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Administrator's Notice 509

8 May, 1970

Administrateurskennisgewing 509

8 Mei 1970

The following Draft Ordinance is published for general information:—

Onderstaande Ontwerpordonnansie word vir algemene inligting gepubliseer:—

A

'N

DRAFT ORDINANCE

ONTWERPORDONNANSIE

To consolidate and amend the laws relating to the franchise, registration of voters, election of members of town councils and village councils and to provide for matters incidental thereto and to amend sections 9 and 31 of the Local Government Ordinance, 1939.

Tot samevatting en wysiging van die wetsbepalings betreffende stemreg, registrasie van kiesers, verkiesing van lede van stadsrade en dorpsrade en om voorsiening te maak vir aangeleenthede in verband daarmee en tot wysiging van artikels 9 en 31 van die Ordonnansie op Plaaslike Bestuur, 1939.

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

DIE Provinsiale Raad van Transvaal **VERORDEN** AS VOLG:—

INTRODUCTION

INLEIDEND.

Defini-
tions.

1. In this Ordinance, unless the context otherwise indicates —

Woordom-
skry-
wing

1. In hierdie Ordonnansie, tensy uit die samehang anders blyk, beteken —

- (i) "Administrator" means the officer appointed in terms of the provisions of section 66 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), acting on the advice and with the consent of the Executive Committee of the Province; (i)
- (ii) "by-election" means an election to fill a casual vacancy referred to in section 30(5); (xxi)
- (iii) "commission" means a commission appointed in terms of section 4(1); (x)
- (iv) "councillor" means a member of a local authority; (xix)
- (v) "Director" means the Director of Local Government appointed in terms of section 9 of the Local Government Control Ordinance, 1958 (Ordinance 21 of 1958); (iv)
- (vi) "election" means a general election, a by-election or a first election referred to in section 32, as the case may be; (xxii)
- (vii) "election expenses" means the expenses referred to in section 70; (xxii)
- (viii) "general election" means an election referred to in section 33; (ii)
- (ix) "health committee" means a committee constituted in terms of the provisions of Chapter IX of the Local Government Ordinance, 1939; (vi)
- (x) "identity card" means an identity card as defined in section 1 of the Population Registration Act, 1950 (Act 30 of 1950); (xvi)

- (i) „Administrateur” die amptenaar aangestel ingevolge die bepaling van artikel 66 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), handelende op die advies en met die toestemming van die Uitvoerende Komitee van die Provinsie; (i)
- (ii) „algemene verkiesing” ’n verkiesing genoem in artikel 33; (viii)
- (iii) „die Wet” die Wet tot Konsolidasie van die Kieswette, 1946 (Wet 46 van 1946); (xix)
- (iv) „Direkteur” die Direkteur van Plaaslike Bestuur ingevolge artikel 9 van die Ordonnansie op die Beheer oor Plaaslike Bestuur, 1958 (Ordonnansie 21 van 1958), aangestel; (v)
- (v) „dorpsraad” ’n raad saamgestel ingevolge die bepaling van Hoofstuk VIII van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939); (xxii)
- (vi) „gesondheidskomitee” ’n komitee saamgestel ingevolge die bepaling van Hoofstuk IX van die Ordonnansie op Plaaslike Bestuur, 1939; (ix)
- (vii) „hierdie Ordonnansie” ook enige regulasie ingevolge hierdie Ordonnansie gemaak; (xx)
- (viii) „kiesbeampte” ’n kiesbeampte of adjunkkiesbeampte genoem in artikel 35; (xviii)

- (xi) "identity number" means an identity number as defined in section 1 of the Population Registration Act, 1950; (xvii)
- (xii) "local authority" means subject to the provisions of section 2, a town council or village council; (xviii)
- (xiii) "municipality" means, subject to the provisions of section 2, the area under the control and jurisdiction of a town council or village council; (xii)
- (xiv) "newspaper" means a newspaper as contemplated in section 110 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961); (xiv)
- (xv) "nomination day" means the day fixed in terms of section 36(1); (xiii)
- (xvi) "parliamentary voters list" means the voters' list prepared and in force at any material time in terms of section 8 of the Act; (xv)
- (xvii) "quota" means a quota as contemplated in section 3(2) or 7(2), as the case may be; (xi)
- (xviii) "returning officer" means a returning officer or deputy returning officer referred to in section 35; (viii)
- (xix) "the Act" means the Electoral Consolidation Act, 1946 (Act 46 of 1946); (iii)
- (xx) "this Ordinance" includes any regulation made in terms of this Ordinance; (vii)
- (xxi) "town council" means a council constituted in terms of the provisions of Chapter 1 of the Local Government Ordinance, 1939, and includes a city council; (xx)
- (xxii) "village council" means a council constituted in terms of the provisions of Chapter VIII of the Local Government Ordinance, 1939 (Ordinance 17 of 1939); (v)
- (xxiii) "voters list" means a voters' list for a municipality prepared in terms of Chapter II; (ix)
- (xxiv) "ward" means a ward as contemplated in Chapter I of this Ordinance; (xxiv).

Application of Ordinance.

2. With the exception of Chapter I which shall apply only to town councils, the provisions of this Ordinance shall apply to the election of members of town councils and village councils: Provided that the Administrator may by notice in the *Provincial Gazette* declare that the said Chapter shall apply to any village council in respect of the general election which follows on the date of such notice.

CHAPTER I

WARDS AND POLLING DISTRICTS

Determination of wards obtaining a quota for new municipality.

3. (1) For every area which the Administrator, after the commencement of this Ordinance, intends to declare as a municipality, he shall determine the number of wards into which such municipality shall be divided.

(2) For the purpose of a division into wards as contemplated in subsection (1), the quota of voters for the municipality concerned shall be obtained by dividing the number of voters in the municipality who, on a date determined by the Administrator, are enrolled on the parliamentary voters' list, by the number of wards as determined in terms of the said subsection.

