which the nominee is known in the community;
 - (g) the physical address of the nominee, including *Isigodi*;
 - (h) the date of the nomination;
 - (i) confirmation or declaration of acceptance of nomination to stand as a candidate, and that the candidate understands that the nomination is valid only for that round of elections and not any other subsequent or previous election or by-election; and
 - (j) contact details (where available).
- (4) Absent nominees must submit their acceptance of nomination as provided for in regulation 21(2).
- (5) The independent election agency must record the proceedings of *Imbizo* and submit the record of nominations to the department. Nominees who have been nominated in their absence must submit an acceptance of nomination form within five days, of the *Imbizo*, and the independent election agency must record whether the absentee nomination was supported by at least twenty voters present at *Imbizo*.
- (6) When conducting the nominations the independent election agency must ensure that the required number of male and female candidates is nominated and that each nominated candidate has signed an acceptance of nomination form in a form substantially similar to Form 2, Appendix 9.
- (7) The maximum number of nominees will be the number of required elected councillors in each particular traditional council plus ten.
- (8) No one may veto or object to any nominated candidate who is proposed and seconded at *Imbizo* unless the nominated candidate is disqualified in terms of these regulations and/or any other applicable legislation.

- (9) In appointing the 60% of the members of the traditional council as required by section 6(3)(a) of the Act, *Inkosi* must —
- (a) inform the appointed independent election agency of the intended appointments and seek their assistance in making objective appointments which must be verified by the independent election agency to ensure compliance with the provisions of regulation 5 of these regulations;
 - (b) make his/her appointees aware that their councillorship will only take effect once all the verification has been completed and they have been formally inducted and sworn into office;
 - (c) comply with the appointment of a minimum of one third of women to the council;
 - (d) make known the names of the 60% appointed members of the traditional council that have been verified by the independent election agency in terms of regulation 5; and
 - (e) encourage the community to uphold the participation of the elderly, youth and people with physical disabilities.
- (10) *Inkosi* must introduce the members of the traditional council appointed by him at *imbizo*.
- (11) The election agency must ensure that all candidates are fully aware of these regulations, the code of conduct as well as the provisions of the Act before the day of the elections.
- (12) Where a vacancy occurs in terms of section 7(1) of the Act, the vacancy of the appointed councillor must be filled. The administrator the traditional council or *Inkosi* must inform the department thereof in writing and give reasons of such vacancy, where after *Inkosi* must make the required appointment at an *imbizo* within the period specified in the Act and inform the department of such new appointment.

23. Establishment of voting stations

- (1) The department must demarcate the outer boundary of each traditional community area, and determine the voting districts boundaries of each *isigodi* in the traditional community, so as to determine the number of voting stations per traditional community.
- (2) A voting station must be set up in each *isigodi* within reach of residents of that *isigodi*. The independent election agency may make a determination on the desirability of more voting stations in an *isigodi*, should it be required.
- (3) Each voting station must generally comply with the provisions of section 64 of the Electoral Act, and the regulations made in terms of that Act.

24. Election staff

- (1) Each voting station must be managed by efficient and competent election staff appointed by the independent election agency from within the traditional community where the elections will take place.
- (2) To qualify for appointment as an election staff member each person must prove that —
 - (a) he or she is registered at the voting station where he or she is to be stationed;
 - (b) he or she is not an agent for any candidate who has been nominated to contest the elections;
 - (c) he or she is not a candidate in the election;
 - (d) he or she does not hold political office in any political party;
 - (e) he or she is not a member of any legislature; and
 - (f) he or she meets the academic or any other criteria set by the independent election agency.
- (3) Each voting station shall be staffed by the following officials —
 - (a) the presiding officer;
 - (b) the deputy presiding officer; and
 - (c) a sufficient number of support staff, including voting officers and counting officers.
- (4) Voting and counting officers are responsible for all activities within each voting station, including, but not limited to —
 - (a) the verification of registration;
 - (b) the stamping and issuing of ballots;
 - (c) the marking of voters with identifying mark;
 - (d) assisting voters who need assistance;
 - (e) ensuring that ballots are deposited into the ballot box;
 - (f) ensuring that full ballot boxes are sealed and stored in a secure place in the voting station; and
 - (g) the counting of ballots papers.
- (5) The presiding officer is responsible for —
 - (a) managing, co-ordinating and supervising the voting at the voting station
 - (b) taking all reasonable steps to ensure orderly conduct at that voting station.
- (6) The presiding officer —
 - (a) may order a security member to assist in ensuring orderly conduct at the voting station;

- (b) may exclude persons for valid reasons from the area within the boundary of the voting station; and
 - (c) may make all determinations, recommendations and decisions regarding disputes and any other matters relating to the voting process within the voting station, including whether or not a dispute should be referred to the Election Dispute Tribunal appointed in terms of these regulations.
- (7) Election staff must subscribe to the Code of Conduct as set out in Appendix 4 of these regulations.
 - (8) The independent election agency may at any time terminate the appointment of any election staff that have contravened the Code of Conduct as set out in Appendix 4 to these regulations, provided that such termination has followed a fair and valid process.
 - (9) The independent election agency is responsible for the training of election staff deployed at each voting station, and must equip staff with the voting materials referred to in Appendix 5 of these regulations.
 - (10) Elections staff will be appointed by and be responsible to the independent election agency, under such terms and conditions as that agency has determined which will determine their contractual obligations and rights. The department will not be contractually or otherwise liable for any dispute arising between the agency and the staff appointed by it.
 - (11) In appointing the election staff from the local community the election agency must exercise fairness, equity and equality, and must avoid practices that may be viewed as bias, nepotism or favouritism.

25. Registration of voters and compilation of voters' roll

- (1) A voters' roll must be compiled by the Department for each voting station before the date of the elections is proclaimed by the MEC: Provided that the voter registration must be conducted *per isigodi* in each traditional community.
- (2) The Department must, in compiling a voter's roll, take into account the provisions of Chapter 2 of the Electoral Act.
- (3) The voter's roll compiled in terms of sub regulation (1) above must be certified by the MEC on the date contemplated on the election time table.

26. Election Material

- (1) The independent election agency must ensure the availability of enough voting material for each voting station, including the equipment listed in Appendix 5 of these regulations.