- (ix) „kieserslys” ’n kieserslys vir ’n munisipaliteit opgestel ingevolge Hoofstuk II; (xxiii)
- (x) „kommissie” ’n kommissie aangestel ingevolge artikel 4(1); (iii)
- (xi) „kwota” ’n kwota soos in artikel 3(2) of 7(2) beoog, na gelang van die geval; (xvii)
- (xii) „munisipaliteit”, behoudens die bepalings van artikel 2, die gebied onder die beheer en regsbevoegdheid van ’n stadsraad of dorpsraad; (xiii)
- (xiii) „nominasiedag” die dag bepaal ingevolge artikel 36(1); (xv)
- (xiv) „nuusblad” ’n nuusblad soos beoog in artikel 110 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961); (xiv)
- (xv) „parlementêre kieserslys” die kieserslys opgestel en op enige wesenslike tydstip van krag ingevolge artikel 8 van die Wet; (xvi)
- (xvi) „persoonskaart” ’n persoonskaart soos omskryf in artikel 1 van Bevolkingsregistrasiewet, 1950 (Wet 30 van 1950); (x)
- (xvii) „persoonsnommer” ’n persoonsnommer soos omskryf in artikel 1 van die Bevolkingsregistrasiewet, 1950; (xi)
- (xviii) „plaaslike bestuur”, behoudens die bepalings van artikel 2, ’n stadsraad of dorpsraad; (xii)
- (xix) „raadslid” ’n lid van ’n plaaslike bestuur; (iv)
- (xx) „stadsraad” ’n raad saamgestel ingevolge die bepalings van Hoofstuk I van die Ordonnansie op Plaaslike Bestuur, 1939, en sluit ’n grootstadsraad in; (xxi)
- (xxi) „tussenverkiesing” ’n verkiesing om ’n toevallige vakature genoem in artikel 30(5), aan te vul; (ii)
- (xxii) „verkiesing” ’n algemene verkiesing, ’n tussenverkiesing of ’n eerste verkiesing in artikel 32 genoem, na gelang van die geval; (vi)
- (xxiii) „verkiesingsuitgawes” die uitgawes genoem in artikel 70; (vii)
- (xxiv) „wyk” ’n wyk soos beoog in Hoofstuk I van hierdie Ordonnansie. (xxiv)

Toepassing van Ordonnansie.

2. Met uitsondering van Hoofstuk I wat slegs van toepassing is op stadsrade, is die bepalings van hierdie Ordonnansie van toepassing op die verkiesing van lede van stadsrade en dorpsrade: Met dien verstande dat die Administrateur by kennisgewing in die *Provinsiale Koerant* gemelde Hoofstuk op enige dorpsraad van toepassing kan verklaar ten opsigte van die algemene verkiesing wat volg op die datum van sodanige kennisgewing.

HOOFSTUK I

WYKE EN STEMDISTRIKTE.

Bepaling van wyke en verkryging van kwota vir nuwe munisipaliteit.

3. (1) Vir elke gebied wat die Administrateur na die inwerkingtreeding van hierdie Ordonnansie van voorneme is om tot ’n munisipaliteit te verklaar, bepaal hy die aantal wyke waarin so ’n munisipaliteit ingedeel moet word.

(2) Vir die doel van ’n indeling in wyke soos in subartikel (1) beoog, word die kwota kiesers vir die betrokke munisipaliteit verkry deur die aantal kiesers in die munisipaliteit wat op ’n datum deur die Administrateur bepaal, ingeskryf is op die parlementêre kieserslys, te deel deur die aantal wyke soos ingevolge gemelde subartikel bepaal.

Appoint-
ment of
commis-
sion and
method of
dividing
municipa-
lity into
wards.

4. (1) For the purpose of a division contemplated in section 3, the Administrator shall appoint a commission consisting of a magistrate as chairman and two other persons one of whom shall be an advocate or an attorney who, in either case, shall have practised for not less than ten years, or a magistrate or retired magistrate.

(2) A municipality shall be divided into wards in such manner that each ward shall, subject to the provisions of subsection (3), contain a number of voters as nearly as may be equal to the quota.

(3) A commission shall give due consideration to —

- (a) community or diversity of interests;
- (b) means of communication;
- (c) physical features;
- (d) boundaries of existing wards, if any;
- (e) sparsity or density of population; and
- (f) probability of increase or decrease in the population, in such manner that, while taking the quota as the basis of division, the commission may depart therefrom whenever it deems it necessary, but in no case to any greater extent than ten per cent more or ten per cent less than the quota.

Powers
and
duties of
commis-
sion.

5. (1) A commission shall for the purpose of its investigation have the same powers as a commission appointed in terms of the Commissions of Inquiry Ordinance, 1960 (Ordinance 9 of 1960), and the provisions of the said Ordinance shall apply *mutatis mutandis* to a commission and the inquiry carried out by it.

(2) A commission shall regulate its own procedure, two members shall be a quorum and any question shall be decided by a majority vote: Provided that in the case of an equality of votes, the chairman shall, in addition to his deliberative vote, have a casting vote.

(3) A commission shall as soon as possible fix a day on which, a place where and a time when it will hold a sitting at which representations may be heard from the local authority concerned and any other interested person in connection with such a division and shall give at least fourteen days prior notice of the day, time and place of such sitting by means of a notice published in a newspaper and affixed in a conspicuous place at the municipal office.

(4) A commission shall divide a municipality into wards in accordance with the provisions of section 4(2) and (3).

(5) A commission shall submit on or before a date determined by the Administrator, to the Administrator and the town council of the municipality concerned —

- (a) a list of wards with the names or numbers given to them by the commission and a description of every such ward;
- (b) a map showing the wards into which the municipality has been divided; and
- (c) such other particulars as the commission may consider necessary.

(6) The Administrator may refer to the commission for its consideration all matters relating to such list or all matters arising from the powers and duties of such commission.

Aanstel-
ling van
kommissie
en metode
van inde-
ling van
munisipa-
liteit in
wyke.

4. (1) Vir die doel van 'n indeling beoog in artikel 3, stel die Administrateur 'n kommissie aan bestaande uit 'n landdros as voorsitter en twee ander persone waarvan een 'n advokaat of 'n prokureur wat in iedere geval vir minstens tien jaar gepraktiseer het of 'n landdros of afgetrede landdros moet wees.

(2) 'n Munisipaliteit word op so 'n wyse in wyke ingedeel dat elke wyk, behoudens die bepalings van subartikel (3), 'n aantal kiesers bevat wat so na as moontlik met die kwota gelykstaan.

(3) 'n Kommissie moet behoorlike oorweging skenk aan:—

- (a) gemeenskaplikheid of verskeidenheid van belange;
- (b) verkeersmiddele;
- (c) natuurlike kenmerke;
- (d) bestaande wykgrense, as daar is;
- (e) dunheid of digtheid van bevolking; en
- (f) waarskynlikheid van toename of afname in die bevolking.

op so 'n wyse dat, alhoewel die kwota die grondslag van die indeling uitmaak, die kommissie, wanneer hy dit nodig ag, daarvan kan afwyk, maar in geen geval in 'n groter mate as tien persent meer of tien persent minder as die kwota nie.

Bevoegd-
hede en
pligte van
kommis-
sione.

5. (1) 'n Kommissie het vir die doel van sy ondersoek dieselfde bevoegdhede as 'n kommissie wat ingevolge die Ordonnansie op Kommissies van Onderzoek, 1960 (Ordonnansie 9 van 1960), aangestel is en die bepalings van genoemde Ordonnansie is *mutatis mutandis* van toepassing op 'n kommissie en die ondersoek deur hom uitgevoer.

(2.) 'n Kommissie reël sy eie procedure, twee lede is 'n kworum en enige vraag word met 'n meerderheid van stemme beslis: Met dien verstande dat in geval van 'n staking van stemme die voorsitter, benewens sy beraadslagende stem, 'n beslissende stem het.

(3) 'n Kommissie stel so gou doenlik 'n dag vas waarop, 'n plek waar en 'n tyd wanneer hy 'n sitting sal hou waar op vertoë van die betrokke plaaslike bestuur en enige ander belanghebbende in verband met so 'n indeling aangehoor word en maak die dag, tyd en plek van so 'n sitting minstens veertien dae vooruit bekend by wyse van 'n kennisgewing wat in 'n nuusblad gepubliseer en in 'n opvallende plek by die munisipale kantoor aangebring word.

(4) 'n Kommissie deel die munisipaliteit in wyke in ooreenkomstig die bepalings van artikel 4(2) en (3).

(5) 'n Kommissie lê voor of op 'n datum deur die Administrateur bepaal, aan die Administrateur en stadsraad van die betrokke munisipaliteit voor—

- (a) 'n lys van wyke met die name of nommers wat die kommissie daaraan gegee het en 'n beskrywing van elke sodanige wyk;
- (b) 'n kaart wat die wyke aantoon waarin die munisipaliteit ingedeel is; en
- (c) sodanige ander besonderhede as wat die kommissie nodig ag.

(6) Die Administrateur kan alle sake wat betrekking het op so 'n lys of alle sake wat uit die bevoegdhede of pligte van die kommissie voortspuit, na die kommissie vir oorweging verwys.

(7) The Administrator shall by notice in the *Provincial Gazette* make known the names or numbers and boundaries of the wards as finally determined and certified by the commission and thereafter, until there shall be a re-division, the wards as named or numbered and defined shall be the wards of such municipality.

(8) In the event of a difference between the description of the wards and the aforesaid map, the map shall prevail.

Duties of village council or health committee in connection with a commission.

6. Notwithstanding the provisions of section 2, the village council or health committee, as the case may be, in respect of whose area the constitution of a town council is contemplated, shall

(a) provide a commission with the assistance, information, documents and maps required by it; and

(b) from a day not more than fourteen days prior to the day referred to in section 5(3), make available any documents or map, contemplated in paragraph (a), during office hours to any interested person and from the said day and during the said hours furnish to any interested person the information which has been supplied to a commission in relation to the number of voters who reside in areas within the municipality, as determined by the village council or health committee concerned.

Re-determination of wards and obtaining of quota on a re-division.

7. (1) The Administrator may at any time re-determine the number of wards of a municipality by increasing or decreasing it whereupon a re-division into wards of such municipality shall take place.

(2) For the purpose of a re-division of a municipality on the first day of May of the year immediately preceding a general election, is fifteen per cent more or fifteen per cent less than the quota, the town clerk shall not later than the fifteenth day of June, apply to the Director for the appointment by the Administrator of a commission to re-divide the municipality into wards.

Alteration of quota before general election.

(1) Whenever the number of voters in the ward as enrolled on the voters' list of a municipality on the first day of May of the year immediately preceding a general election, is fifteen per cent more or fifteen per cent less than the quota, the town clerk shall not later than the fifteenth day of June, apply to the Director for the appointment by the Administrator of a commission to re-divide the municipality into wards.

(2) If the town clerk fails to apply in terms of subsection (1), the general election therein referred to or a by-election held after such general election in a ward referred to in the subsection shall be of no force and effect unless the Administrator orders otherwise.

Application of certain provisions on re-division into wards.

9. On any re-division into wards, the provisions of sections 4, 5 and 6 shall apply *mutatis mutandis* Provided that in applying section 5(5) to such a re-division, the submission by the commission shall be made on or before the 30th day of September of the year in which it is appointed or before such other date as the administrator may determine.

Pligte van dorpsraad of gesondheidskomitee in verband met 'n kommissie.

(7) Die Administrateur maak die name of nommers en grense van die wyke soos deur die kommissie finaal bepaal en gesertifiseer is, by kennisgewing in die *Provinsiale Koerant* bekend en daarna is die wyke soos hulle genoem of genommer en omskryf is, die wyke van so 'n munisipaliteit totdat 'n herindelings plaasvind.

(8) In geval van 'n verskil tussen die beskrywing van die wyke en die voormelde kaart, gee die kaart die deurslag.

6. Ondanks die bepalinge van artikel 2, moet die dorpsraad of gesondheidskomitee, na gelang van die geval, ten opsigte van wie se gebied die samestelling van 'n stadsraad beoog word: —

(a) 'n kommissie voorsien van die hulp, inligting, dokumente en kaarte deur hom benodig; en

(b) vanaf 'n dag hoogstens veertien dae voor die dag en artikel 5(3) genoem, enige dokument of kaart in paragraaf (a) beoog, gedurende kantoorure ter insae van enige belanghebbende stel en, vanaf gemelde dag en gedurende gemelde ure, aan enige belanghebbende die inligting verskaf wat aan 'n kommissie verstrekk is met betrekking tot die aantal kiesers wat woonagtig is in gebiede binne die munisipaliteit, soos deur die betrokke dorpsraad of gesondheidskomitee bepaal.