27. General management of the elections

- (1) The department must oversee and monitor the electoral process, as well as the performance of the independent election agency and any incidental matters.
- (2) The elections must be managed by the independent election agency in order to ensure free and fair elections as contemplated in these regulations.
- (3) The department must provide funding for the elections in accordance with the budget submitted by the independent election agency, and approved by the Department in terms of the tender processes.
- (4) The department may make available staff to assist the independent election agency in managing and administering the elections.

28. Hours of voting

- (1) The voting hours must be from 07h00 to 19h00, unless the MEC has determined otherwise by notice in the *Gazette*.

29. Boundaries of voting stations

- (1) On voting day, the presiding officer, after consultation with *Inkosi*, must determine the outer boundary of the voting station before voting commences.
- (2) The presiding officer must demarcate the outer boundary of the voting station by, where practically possible, marking the boundary by using visible signs, markers or tape along the whole line of the boundary or at sufficient points along the line of the boundary.

30. Mobile voting stations

- (1) The independent election agency may decide, when necessary, to use mobile voting stations in addition to, or instead of, a fixed voting station and must give proper public notice of all intended routes, stopping times and venues of the mobile voting stations.
- (2) The same procedures outlined in regulations 31 and 32 of these regulations must be followed when a mobile voting station is used.

31. Initial procedures.

- (1) Immediately before a voting station is opened for voting, the presiding officer must show all accredited observers and candidates present that each ballot box to be used at that voting station is empty.
- (2) If all persons present are satisfied that a ballot box is empty, the presiding officer must seal that box by means of a seal designed and supplied to the presiding officer for that purpose, by closing all openings of the ballot box, except the slot to allow the completed ballot papers to be deposited.

32. Voting procedure

- (1) A voter may vote —
 - (a) in an election only at the voting station in the voting district in which that voter is registered; and
 - (b) only once in the election.
- (2) A voter may vote at a voting station —
 - (a) on production of that voter's identity document to the presiding officer or a voting officer at the voting station; and
 - (b) if that voter's name is on the certified segment of the voters' roll for the voting district for which that voting station is established.
- (3) When a voter produces an identity document to a presiding officer or voting officer, that officer must examine the identity document and determine whether —
 - (a) the voter is the person identified in that identity document;
 - (b) the voter's name appears on the certified segment of the voters' roll for the voting district concerned; and
 - (c) that voter has not already voted in the election.
- (4) If the presiding officer or voting officer is satisfied in respect of all the matters mentioned in sub-regulation (3), that officer must —
 - (a) record that the voter is regarded to have voted in the election;
 - (b) mark the hand of the voter as prescribed by regulation 35;
 - (c) mark the back of the ballot paper to which the voter is entitled with the official stamp for the election; and
 - (d) hand the ballot paper to the voter.
- (5) Once the voter has received a ballot paper marked in terms of sub-regulation (4)(c), the voter must —
 - (a) enter an empty voting compartment;
 - (b) mark the ballot paper in privacy in a way that indicates the candidate which the voter wishes to vote for;
 - (c) fold the ballot paper to conceal the voter's vote;
 - (d) take the ballot paper to a ballot box and show it to the presiding officer or a voting officer in a way that that officer can see the official stamp affixed in terms of sub-regulation (4)(c);
 - (e) place the ballot paper in the ballot box; and
 - (f) without delay leave the voting station.
- (6) Voting must take place by way of secret ballot.

33. Assistance to certain voters.

- (1) A person, other than the presiding officer or a voting officer, may assist a voter in voting, but only if —
 - (a) the voter requires assistance due to physical disability;
 - (b) the voter has requested to be assisted by that person; and
 - (c) the presiding officer is satisfied that the person rendering assistance is —
 - (i) at least 18 years old; and
 - (ii) not an observer or a candidate.
- (2) The presiding officer or a voting officer, at the request of a voter who is unable to read, must assist that voter to cast a vote and provide such assistance in the presence of —
 - (a) a person appointed by an accredited observer, if available; and
 - (b) a voting officer.
- (3) In applying this regulation, the secrecy of voting contemplated in regulation 32(6) must be preserved as far as possible.

34. Issue of new ballot papers.

- (1) If a voter accidentally marks a ballot paper in a way that does not indicate whom the voter wishes to vote for, or which may lead to an improper result and the ballot paper has not yet been placed in the ballot box, the voter may return that ballot paper to the presiding officer or a voting officer.
- (2) Upon receiving the ballot paper from a voter, the presiding officer or voting officer must mark "cancelled" on the back of that ballot paper, and file it separately. He or she must then hand the voter a new ballot paper.

35. Marking of hand

- (1) The hand of a voter must be marked by drawing a short line on the voter's left thumb and left thumb nail with visible indelible ink.
- (2) If the voter does not have a left thumb or thumb nail, or if it is impractical due to injury, disease or any other cause to mark

that thumb, then any one of the left hand or right hand fingers and nails may be so marked.

- (3) If for any of the reasons referred to in sub-regulation (2), no finger and nail of a voter can be marked, the presiding officer must keep a record of that voter's name, address, identity number, and the reasons why the voter's hand could not be so marked.

36. Sealing of ballot boxes.

- (1) As soon as a ballot box is full the presiding officer must seal the ballot box by closing the opening of the ballot box with a seal, and after the last vote has been cast, similarly seal the last ballot box and any unused ballot boxes. The presiding officer must seal the ballot boxes as prescribed in the presence of any observers and candidates who are present.
- (2) A sealed ballot box must remain sealed inside the voting station until opened for the counting of votes.

37. Completion of ballot paper statement and sealing of voting materials.

- (1) As soon as practicable after a voting station has been closed to voting, the presiding officer, in the presence of any observers and candidates present, must —
 - (a) complete a ballot paper statement on a form similar to form 3 of Appendix 9 of these regulations reflecting the number of —
 - (i) ballot boxes entrusted to that presiding officer;
 - (ii) used ballot boxes;
 - (iii) unused ballot boxes;
 - (iv) ballot papers entrusted to that presiding officer;
 - (v) issued ballot papers;
 - (vi) unissued ballot papers; and
 - (vii) cancelled ballot papers;
 - (b) seal each unused ballot box entrusted to that presiding officer;
 - (c) seal in separate containers —
 - (i) the certified segment of the voters' roll for the voting district;
 - (ii) the unused ballot papers entrusted to that presiding officer; and
 - (iii) the cancelled ballot papers.