Herbepaling van wyke en verkryging van kwota by 'n herindelings.

7. (1) Die Administrateur kan te eniger tyd die aantal wyke van 'n munisipaliteit herbepaal deur dit te vermeerder of te verminder, waarna 'n herindelings in wyke van so 'n munisipaliteit plaasvind.

(2) Vir die doel van 'n herindelings van 'n munisipaliteit in wyke word die kwota verkry deur die aantal kiesers soos ingeskryf op die kieserslys van so 'n munisipaliteit op die eerste dag van Mei van die jaar wat die eersvolgende algemene verkiesing onmiddellik voorafgaan, deur die aantal wyke te deel.

Verandering van kwota voor algemene verkiesing.

8. (1) Wanneer die aantal kiesers in 'n wyk, soos ingeskryf op die kieserslys van 'n munisipaliteit op die eerste dag van Mei van die jaar wat 'n algemene verkiesing onmiddellik voorafgaan, vyftien persent meer of vyftien persent minder is as die kwota, doen die stadsklerk nie later nie as die vyftiende dag van Junie aansoek by die Direkteur om die aanstelling deur die Administrateur van 'n kommissie om die munisipaliteit in wyke her in te deel.

(2) Indien die stadsklerk versuim om ingevolge subartikel (1) aansoek te doen, is die algemene verkiesing daarin genoem of tussenverkiesing wat na so 'n algemene verkiesing plaasvind in 'n wyk in daardie subartikel genoem, van nul en generwaade tensy die Administrateur anders gelas.

Toepassing van sekere bepalinge by herindelings in wyke.

9. By enige herindelings in wyke is die bepalinge van artikels 4, 5 en 6 *mutatis mutandis* van toepassing. Met dien verstande dat by die toepassing van artikel 5(5) op so 'n herindelings, die voorlegging deur die kommissie voor of op die dertigste dag van September van die jaar waarin hy aangestel is of voor sodanige ander datum deur die Administrateur bepaal, moet geskied.

Date on which alteration of wards takes effect.

10. A re-determination of the number of wards and a re-division of a municipality into wards shall take effect at the next succeeding general election held after the completion of the re-division.

Alteration of boundaries of municipality.

11. Whenever the boundaries of a municipality are altered in terms of the provision of any law and, notwithstanding anything to the contrary contained in this Ordinance or any other law, the following provisions shall apply in respect of such municipality:

- (a) the serving councillors shall, subject to the provisions of section 29(3) continue as councillors of such municipality;
- (b) the Administrator may, subject to the provisions of paragraph (e), appoint so many persons as he may determine as councillors for such municipality for the area which, as a result of the alteration of the boundaries of such municipality, has been incorporated in that municipality and may at any time, if such councillor vacates his office for any reason before the determination of his period of office, appoint a person in his stead;
- (c) the Administrator shall indicate in such manner as he may deem expedient, the area in respect of which each person contemplated in paragraph (b) has been appointed and the area so indicated and the name of the person appointed in respect thereof shall be notified in the *Provincial Gazette*.
- (d) a person appointed in terms of paragraph (b) shall have the powers and fulfil the duties of a councillor and the period of office of such person shall extend from the day on which he is so appointed up to and including the day immediately preceding the day of the next succeeding general election, unless the Administrator terminates such appointment on an earlier date;
- (e) the Administrator may, after consultation with the town council, by notice in the *Provincial Gazette* add any area to an existing ward if he is satisfied that such area can be added to that ward without the number of voters in that ward, after such addition, exceeding the quota by more than fifteen per cent.

Polling districts.

12. (1) The Administrator may, by notice in the *Provincial Gazette*, divide a ward into so many polling districts as may be necessary to enable the voters in that ward to record their votes in a convenient manner and for the said purpose and in the same manner increase or decrease the number of polling districts in a ward or may alter the boundaries thereof.

(2) A division of a ward into polling districts shall remain in force until such division is altered in terms of subsection (1) or until the boundaries of the ward concerned are altered.

Town council, village council or health committee shall meet expenses.

13. Expenses incurred by the Administrator and the commission for the purposes of this Chapter shall, notwithstanding the provisions of section 2 be met by the town council, village council or health committee, as the case may be.

Datum waarop verandering van wyke van krag word.

10. 'n Herbepaling van die aantal wyke en 'n herindelung van 'n munisipaliteit in wyke tree in werking by die eersvolgende algemene verkiesing wat na die voltooiing van die herindelung gehou word.

Verandering van grense van munisipaliteit.

11. Wanneer die grense van 'n munisipaliteit ingevolge die bepalings van enige wet verander word, en ondanks andersluidende bepalings in hierdie Ordonnansie of enige ander wet vervat, is die volgende bepalings ten opsigte van so 'n munisipaliteit van toepassing:

- (a) die diensdoende raadslede bly, behoudens die bepalings van artikel 29(3), as raadslede vir so 'n munisipaliteit aan;
- (b) die Administrateur kan, behoudens die bepalings van paragraaf (e), soveel persone as wat hy bepaal, as raadslede vir so 'n munisipaliteit aanstel vir die gebied wat as gevolg van die verandering van die grense van so 'n munisipaliteit by daardie munisipaliteit ingelyf is en kan te eniger tyd, indien so 'n raadslid sy amp om enige rede voor verstryking van sy ampstydperk ontruim, 'n persoon in sy plek aanstel;
- (c) die Administrateur dui op sodanige wyse as wat hy dienstig ag, die gebied aan ten opsigte waarvan elke persoon in paragraaf (b) beoog, aangestel word en die gebied aldus aangedui en die naam van die persoon wat ten opsigte daarvan aangestel is, word in die *Provinsiale Koerant* bekend gemaak;
- (d) 'n persoon ingevolge paragraaf (b) aangestel, het die bevoegdhede en vervul die pligte van 'n raadslid en die ampstydperk van so 'n persoon strek van die dag waarop hy aldus aangestel is tot en met die dag wat die dag van die eersvolgende algemene verkiesing onmiddellik voorafgaan, tensy die Administrateur so 'n aanstelling op 'n vroeëre datum intrek;
- (e) die Administrateur kan, na oorlegpleging met die stadsraad, by kennisgewing in die *Provinsiale Koerant* enige gebied aan 'n bestaande wyk toevoeg indien hy daarvan oortuig is dat sodanige gebied aan daardie wyk toegevoeg kan word sonder dat die aantal kiesers in daardie wyk na so 'n toevoeging die kwota met meer as vyftien persent sal oorskry nie.

Stemdistrikte.

12. (1) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* 'n wyk in soveel stemdistrikte indeel as wat nodig mag wees om die kiesers van daardie wyk in staat te stel om hul stemme op 'n gerieflike wyse uit te bring en hy kan vir genoemde doel en op dieselfde wyse die aantal stemdistrikte in 'n wyk vermeerder of verminder of die grense daarvan verander.

(2) 'n Indeling van 'n wyk in stemdistrikte bly van krag totdat sodanige indeling ingevolge subartikel (1) verander word of totdat die grense van die betrokke wyk verander word.

Stadsraad, dorpsraad of gesondheidskomitee besty uitgawes.

13. Uitgawes wat die Administrateur en die kommissie by die toepassing van hierdie Hoofstuk aangaan, word ondanks die bepalings van artikel 2, deur die betrokke stadsraad, dorpsraad of gesondheidskomitee, na gelang van die geval, bestry.

CHAPTER II
VOTERS AND VOTERS' LIST

Qualifications of voters.

14. (1) Every person —
- who is resident in a municipality and whose name appears on the parliamentary voters' list in respect of an electoral division in which such municipality is situated or in respect of an electoral division or portion thereof which forms part of such municipality; or
 - who is resident outside a municipality and whose name appears on the parliamentary voters' list for any electoral division in the Transvaal, who is the owner of rateable property registered solely in his name, within a municipality and whose application, made in terms of section 18(1), has been approved,

shall, subject to the provisions of sections 15 and 30(6), be entitled to be enrolled on the voters' list in such municipality and while so enrolled, to vote at an election: Provided that no person may be enrolled on the voters' list for more than one ward or polling district of such municipality.

(2) For the purposes of this section, a person shall be deemed to reside at an address at which he is enrolled on the parliamentary voters' list.

Person not entitled to be a voter or to vote.

15. No person shall be entitled to be enrolled as a voter in terms of section 14(1) or, if he is so enrolled, to vote at an election, if he is subject to any court order whereby he is declared during any period to be incompetent to be enrolled as a voter on the voters' list or to vote at an election and such period has not expired.

Preparation of first voters' list.

16. (1) Whenever an area has been declared to be a municipality in terms of section 9 of the Local Government Ordinance, 1939, the Administrator shall appoint a person to prepare a voters' list for such municipality containing the particulars of every person who is entitled to be enrolled as a voter.

(2) Such voters' list shall be prepared in the manner provided for in section 17 and the provisions of section 18 shall apply *mutatis mutandis*.

(3) The person referred to in subsection (1) shall, as soon as the voters' list has been prepared in terms of subsection (2), by means of a notice published in a newspaper and affixed for a period of ten days in a conspicuous place at the municipal office —

- make known that a copy of the voters' list will lie for inspection during the hours and at a place stated in the notice for a period of ten days from the date fixed in the notice;
- call upon any person who desires to make application to be enrolled as a voter or who objects to the enrolment of any person on the voters' list by reason of such person not having been enrolled on the parliamentary voters' list or against the enrolment of any person in the second part of the voters' list, to make such application or objection before the expiry of the ten days referred to in paragraph (a) in writing to the person referred to in subsection (1);

HOOFSTUK II
KIESERS EN KIESERSLYS.

Kwalifikasies van kiesers.

14. (1) Elke persoon:—
- wat in 'n munisipaliteit woonagtig is en wie se naam voorkom op die parlementêre kieserslys ten opsigte van 'n kiesafdeling waarin so 'n munisipaliteit geleë is of ten opsigte van 'n kiesafdeling of gedeelte daarvan wat deel van so 'n munisipaliteit uitmaak; of
 - wat buite 'n munisipaliteit woonagtig is, wie se naam voorkom op die parlementêre kieserslys vir enige kiesafdeling in Transvaal, wat die eienaar is van belasbare eiendom, uitsluitlik in sy naam geregistreer, binne 'n munisipaliteit en wie se aansoek gedoen ingevolge artikel 18(1) goedgekeur is,

is, behoudens die bepalings van artikels 15 en 30(6), geregtig om op die kieserslys van so 'n munisipaliteit ingeskryf te word en om terwyl aldus ingeskryf, by 'n verkiesing te stem: Met dien verstande dat niemand op die kieserslys vir meer as een wyk of stembedstrik van so 'n munisipaliteit ingeskryf kan word nie.

(2) Vir die toepassing van hierdie artikel word 'n persoon geag woonagtig te wees by die adres waaronder hy in die parlementêre kieserslys ingeskryf is.

Persoon wat nie geregtig is om kieser te word of te stem nie.

15. Niemand is geregtig om as kieser ingevolge artikel 14(1) ingeskryf te word of om, indien hy aldus ingeskryf is, by 'n verkiesing te stem nie indien hy onderworpe is aan 'n hofbevel waarby hy onbevoeg verklaar is om gedurende enige tydperk as kieser op die kieserslys ingeskryf te word of by 'n verkiesing te stem en sodanige tydperk nie verstryk het nie.

Opstel van eerste kieserslys.

16. (1) Wanneer 'n gebied ingevolge artikel 9 van die Ordonnansie op Plaaslike Bestuur, 1939 tot 'n munisipaliteit verklaar word, stel die Administrateur 'n persoon aan om vir so 'n munisipaliteit 'n kieserslys op te stel wat die besonderhede bevat van elke persoon wat geregtig is om as kieser ingeskryf te word.

(2) So 'n kieserslys word opgestel op die wyse soos bepaal in artikel 17 en die bepalings van artikel 18 is *mutatis mutandis* van toepassing.