38. Counting Procedures

- (1) The presiding officer must act as counting officer.
- (2) The counting officer must ensure that the procedures provided for in these regulations commence as soon as practicable after the voting station is closed for voting, and continue uninterrupted until they are completed.
- (3) The counting officer must examine whether the seals are intact on the sealed items before counting commences.
- (4) After examining the seals, the counting officer must open all the sealed ballot boxes and containers, and must deal with any irregularities and discrepancies found, and if any of the material appears to have been unlawfully tampered with or is missing, the counting officer must call in the assistance of a member of the security forces to investigate the matter and to assist in the search for any missing material.
- (5) If no discrepancies are found, the counting officer must open all the used sealed ballot boxes and must reject a ballot paper that indicates —
 - (a) the identity of the voter;
 - (b) a vote cast for more than one candidate;
 - (c) no mark, or that is marked in such a way that it is not reasonably possible to determine the voter's choice;
 - (d) the official mark not appearing on the back of the ballot paper; or
 - (e) that it is not an official ballot paper.
- (6) The counting officer must —
 - (a) mark "rejected" on the back of each rejected ballot paper; and
 - (b) file the rejected ballot papers separately.

39. Procedure concerning results and voting materials.

- (1) The counting officer must determine the result of the count of all the ballot papers cast in that voting station and record the result by completing a result form on a form substantially similar to form 4 of Appendix 9, reflecting the result of the count in respect of the election conducted at the voting station.
- (2) The counting officer will announce the provisional result of that voting station concerned after completion of the ballot paper statement.

- (3) Once the counting officer has complied with sub-regulation (1), the counting officer must seal all the voting material, including the used and unused ballot papers, together with the ballot paper statement, in separate containers, and must deliver such containers to the independent election agency's regional centre.
- (4) Once the results of each voting station in each regional centre have been obtained, the regional centre will forward all its results to the provincial centre to enable the independent election agency to declare the final result at an *imbizo* called by *inkosi* for that purpose.
- (5) The *imbizo* contemplated in sub-regulation (4) must be held within seven days after the independent election agency has determined the final results.

40. Election ties and representivity

- (1) After the counting of all votes and before the announcement of results at *imbizo*, election ties must be resolved by conducting a draw using identical envelopes with the names of the candidates who are involved in the tie placed therein.
- (2) The names of the candidates who are tied must be placed in identical envelopes by the counting officer, and must be drawn in such a manner so that it has been randomly selected.
- (3) The draw of an envelope must be presided over by *Inkosi* and conducted by the independent election agency who will at its discretion select any person to pick an envelope.
- (4) Where the required minimum of one-third of women representivity has not been reached, the female candidate should be declared elected in order to satisfy the provisions of gender representivity as provided for in the Act: Provided that where only women candidates are involved in a tie the draw must still be conducted.
- (5) The results of the draw shall form part of the results announced at *imbizo* for that purpose.

41. Election disputes and appeals

- (1) Where any interested party, including an observer or candidate, wishes to lodge a complaint regarding the procedures or processes of the election or the results of the elections, he or she must do so by lodging such complaint in writing with the presiding officer at the voting station.
- (2) The presiding officer must seek to resolve the dispute through mediation or negotiation, failing which the presiding officer must make a decision.
- (3) The presiding officer must record the objection and his or her decision, and must inform the objector and any other party involved or affected verbally of his or her decision.
- (4) Where the objector is still not satisfied with the decision of the presiding officer the objector may lodge an appeal within forty-eight hours of the presiding officer's decision with the Election Tribunal established in terms of regulation 42 of these regulations.

42. The establishment of an Election Tribunal

- (1) The MEC must immediately after the proclamation of the election date, establish an Election Tribunal consisting of not less than three people and not more than five people.
- (2) The members of the Tribunal must be fit and proper persons, and must possess at least one or more of the following skills and competencies —
 - (a) knowledge of legal procedures;
 - (b) knowledge of election processes;
 - (c) knowledge of traditional leadership issues;
 - (d) knowledge of dispute resolution procedures; or
 - (e) any other competency as may be identified by the MEC.
- (3) The MEC must appoint one of the members of the Tribunal as the chairperson of the Tribunal.
- (4) The Tribunal must adopt rules of procedure for the conduct of its business.
- (5) The Tribunal will have jurisdiction over all electoral matters and infringements of the Code referred to it, and may take any decision and impose any reasonable sanction having due regard to any applicable law and prescripts.
- (6) The Tribunal may at its discretion, after having had regard to the magnitude of the transgression or complaint, refer the matter to other competent agencies.
- (7) Any complaint must be lodged in writing in a form substantially similar to Form 5 of Appendix 9.
- (8) The Tribunal must convene within three days of the complaint being lodged or the contravention being committed.
- (9) The term of office of the Election Tribunal shall end after the announcement of the results or such other time as may be recommended for the proper finalisation of its responsibilities.
- (10) The powers of the Election Tribunal are prescribed in appendix 6 of these regulations.
- (11) The MEC may remove a member of the Tribunal for any good cause.

43. Swearing in of elected councillors

- (1) Newly elected members of the traditional council must be sworn in by a person designated by the MEC within twenty-one

days of the elections or the final announcement of results of the elections through the ordinary procedures provided for in Schedule 2 of the Act, and must complete, and sign or make their mark on a form substantially similar to the form in Appendix 2.

- (2) From the time that members of the traditional council have been declared elected until the time they have been sworn in, the *Inkosi* will assume the day-to-day functions of the traditional council.
- (3) Every traditional council must, after its members have been sworn in, proceed to elect a deputy chairperson.
- (4) The election of the deputy chairperson must be conducted by calling for the nominations and secondment of nominations of not more than three names for that position: Provided that in the event that only one nomination has been made, that person must be declared elected in that position.
- (5) Each nominated person referred to in sub-regulation (4) must demonstrate his or her acceptance of the nomination.
- (6) The election referred to in sub-regulation (4) must be done by means of secret ballot.
- (7) *Inkosi* must declare and announce the result at the meeting.