(3) Die persoon genoem in subartikel (1) moet sodra die kieserslys ingevolge subartikel (2) opgestel is, by wyse van 'n kennisgewing wat in 'n nuusblad gepubliseer en vir 'n tydperk van tien dae in 'n opvallende plek by die munisipale kantoor aangebring word:—

- bekend maak dat 'n afskrif van die kieserslys gedurende die ure en op 'n plek in die kennisgewing vermeld vir 'n tydperk van tien dae vanaf die datum wat in die kennisgewing vasgestel word, ter insae sal lê;
- enige persoon wat verlang om aansoek te doen om as kieser ingeskryf te word of beswaar het teen die inskrywing van enigiemand op die kieserslys op grond daarvan dat so 'n persoon nie op die parlementêre kieserslys ingeskryf is nie of teen die inskrywing van enigiemand in die tweede deel van die kieserslys, aansê om so 'n aansoek of beswaar voor die verstryking van die tien dae in paragraaf (a) genoem skriftelik by die persoon genoem in subartikel (1) in te dien;

(c) determine the day, not being less than five days after the expiry of the ten days referred to in paragraph (a), the time and place for the sitting of a revision court to hear applications and objections.

(4) (a) On the day, time and place determined in terms of subsection (3)(c), the revision court, which shall consist of one person appointed by the Administrator, shall sit in public to hear any application for, and objection against, the enrolment of a person as a voter and to decide thereon.

(b) The revision court shall —

(i) insert in the voters' list the particulars of any person who is entitled to be enrolled as a voter;

(ii) delete the particulars of any person who shall not be entitled to be enrolled on the voters' list as a voter; and

(iii) rectify any mistake or supply any omission which apparently occurred in the preparation of the voters' list.

(c) A revision court shall not consider an application or objection unless it has been received within the period prescribed in subsection (3)(b) by the person referred to in subsection (1) and shall not consider an application unless it has been submitted in a form as set out in Schedule 1 to this Ordinance.

(5) The voters' list, when finally approved by the revision court, shall be certified by such court as the final voters' list for the municipality concerned and shall thereafter be the voters' list for the municipality until a new voters' list has been prepared and certified in terms of this Ordinance.

(6) Any expenses incurred in connection with the preparation and revision of a voters' list in terms of this section shall be met by the local authority concerned.

Preparation of voters' list by council.

17. (1) During the months of October and November of the year which immediately precedes a general election, a local authority shall cause a voters' list to be prepared for the municipality containing the particulars of every person who is in terms of section 14(1) entitled to be enrolled as a voter.

(2) A voters' list shall consist of a first part in which the particulars of persons shall appear who, in terms of section 14(1)(a), are entitled to be enrolled as voters and a second part in which the particulars of persons appear who, in terms of section 14(1)(b), are so entitled.

(3) In respect of every person who is enrolled on a voters' list, the following particulars shall be given:

(a) his serial number;

(b) his identity number;

(c) his surname and immediately thereafter his initials and, in the case of a female voter, the word "mistress" or an abbreviation thereof or, if she is or has been married, her maiden name;

(d) his residential address;

(e) his profession, trade or occupation; and

(f) a description of the property and the situation thereof in the case of a person referred to in section 14(1)(b),

and all surnames and initials shall be placed in alphabetical order.

(c) die dag, wat minstens vyf dae moet wees na die verstryking van die tien dae in paragraaf (a) genoem, die tyd en plek bepaal vir die sitting van 'n hersieningshof om aansoeke en besware aan te hoor.

(4) (a) Op die dag, tyd en plek bepaal ingevolge subartikel (3)(c), hou die hersieningshof wat bestaan uit een persoon deur die Administrateur aangestel, sitting om in die openbaar enige aansoek om en beswaar teen die inskrywing van 'n persoon as kieser aan te hoor en daaroor te besluit.

(b) Die hersieningshof moet:—

(i) in die kieserslys die besonderhede van enigiemand invoeg wat geregtig is om as kieser ingeskryf te word;

(ii) die besonderhede van enigiemand wat nie geregtig is om in die kieserslys as kieser ingeskryf te word nie, daarvan skrap; en

(iii) enige fout herstel of enige weglating aanvul wat oënskynlik by die opstel van die kieserslys plaasgevind het.

(c) 'n Hersieningshof oorweeg nie 'n aansoek of beswaar nie tensy dit binne die tydperk voorgeskryf by subartikel (3)(b) deur die persoon genoem in subartikel (1) ontvang is en oorweeg nie 'n aansoek nie tensy dit ingedien is in 'n vorm soos in Bylae 1 by hierdie Ordonnansie uiteengesit.

(5) Die kieserslys, wanneer dit finaal deur die hersieningshof goedgekeur is, word deur sodanige hof gesertifiseer as die finale kieserslys van die betrokke munisipaliteit en is daarna die kieserslys vir die munisipaliteit totdat 'n nuwe kieserslys ingevolge hierdie Ordonnansie opgestel en gesertifiseer is.

(6) Enige uitgawes aangegaan in verband met die opstel en hersiening van 'n kieserslys ingevolge hierdie artikel word deur die betrokke plaaslike bestuur besty.

Opstel van kieserslys deur raad.

17. (1) Gedurende die maande Oktober en November van die jaar wat 'n algemene verkiesing onmiddellik voorafgaan, laat 'n plaaslike bestuur vir die munisipaliteit 'n kieserslys opstel wat die besonderhede bevat van elke persoon wat ingevolge artikel 14(1) geregtig is om as kieser ingeskryf te word.

(2) 'n Kieserslys bestaan uit 'n eerste deel waarin die besonderhede van persone voorkom wat ingevolge artikel 14(1)(a) geregtig is om as kiesers ingeskryf te word en 'n tweede deel waarin die besonderhede van persone voorkom wat ingevolge artikel 14(1)(b) aldus geregtig is.

(3) Ten opsigte van elke persoon wat op 'n kieserslys ingeskryf word, word die volgende besonderhede aangegee:—

(a) Sy volgnummer;

(b) sy persoonsnommer;

(c) sy van en onmiddellik daarna sy voorletters en in geval van 'n vrouelike kieser die woord „mejuffrou" of 'n afkorting daarvan of as sy getroud is of was, haar nooiensvan;

(d) sy woonadres;

(e) sy professie, bedryf of beroep; en

(f) 'n beskrywing van die eiendom en die ligging daarvan in die geval van 'n persoon genoem in artikel 14(1)(b),

en alle vanne en voorletters moet in alfabetiese volgorde wees.

(4) If a municipality is divided into wards, a separate voters' list shall be prepared for every ward and there shall appear therein the particulars of the persons who reside in that ward or, in the case of a person referred to in section 14(1)(b), whose property is situated in that ward: Provided that if such person is the owner of property in more than one ward, he may elect in respect of which ward he wishes to be enrolled as a voter and, if he does not make such election the town clerk shall determine in respect of which ward such enrolment shall be made.

(5) If a ward is divided into polling districts, a separate voters' list shall be prepared for every polling district and the provisions of subsection (4) shall apply *mutatis mutandis* to such voters' list.

Application by owner of rateable property to be enrolled as voter.

18. (1) A person referred to in section 14(1)(b) may apply to the town clerk of the municipality in which his property is situated, in a form prescribed in Schedule 2 to this Ordinance, to be enrolled on the voters' list of such municipality and if the town clerk is satisfied that such person is entitled thereto in terms of the provisions of this Ordinance, he shall be enrolled as a voter in the second part of the voters' list: Provided that if the application of such person is received after the thirty-first day of October of the year immediately preceding a general election and before such election or, in the case of a by-election, after the notice of a casual vacancy in terms of section 30(4) has been given, the town clerk shall only consider such application after the general election or by-election, as the case may be, has been held.

(2) No person shall in terms of the provisions of this section be enrolled on the voters' list of more than one municipality.

(3) No election held after the date of the receipt of an application in terms of this section shall be invalid by reason of the person, who made the application, not being enrolled on the voters' list.

(4) If a town clerk, as a result of an application made in terms of subsection (1), enrolls as a voter a person who is already an enrolled voter in the second part of the voters' list of another municipality, he shall inform the town clerk of the other municipality thereof forthwith and whenever the last-mentioned town clerk receives such notice he shall delete forthwith the particulars of such person from the voters' list of that municipality.

(5) If a town clerk rejects an application submitted in terms of subsection (1), he shall advise the applicant forthwith of his decision and the reason therefor in writing.

Voters' list open for inspection.

19. (1) As soon as a voters' list has been prepared in terms of section 17, the town clerk shall by means of a notice published in a newspaper and affixed for a period of ten days in a conspicuous place in the municipal office —

(a) make known that a copy of the voters' list will lie for inspection during office hours of the local authority for a period of ten days from the date fixed in the notice at the municipal office;

Aansoek van eienaar van belaste eiendom om as kieser ingeskryf te word.

(4) Indien 'n munisipaliteit in wyke ingedeel is, word 'n afsonderlike kieserslys vir elke wyk opgestel en daarin verskyn die besonderhede van die persone wat in daardie wyk woonagtig is of, in die geval van 'n persoon genoem in artikel 14(1)(b), wie se eiendom in daardie wyk geleë is: Met dien verstande dat indien so 'n persoon die eienaar is van eiendom in meer as een wyk, hy kan kies ten opsigte van welke wyk hy as kieser ingeskryf wil word en indien hy nie so 'n keuse uitoefen nie, bepaal die stadsclerk ten opsigte van welke wyk so 'n inskrywing plaasvind.

(5) Indien 'n wyk in stembedistrikte verdeel is, word vir elke stembedistrikt 'n afsonderlike kieserslys opgestel en die bepalings van subartikel (4) is *mutatis mutandis* op so 'n kieserslys van toepassing.

18. (1) 'n Persoon genoem in artikel 14(1)(b) kan by die stadsclerk van die munisipaliteit waarin sy eiendom geleë is, in 'n vorm soos in Bylae 2 by hierdie Ordonnansie voorgeskryf, aansoek doen om op die kieserslys van so 'n munisipaliteit ingeskryf te word en as die stadsclerk daarvan oortuig is dat so 'n persoon ingevolge die bepalings van hierdie Ordonnansie daartoe geregtig is, word hy as kieser in die tweede deel van die kieserslys ingeskryf: Met dien verstande dat indien so 'n persoon se aansoek ontvang word na die een-en-dertigste dag van Oktober van die jaar wat 'n algemene verkiesing onmiddellik voorafgaan, en voor so 'n verkiesing, of in die geval van 'n tussenverkiesing, nadat van die toevallige vakature ingevolge artikel 30(4) kennis gegee is, die stadsclerk eers so 'n aansoek oorweeg nadat die algemene verkiesing of tussenverkiesing, na gelang van die geval, plaasgevind het.

(2) Niemand word ingevolge die bepalings van hierdie artikel op die kieserslys van meer as een munisipaliteit ingeskryf nie.

(3) Geen verkiesing gehou na die datum van ontvangs van 'n aansoek ingevolge hierdie artikel is ongeldig omdat die persoon wat so 'n aansoek gedoen het, nie in die kieserslys ingeskryf is nie.

(4) Indien 'n stadsclerk as gevolg van 'n aansoek gedoen ingevolge subartikel (1) 'n persoon wat reeds 'n ingeskrewe kieser in die tweede deel van die kieserslys van 'n ander munisipaliteit is, as kieser ingeskryf, stel hy onverwyld die stadsclerk van die ander munisipaliteit skriftelik daarvan in kennis en wanneer laasgenoemde stadsclerk so 'n kennisgewing ontvang, skrap hy onverwyld die besonderhede van so 'n persoon van daardie munisipaliteit se kieserslys.

(5) Indien 'n stadsclerk 'n aansoek ingedien ingevolge subartikel (1) afkeur, verwittig hy onverwyld die aansoeker skriftelik van sy besluit en van die rede daarvoor.

Kieserslys ter insae.

19. (1) Sodra 'n kieserslys ingevolge artikel 17 opgestel is, moet die stadsclerk by wyse van 'n kennisgewing wat in 'n nuusblad gepubliseer en vir 'n tydperk van tien dae in 'n opvallende plek by die munisipale kantoor aangebring word:—

(a) bekend maak dat 'n afskrif van die kieserslys gedurende kantoorure van die plaaslike bestuur vir 'n tydperk van tien dae vanaf die datum wat in die kennisgewing vasgestel word, op die munisipale kantoor ter insae lê;

- (b) call upon any person who desires to apply to be enrolled as a voter or objects to the enrolment of any other person on the voters' list for the reason that such last mentioned person is not enrolled on the parliamentary voters' list or to the enrolment of any person in the second part of the voters' list, to submit in writing to the town clerk an application or objection before the expiry of the ten days, referred to in paragraph (a); to the town clerk; and
- (c) determine the day, not been less than five days after the expiry of the ten days referred to in paragraph (a), the time and place for the sitting of a revision court to hear applications and objections.