44. By-Elections

- (1) Whenever a vacancy arises in any traditional council in terms of section 7(1) of the Act, and subject to sub-regulations (2) and (3) under this regulation, the vacancy occurring in Traditional Council must be filled by the candidate who got the next highest number of votes in that election.
- (2) A candidate who did not receive any votes in an election for a traditional council may not become a member of the Traditional Council, and is regarded as being disqualified.
- (3) In the event that a female member of the Traditional Council caused the vacancy to arise, the next available female candidate on the remaining list of candidates who received the highest number of votes in the election must fill the vacancy.
- (4) Where the next candidate who obtained the highest number of votes in the election is, for whatever reason not available to fill the vacancy, then the next person with the highest number of votes will become a member of the Traditional Council.
- (5) The name of the person who becomes a member of the Traditional Council in terms of this regulation must be proclaimed in the *Gazette*.
- (6) Where a tie exists among the candidates on the list, such a tie will be resolved in terms of regulation 40 of these regulations.
- (7) Where no person is available to take up the membership of a Traditional Council in terms of this regulation, then a new election must be conducted afresh in terms of these regulations.
- (8) In the event that a new election must be conducted the MEC must proclaim the date for the by-election in a *Gazette*, and allow for the required number of days to give effect to the election timetable.
- (9) Once the date of the election has been proclaimed in terms of sub-regulation (8), the date must also be published in a newspaper circulating in the area where the by-election must be held.
- (10) The voter's roll to be used for the by-election is the voter's roll as it exists on the date that the MEC proclaims the date of the by-election but only those segments of the voter's roll for those *isigodi* affected by the vacancy.
- (11) The councillor elected at the by-elections shall be elected for the remainder of the term of office of the existing Traditional Council and until the next elections.

45. Code of Conduct

- (1) Every candidate participating in the election is bound by and must comply with these regulations and the Act, as well as the Code of Conduct provided for in Appendix 6 to these regulations.
- (2) Any person who contravenes or fails to comply with the Code of Conduct is guilty of a criminal offence, and on conviction liable to a fine or a period of imprisonment determined by a competent court of law.

46. Prohibited conduct

- (1) No person may conduct himself or herself in a manner that may —
 - (a) unduly influence a person to vote or not to vote;
 - (b) compel or unlawfully persuade a person to vote or not to vote for a particular candidate;
 - (c) interfere with the independence of the independent election agency;
 - (d) unlawfully prevent voters from access to voting stations;
 - (e) unlawfully impersonate a candidate, an election official or an observer;
 - (f) make intentional false statements or publish false information which may disrupt or prevent an election taking place;
 - (g) unlawfully create hostility or fear in order to influence the conduct or outcome of an election;
 - (h) unlawfully interfere with a voter's right to secrecy;
 - (i) unlawfully remove, destroy or damage any election material;
 - (j) unlawfully print, transport or remove ballot papers or manufacture any election material;
 - (k) unlawfully remove or damage any billboard or placard;

- (l) unlawfully obstruct or is in non-compliance with an instruction of a presiding officer inside the boundary of a voting station;
 - (m) unlawfully carry or display any dangerous weapon within the boundaries of the voting station;
 - (n) on voting day, participate in any political meeting, march or demonstration; and
 - (o) within the boundaries of the voting station engage in any political activity other than casting a vote.
- (2) Any person who contravenes or fails to comply with the provision of this regulation is guilty of a criminal offence and on conviction liable to a fine or a period of imprisonment determined by a competent court of law.

47. Election of members of the executive of the local houses

- (1) At the first meeting of a local house, a person designated by the MEC will preside over the election of a chairperson and a deputy chairperson.
- (2) The election of the chairperson and deputy chairperson must be conducted by calling for the nominations and secondment of nominations of not more than three names for each position: Provided that in the event that only one nomination has been made, that person must be declared elected in that position.
- (3) Each nominated person referred to in sub-regulation (2) must indicate his or her accept of the nomination.
- (4) The nominations and election referred to in sub-regulation (2) must be done by means of secret ballot.
- (5) When the chairperson and the deputy chairperson have been elected, the chairperson must preside over the election of the remaining members of the executive committee of the local house in terms of sub-regulations (6) to (9).
- (6) The chairperson must call upon the members of the local house to nominate at least twice the number of names that is required to fill the remaining positions.
- (7) Each nomination must be seconded by at least one person and each nomination must be accepted by the nominee.
- (8) Ballot papers to be used for the election of members of the executive of the local house must be completed and deposited into a ballot box.
- (9) The ballots must be counted by the chairperson, who must thereafter declare the result.

48. Election of members of the local houses to the Provincial House

- (1) When electing its representatives to serve in the Provincial House in compliance with regulation, the local house must seek to ensure representivity from the municipalities under the district for which the local house has been established.
- (2) The chairperson must call upon the members of each local house to nominate at least twice the number of names that is required to fill the remaining positions.
- (3) Each nomination must be seconded by at least one person and each nomination must be accepted by the nominee, after which an election by means of a secret ballot must be conducted.
- (4) Ballot papers must be used for the election of members of the executive of a Provincial house must be completed and deposited into a ballot box.
- (5) The ballots must be counted and the result must be declared and announced by the chairperson.

49. Election of members of the executive committee of the Provincial House

- (1) At the first meeting of Provincial House of Traditional Leaders presided over by a judge appointed by the MEC, the procedure appearing hereunder must be followed to elect the executive of the Provincial House.
- (2) At the first meeting of the Provincial House convened after fifty or more traditional communities have been recognised, or after the election of a new house, a Judge of the High Court of the Republic of South Africa must act as Chairperson until such time as the Chairperson and deputy Chairperson of the Provincial House have been elected by the members of the house.
- (3) When the Judge calls for nominations for the chairperson and deputy chairperson of the Provincial House he must also require the Provincial House to pass a resolution in which the number of members of the executive council of the Provincial House is determined, subject to a minimum of five and a maximum of ten members. Thereafter the newly elected Chairperson of the House will assume the position of chair of the meeting, and must conduct the election of the remaining members of the executive council.
- (4) The election of the chairperson and deputy chairperson must be conducted by calling for the nominations and secondment of nominations of not more than three names for each position: Provided that in the event that only one nomination has been made, that person must be declared elected in that position.
- (5) Each nomination referred to in sub-regulation (4) above must be accepted by the nominee.
- (6) The nominations and election referred to in sub-regulation (4) must be done by means of secret ballot.
- (7) When the chairperson and the deputy chairperson have been elected, the chairperson must preside over the election of the remaining members of the executive committee of the Provincial House in terms of sub-regulations (8) to (12).
- (8) Three names must be proposed for each vacancy to be filled and any nomination must be seconded by at least one person.
- (9) Where only one nomination is received, the nominated candidate must be declared elected.
- (10) Ballot papers must be used for the election of members of the executive committee, and after the ballot papers have been

marked, they must be deposited into a ballot box.

- (11) The ballots must be counted, and the result must be declared and announced by the chairperson.

50. Swearing in of members of the executive committees of the local and Provincial Houses

- (1) Elected members of the Executive Committees of the Local and Provincial Houses of Traditional Leaders must be sworn in or made to affirm in terms of Schedule 2 of the Act, and must complete and sign or make their mark on a form substantially similar to the form in Appendix 2.

51. General Provisions

- (1) The traditional councils, the local houses and the Provincial House may adopt their own rules and procedures.
- (2) The traditional councils, the local houses and the provincial house may establish such sub-committees they may deem necessary for the performance of their functions.

52. Voter Education

- (1) The Department must appoint an agency to oversee voter education in traditional communities and to accredit organisations to implement voter education as contemplated in the Electoral Act and an application to be accredited as a voter education service provider must be done on a form substantially similar to Form 6 of Appendix 9.
- (2) Every accredited voter education service provider is bound by the Code of Conduct for Voter Education Service Providers as set out in Appendix 7.

53. Election Observers

- (1) Any person or organisation that wishes to observe the elections must make application to the independent election agency for accreditation as an observer to observe the elections as contemplated in these regulations and must apply for accreditation by completing a form substantially similar to Form 7 of Appendix 8.
- (2) Every accredited observer is bound by the Code of Conduct for Observers set out in appendix 8.

54. Election Campaigns

- (1) Election campaigns must be conducted in terms of the provisions of regulations 45 and 46, as well as appendix 6 to these regulations.

55. Declaration of Secrecy

- (1) The declaration of secrecy to be signed by a person before that person can be appointed as an officer, must be in a form substantially similar to Form 8 of Appendix 9.

56. Offences and Penalties

- (1) Any person who makes a false statement or furnishes false particulars in any application or other document prescribed by these regulations shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding one year or to both such fine or imprisonment.

57. Short title

These regulations will be known as the KwaZulu-Natal Traditional Leadership Regulations, 2006.

PART D – APPENDICES

Appendix 1

FORM A

APPLICATION FOR RECOGNITION AS A TRADITIONAL COMMUNITY

TO: The Premier of KwaZulu-Natal

c/o
.....
.....

For the Attention of:

- 1. This is an application for recognition as a traditional community in terms of section 2(2) of the KwaZulu-Natal Traditional Leadership and Governance Act, 2005.
- 2. The Premier may decline to consider this application if the form is not complete in full, or is not clearly written.
- 3. Name of the traditional community:
- 4. Other names by which the Community may be known:

all other laws of the Republic of South Africa and the Province of KwaZulu-Natal; and I solemnly promise to perform my functions as a member of

.....
 [insert name of applicable traditional council, Provincial House or Local House of Traditional Leaders],
 to the best of my ability.

As Witnesses:

 Member's Signature or Mark

**APPENDIX 3
 NUMBER OF COUNCILLORS OF TRADITIONAL COUNCILS**

A Selected Members	B Inkosi	C Elected Members*	D Total number of women**	Number of Women Appointed	Number of Women Elected	Total Members (A+B+C)
17	1	12	10	6	4	30 (maksimum)
16	1	11	10	6	4	28
15	1	10	9	5	4	26
14	1	10	9	5	4	25
13	1	9	8	5	4	23
12	1	8	7	4	3	21
11	1	8	7	4	3	20
10	1	7	6	3	3	18
9	1	6	6	3	3	16
8	1	6	5	3	2	15
7	1	5	4	2	2	13
6	1	4	4	2	2	11
5	1	4	4	2	2	10
4	1	3	3	2	1	8

* Determined as $(A + 1) \times 40\%$

** In terms of section 6(2)(c) of the Act a traditional council must comprise of "at least" one-third women. The numbers have therefore been rounded up where a fraction results from the calculation.

**APPENDIX 4
 CODE FOR APPOINTED OFFICERS
 (REGULATION 24)**

1. All appointed officers must:
 - (1) Come to work on time and knock off after counting is completed;
 - (2) Abide by the instructions given by the Presiding Officer or Deputy Presiding Officer;
 - (3) Carry out all your assigned duties competently and efficiently;
 - (4) Be and act impartial and do not favour or side with any candidate;
 - (5) Serve voters with respect, dignity and courtesy;
 - (6) Be accurate and thorough in their work;
 - (7) Keep their work above question;
 - (8) Preserve the secrecy of the vote;
 - (9) Treat their colleagues, observers and security personnel with respect;
 - (10) Dress respectfully and be presentable;
 - (11) Conduct themselves in a professional manner;
 - (12) Make sure that the voting station is presentable and tidy;

- (13) Always act in accordance with the law; and
 - (14) Approach the presiding officer or the deputy for clarity on issues where and when necessary.
2. During the Election Day, a voting officer is not allowed to:
- (1) Canvass or campaign for any candidate;
 - (2) Use equipment or assets of a candidate;
 - (3) Behave negligently;
 - (4) Behave fraudulently;
 - (5) Wear clothing with any political party colours, names, signs or logos;
 - (6) Abuse equipment for personal interests during the hours of voting and counting;
 - (7) Use drugs and alcohol-related substances; and
 - (8) Disclose any information regarding how a voter voted.

APPENDIX 5 VOTING MATERIALS

1. The following minimum voting material is needed in each voting station: —
- (1) ballot papers;
 - (2) ballot boxes;
 - (3) voting compartments;
 - (4) the certified segment of the voters' roll for the voting district;
 - (5) indelible ink;
 - (6) seals;
 - (7) official stamp;
 - (8) all prescribed forms;
 - (9) pencils and pens;
 - (10) rulers;
 - (11) boundary tape;
 - (12) banners;
 - (13) industrial tape;
 - (14) envelopes;
 - (15) paper clips;
 - (16) stickers and name tags;
 - (17) punch;

APPENDIX 6

ELECTORAL CODE OF CONDUCT FOR CANDIDATES PARTICIPATING IN TRADITIONAL COUNCIL ELECTIONS

Part 1

Prohibited conduct

1. Undue influence

- (1) No person may —
 - (a) compel or unlawfully persuade any person —
 - (i) to register or not to register as a voter;
 - (ii) to vote or not to vote;
 - (iii) to vote or not to vote for any nominated candidate; or
 - (iv) to support or not to support any nominated candidate;
 - (b) interfere with the independence or impartiality of the independent election agency, any member, employee or officer of the Independent election agency;
 - (c) prejudice any person because of any past, present or anticipated performance of a function in terms of these regulations;
 - (d) advantage, or promise to advantage, a person in exchange for that person not performing a function in terms of these regulations;