(2) The revision court shall consist of one person appointed by the Administrator who shall be a magistrate, retired magistrate, advocate or attorney.

(3) (a) On the day, time and place determined in terms of subsection (1)(c), the revision court shall hold a sitting in public in order to hear any application for or objection to the enrolment of a person as a voter and to decide thereon.

(b) The revision court shall —

- (i) insert in the voters' list the particulars of any person entitled to be enrolled as a voter;
 - (ii) delete the particulars of any person who is not entitled to be enrolled on the voters' list as a voter; and
 - (iii) rectify any error or supply any omission which apparently occurred in the preparation of the voters' list.
- (c) The revision court shall not consider an application or objection unless it has been received by the town clerk within the period referred to in subsection (1)(b) and shall not consider an application unless it is submitted in a form prescribed in Schedule 1 to this Ordinance.

(4) A voters' list, when finally approved by the revision court, shall be certified by such court as the final voters' list of the municipality concerned and shall thereafter be the voters' list of the municipality until a new voters' list has been prepared and certified in terms of this Ordinance.

Voters' list to be kept up to date.

20. (1) A local authority shall cause the voters' list for the municipality to be kept up to date by —

- (a) adding thereto the particulars of every person who complies with the provisions of section 14(1)(a) and who is enrolled on a parliamentary voters' list which came into operation after the date on which the voters' list was prepared;
- (b) amending the first part of such voters' list in order to make it correspond with amendments made to a parliamentary voters' list in terms of section 18 of the Act, and deleting from the said part particulars of any person who is subject to a court order referred to in section 15; and
- (c) to deleting the particulars of any person who is enrolled in the second part of such a voters' list if such a person is no longer qualified in terms of section 14(1)(b) to be so

- (b) iemand wat verlang om aansoek te doen om as kieser ingeskryf te word of beswaar het teen die inskrywing van enigiemand anders op die kieserslys op grond daarvan dat sodanige laasgenoemde persoon nie op die parlementêre kieserslys ingeskryf is nie of teen die inskrywing van enigiemand anders in die tweede deel van die kieserslys, aansê om so 'n aansoek of beswaar voor die verstryking van die tien dae genoem in paragraaf (a), skriftelik by die stadsklerk in te dien; en

- (c) die dag, wat minstens vyf dae moet wees na die verstryking van die tien dae in paragraaf (a) genoem, die tyd en plek bepaal vir die sitting van 'n hersieningshof om aansoeke en besware aan te hoor.

(2) Die hersieningshof bestaan uit een persoon deur die Administrateur aangestel wat 'n landdros, afgetrede landdros, advokaat of prokureur moet wees.

(3) (a) Op die dag, tyd en plek bepaal ingevolge subartikel (1)(c), hou die hersieningshof sitting om in die openbaar enige aansoek om of beswaar teen die inskrywing van 'n persoon as kieser aan te hoor en daarvoor te besluit.

(b) Die hersieningshof moet:—

- (i) in die kieserslys die besonderhede van enigiemand invoeg wat geregtig is om as kieser ingeskryf te word;
- (ii) die besonderhede van enigiemand wat nie geregtig is om in die kieserslys as kieser ingeskryf te word nie, daarvan skrap; en
- (iii) enige fout herstel of enige weglating aanvul wat oënskynlik by die opstel van die kieserslys plaasgevind het.

(c) Die hersieningshof oorweeg nie 'n aansoek of beswaar nie tensy dit binne die tydperk genoem in subartikel (1)(b) deur die stadsklerk ontvang is en hy oorweeg nie 'n aansoek nie tensy dit ingedien is in 'n vorm soos in Bylae 1 by hierdie Ordonnansie voorgeskryf.

(4) Die kieserslys wanneer dit finaal deur die hersieningshof goedgekeur is, word deur sodanige hof gesertifiseer as die finale kieserslys van die betrokke munisipaliteit en is daarna die kieserslys vir die munisipaliteit totdat 'n nuwe kieserslys ingevolge hierdie Ordonnansie opgestel en gesertifiseer is.

Kieserslys word bygehou.

20. (1) 'n Plaaslike Bestuur laat die kieserslys vir die munisipaliteit byhou deur:—

- (a) daaraan die besonderhede toe te voeg van elke persoon wat aan die bepalings van artikel 14(1)(a) voldoen en wat as 'n kieser ingeskryf is in 'n parlementêre kieserslys wat in werking getree het na die datum waarop die kieserslys opgestel is;
- (b) die eerste deel van so 'n kieserslys te wysig om dit in ooreenstemming te bring met wysigings wat ingevolge artikel 18 van die Wet aan 'n parlementêre kieserslys aangebring is en om die besonderhede van enigiemand wat onderworpe is aan 'n hofbevel in artikel 15 genoem, uit gemelde deel te skrap; en
- (c) die besonderhede van enigiemand wat in die tweede deel van so 'n kieserslys ingeskryf is, te skrap indien so 'n persoon nie meer ingevolge artikel 14(1)(b) kwalifiseer om aldus in-

enrolled or is subject to a court order referred to in section 15.

(2) Whenever an area is excised from a municipality as a result of the alteration of boundaries, the particulars of every voter who is resident in any such area or whose property is situated in such area and who is enrolled in terms of section 14(1)(b), shall be deleted by the town clerk from the voters' list of such municipality with effect from the date on which such alteration takes effect: Provided that any steps taken in terms of subsection (1)(a) with reference to a supplementary list which comes into operation in terms of section 8(5)(b) of the Act on the first day of January of the year on which a general election is to be held, shall be completed on or before the thirty-first day of that month: Provided further that from the first day of January of such year up to and including the day of the general election, no amendments shall be made in terms of subsection (1)(b).

(3) Any steps contemplated in terms of this section shall be taken forthwith after the facts requiring that such steps be taken have come to the knowledge of the local authority.

(4) After the mayor has been satisfied by the town clerk that the provisions of this section have been complied with, the