- (e) prevent any of the following persons from gaining reasonable access to voters, whether in a public or private place:
 - (i) any representative of a candidate or a candidate;
 - (ii) any candidate in an election;
 - (iii) any member, employee or officer of the independent election agency;
 - (iv) any person appointed by an accredited observer; or
 - (v) any person accredited to provide voter education;
- (2) Subject to these regulations, no person may prevent anyone from exercising a right conferred by these regulations.
- (3) No person, knowing that another person is not entitled to be registered as a voter, may —
 - (a) persuade that other person that that other person is entitled to be registered as a voter; or
 - (b) represent to anyone else that that other person is entitled to be registered as a voter.
- (4) No person, knowing that another person is not entitled to vote, may —
 - (a) assist, compel or persuade that other person to vote; or
 - (b) represent to anyone else that that other person is entitled to vote.

2. Impersonation

- (1) No person —
 - (a) may apply to be registered as a voter in the name of any other person, whether living, dead or fictitious;
 - (b) may apply for a ballot paper at a voting station in the name of another person, whether living, dead or fictitious;
 - (c) who is not entitled to vote in an election or at a voting station, may vote in that election or at that voting station;
 - (d) may cast more votes than that person is entitled to; or
 - (e) may impersonate —
 - (i) a representative of a candidate or candidates;
 - (ii) a candidate in an election;
 - (iii) a member, employee or officer of the Independent election agency;
 - (iv) a person appointed by an accredited observer; or
 - (v) a person accredited to provide voter education.

3. Intentional false statements

- (1) No person, when required in terms of these regulations to make a statement, may make the statement —
 - (a) knowing that it is false; or
 - (b) without believing on reasonable grounds that the statement is true.
- (2) No person may publish any false information with the intention of —
 - (a) disrupting or preventing an election;
 - (b) creating hostility or fear in order to influence the conduct or outcome of an election; or
 - (c) influencing the conduct or outcome of an election.

4. Infringement of secrecy

- (1) No person may interfere with a voter's right to secrecy while casting a vote.
- (2) Except as permitted in terms of these regulations, no person may —
 - (a) disclose any information about voting or the counting of votes; or
 - (b) open any ballot box or container sealed in terms of these regulations, or break its seal.

5. Prohibitions concerning voting and election materials

- (1) Except as permitted in terms of these regulations, no person may —
 - (a) print, manufacture or supply any voting or election material;
 - (b) remove or conceal any voting or election material;
 - (c) damage or destroy any voting or election material; or
 - (d) use the voters' roll or any voting or election material for a purpose other than an election purpose.
- (2) The independent election agency may authorise —
 - (a) the printing, manufacture or supply of any voting or election material;

- (b) the use of the voters' roll or any voting or election material for a purpose other than an election purpose; and
- (c) the removal or destruction of any voting or election material.

6. Prohibitions concerning placards and billboards during election

- (1) From the date on which an election is called to the date the result of the election is determined and declared in terms of regulation 23, no person may deface or unlawfully remove any billboard, placard or poster published by a candidate.

7. Obstruction of or non-compliance with, directions of independent election agency, independent election agency and other officers

- (1) No person may refuse or fail to give effect to a lawful direction, instruction or order of the independent election agency, or a member, employee or officer of the Independent election agency.
- (2) A person may not obstruct or hinder the independent election agency, or a person mentioned in sub-item (1), or a person appointed by an accredited observer, in the exercise of their powers or the performance of their duties.

8. Contravention of Code

- (1) No person or registered party bound by the Code may contravene or fail to comply with a provision of that Code.

Part 2

Enforcement

9. Institution of and intervention in civil proceedings by independent election agency

- (1) Subject to these regulations and any other law, the MEC either personally or through the independent election agency may institute civil proceedings before a court to enforce a provision of these regulations or the Code.
- (2) The MEC either personally or through the independent election agency may intervene in any civil proceedings if the MEC or independent election agency has a legal interest in the outcome of those proceedings.

10. Jurisdiction and powers of Election Tribunal

- (1) The Election Tribunal has jurisdiction in respect of all electoral disputes and complaints about infringements of the Code.
- (2) If Election Tribunal finds that a person has contravened a provision of Part 1 of this Code it may in the interest of a free and fair election impose any appropriate penalty or sanction on that person, including —
- (3) a formal warning;
- (4) a fine not exceeding R10,000.00;
- (5) an order prohibiting that person from —
 - (a) using any public media;
 - (b) holding any public meeting, demonstration, march or other event;
 - (c) entering any voting district for the purpose of canvassing voters or for any other election purpose;
 - (d) erecting or publishing billboards, placards or posters at or in any place;
 - (e) publishing or distributing any campaign literature;
 - (f) electoral advertising; or
 - (g) an order imposing limits on the right of that person or to perform any of the activities mentioned in paragraph (d);
 - (h) an order excluding that person or any agents of that person from entering a voting station;
 - (i) an order reducing the number of votes cast in favour of that person;
 - (j) an order disqualifying the candidature of that person; or
- (6) Any penalty or sanction provided for in this section will be in addition to any penalty provided for in Part 3 of this Code.

Part 3

11. Offences and penalties

- (1) Any person who contravenes a provision of these regulations will be guilty of an offence and upon conviction will be liable to a fine or imprisonment not exceeding 12 months or both such fine and imprisonment

Part 4

Additional powers and duties of Independent election agency

12. Electoral Code of Conduct and other Codes

- (1) The Electoral Code of Conduct must be subscribed to —
 - (a) by every registered candidate before that candidate is allowed to contest an election; and
 - (b) by every candidate before that candidate may be placed on a list of candidates.

- (2) In order to promote free, fair and orderly elections, the independent election agency may compile and issue any other Code.
- (3) The Independent election agency may change or replace a Code issued in terms of this Part.
- (4) A Code issued in terms of this Part, or a change to or replacement of such a Code, must be published in the *Gazette*.

APPENDIX 7

CODE FOR ACCREDITED VOTER EDUCATION PROVIDERS

1. Every accredited voter education provider must—
 - (1) inform and make voters aware of their protected right to freedom of conscience and belief, freedom of speech and expression, freedom of association and peaceful assembly, freedom of movement and of the right to participate freely in peaceful electoral activities;
 - (2) respect the right of voters to elect a candidate of their choice by using an impartial training method;
 - (3) ensure that voters are informed and made aware thereof that candidates and the media are free to impart information and opinion;
 - (4) always act in a non-partisan manner and be free of any influence or control by any political party or organisation; and
 - (5) strive to promote democratic pluralism and a culture of tolerance.
2. Every accredited voter education provider must—
 - (1) keep such books of account that are reasonably necessary; and
 - (2) use funds received only for the purpose for which it was appropriated.
3. No accredited voter education provider may—
 - (1) misuse any funds received for the purpose of voter education;
 - (2) attempt to ascertain for which candidate any voter intends to vote;
 - (3) induce, influence, persuade or procure a voter to register for or vote in an election, in the knowledge that such voter is not entitled to register or vote in the election concerned;
 - (4) influence or attempt to influence the choice of a voter regarding any candidate in an election;
 - (5) publish, repeat or disseminate in any manner whatsoever false information; and
 - (6) obstruct or interfere with the work of any official or representative of the independent election agency.
4. Accredited voter education providers must—
 - (1) act in a strictly neutral and unbiased manner in every matter concerning any candidate or voter;
 - (2) do nothing that could indicate, or be seen as indicating, partisan support for a candidate;
 - (3) not accept any gift or favour from any person involved in the election process; and
 - (4) not wear, carry or display any obviously partisan party symbols or colours.

APPENDIX 8

CODE OF CONDUCT FOR ACCREDITED OBSERVERS

1. Every accredited observer and person appointed by the observer must —
 - (1) Observe the election impartially and independently of any political party or candidate contesting the election.
 - (2) Remain non-partisan and neutral.
 - (3) Be competent and professional in observing the election.
 - (4) Provide the independent election agency with a comprehensive review of the elections taking into account all relevant circumstances including—
 - (a) the degree of impartiality shown by the independent election agency;
 - (b) the degree of freedom of candidates to organise, move, assemble and express their views publicly;
 - (c) the opportunity for candidates to have their agents observe all aspects of the electoral process;
 - (d) the fairness of access for candidates to national media and other resources of the state;
 - (e) the proper conduct of polling and counting of votes; and
 - (f) any other issue that concerns the essential freedom and fairness of the election.
 - (5) Comply with all instructions given and every obligation imposed by —
 - (a) the independent election agency;
 - (b) any electoral officer; or

- (c) any employee or officer of the independent election agency; or
- (d) a member of the security services acting on the instructions of an officer.

2. The accredited observer and any person appointed by that observer should—

- (1) Avoid doing anything that would indicate or be seen as indicating partisan support for a candidate.
- (2) Act in a strictly neutral and unbiased manner.
- (3) Disclose to the independent election agency any relationship that could lead to conflict of interest regarding the performance of their duties as observers or with the process of observation or assessment of the election.
- (4) Not accept any gifts or favour from a candidate, organisation or person involved in the election process.
- (5) Not participate in any function or activity that could lead to a perception of sympathy for a particular candidate.
- (6) Not express a view or opinion on any matter, which is the subject of electoral campaigning.
- (7) Not influence or attempt to influence the choice of a voter regarding any candidate in an election.
- (8) Not wear, carry, or display any registered party's symbols or colours.

APPENDIX 9 ELECTION FORMS

Form 1

NOMINATION OF CANDIDATE FOR TRADITIONAL COUNCIL ELECTIONS

INDEPENDENT ELECTORAL AGENCY

NOMINATION OF CANDIDATES FOR TRADITIONAL COUNCIL ELECTIONS

Election date: _____

Isizwe: _____

Isigodi: _____

I, _____ (Identity number: _____)

being ordinarily resident in the abovementioned isizwe and isigodi and being registered as a voter on that isizwe's segment of the voters' roll, hereby nominate _____

(Identity number: _____) to contest the

election in the abovementioned isizwe as a candidate. Attached is—

(a) the prescribed acceptance of nomination signed by the candidate;

(b) a certified copy of the page of the candidate's identification document on which the candidate's photo, name and identity number appear; and

Signature: _____

Place: _____

Date: _____

Contact details of—

(a)

Nominator

(b)

Candidate

Reference Number: _____

Form 2

ACCEPTANCE OF NOMINATION BY A CANDIDATE FOR TRADITIONAL COUNCIL ELECTIONS

INDEPENDENT ELECTORAL AGENCY

ACCEPTANCE OF NOMINATION BY A CANDIDATE TRADITIONAL COUNCIL ELECTIONS

Election date:

Isizwe:

Isigodi:

I, _____ (Identity number: _____)

hereby accept my nomination a candidate [Delete which is not applicable] in the abovementioned election by

(Note: Insert name of nominating individual)

Place:

Date:

Signature of candidate

Reference Number:

NB: Areas shaded in grey are for IEC official use only

Form 3

PRESIDING OFFICER'S BALLOT PAPER STATEMENT IN THE TRADITIONAL COUNCIL ELECTIONS

INDEPENDENT ELECTORAL AGENCY

PRESIDING OFFICER'S BALLOT PAPER STATEMENT IN THE TRADITIONAL COUNCIL ELECTION

Election date:

Isizwe:

Voting District:

Isigodi:

Voting Station:

PART 1: BALLOT BOXES

Total number of ballot boxes received	
Number of ballot boxes used	
Number of unused ballot boxes	
Used plus unused must equal total received	

PART 2: BALLOT PAPERS

(a) Total No. of ballot papers received	
(b) Total No. of ballot papers issued	
(c) Total No. of ballot papers unissued	
(d) Total (b) + (c)	
(e) Total No. of ballot papers cancelled	
(f) Total of ballot papers in the used boxes	
(g) Total (e) + (f)	

NOTE:

The figures at column (d) should be the same as that in column (a).

The figures at column (g) should be the same as that at column (b).

Signature of Presiding Officer

Date

Form 4

RESULTS FORM TO BE COMPLETED BY COUNTING OFFICER IN RESPECT OF VOTES CAST FOR CANDIDATES IN THE TRADITIONAL COUNCIL ELECTIONS

ELECTORAL COMMISSION

RESULTS FORM TO BE COMPLETED BY COUNTING OFFICER IN RESPECT OF VOTES CAST FOR CANDIDATES IN THE TRADITIONAL COUNCIL ELECTIONS

Election date:

Traditional Community:

District Management Area [If applicable]:

Voting District:

RESULTS OF COUNT

CANDIDATE NAME	NUMBER OF VOTES	SIGNATURE OF CANDIDATE/AGENTS/OBSERVER
Signature of Counting Officer:	Name of Counting Officer:	Identity number:
Date:	Telephone contact number:	After Hours contact number:

Form 5

OBJECTION CONCERNING VOTING IN THE TRADITIONAL COUNCIL ELECTIONS

INDEPENDENT ELECTORAL AGENCY

OBJECTION CONCERNING VOTING IN THE TRADITIONAL COUNCIL ELECTIONS

Election date:

Isizwe:

Voting District:

Isigodi:

Objector

Identity number:

Full Names

Agent/Candidate/ Voter: (Where applicable)

I object to:

- A voter being allowed to vote
- A voter being allowed to vote at this station
- A voter (or myself) being refused a ballot paper
- The conduct of an officer, an agent or other person at this voting station

Reasons for objection (giving full particulars of voter, officer, agent or other person involved)

Signature of Objector

Date

Presiding Officer's decision

Signature of Objector

Date

Form 6

APPLICATION FOR ACCREDITATION FOR VOTER EDUCATION IN THE TRADITIONAL COUNCIL ELECTIONS

INDEPENDENT ELECTORAL AGENCY

APPLICATION FOR ACCREDITATION FOR VOTER EDUCATION THE TRADITIONAL COUNCIL ELECTIONS

Application in respect of all the municipal elections to take place on

(Date of election)

Notes:

- (i) The original application must be submitted to the Electoral Agency
- (ii) Where the required information cannot be furnished in the space provided, the information must be submitted as a separate memorandum and attached hereto.
- (iii) Delete if not applicable.

1. PARTICULARS REGARDING THE APPLICANT

1.1 Full name:

1.2 Trade name:

1.3 Full business/residential address:

1.4 Postal address:

Postal code:

1.5 Telephone number:

1.6 Facsimile number (if any)

1.7 Cellular phone number (if any):

1.8 E-mail address (if any)

1.9 Legal status of applicant/holder (individual/close corporation/company/trust/other – specify):

1.10 Registration number in the case of a close corporation/company/trust:

1.11 Full particulars in respect of the individual/each responsible director/shareholder/member/ office bearer:

Name	Capacity	Identity number	Nationality	Country of permanent residence

2. PERSONAL CAPACITY

2.1 Number of education providers in your service:

2.2 Full particulars of education providers in the area of voter education or electoral administration matters:

Full Names	Position	Qualification

2.3 Full particulars of management, financial and administrative skills:

--

2.4 Full particulars regarding banking accounts, auditors and financial management, auditing and public Accounting systems maintained.

--

3. INSTITUTIONAL CAPACITY

3.1 Facilities:

Library	Audio Visual	Training Centre	Conference	Other (specify)

3.2 Training aids:

Audio Visual	Industrial Theatre	Brochures	Other (specify)

3.3 Language in which material is available:

--

3.4 Source of funding:

--

4. VOTER EDUCATION CURRICULUM AND SYLLABUS

4.1 Aims:
4.2 Objectives:
4.3 Projected target groups (category of persons to be trained):
4.4 Geographical scope of operation:

4.5 Course particulars:					
Module	Contents of syllabus	Methodology	Learner achievement	Evaluation mechanism	Duration of course
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

5. SUPPORTING DOCUMENTS

The following documents are attached in support of the application:
1
2
3
4

I hereby apply for accreditation to provide voter education in an election and—

- (a)
certify that the particulars furnished in this form and the supporting documents are true and correct; and
- (b)
certify that I subscribed to the Code for Accredited Voter Education Providers and undertake to ensure that persons appointed by me to provide voter education also subscribe to that Code.

Date:

(signed)

Name:

Capacity:

Form 7**APPLICATION FOR ACCREDITATION AS OBSERVER IN THE TRADITIONAL COUNCIL ELECTIONS****INDEPENDENT ELECTORAL AGENCY****APPLICATION FOR ACCREDITATION AS OBSERVER IN TRADITIONAL COUNCIL ELECTIONS**

Application in respect of all the Traditional Council elections to take place on

(Date of election)

1.1 Name of Applicant:	1.2 Address of Registered Office of Applicant
1.3 Telephone Number:	1.4 Facsimile Number (if any):
1.5 E-mail Address (if any):	1.7 Date of Founding:
1.6 Registration Number of Applicant (if applicable):	1.9 Person in charge of co-ordinating the applicant's observers:
1.8 Number of persons that will be appointed as observers:	
1.10 Mark or Symbol of applicant:	

1.11 Particulars of persons appointed by applicant:				
Name	Capacity	Identity/Passport Number	Nationality	Date of arrival in and departure from South Africa (if applicable)

NB. If the space is insufficient, fullsize paper on which the necessary columns have been drawn, may be used. Supporting Documents: The application must be accompanied by the following:

- (a) Copy of deed of foundation or constitution of the applicant.
- (b) A statement of the reasons why the applicant is suitable for accreditation to observe the election process.
- (c) An affirmation that the applicant commits itself to co-operate with the Commission in relation to the training, conduct and deployment of persons.

We hereby apply for accreditation as observer and certify that the particulars furnished in this form and the supporting documents are true and correct, and certify that all persons appointed by us will subscribe to the Code of Conduct for Observers.

Signature of duly authorised person on behalf of applicant Date
 Capacity: Name

Form 8
DECLARATION OF SECRECY IN THE TRADITIONAL COUNCIL ELECTION

INDEPENDENT ELECTORAL AGENCY
DECLARATION OF SECRECY IN THE TRADITIONAL COUNCIL ELECTIONS

Election date:
 I, (full names) about to be appointed as
 an officer in the capacity of

1. acknowledge that I will be involved in the business of the Independent Electoral Agency;
2. acknowledge that in my position as local electoral staff member, information and documentation regarding the business of the Electoral Commission will be disclosed to me;
3. agree and confirm that I will treat all such information and documentation in the strictest confidence and that I will protect it and not disclose it to any person, unless authorised to do so;
4. confirm that I will be bound by this Declaration of Secrecy notwithstanding the termination of my appointment.

Signature: Date
WITNESSES: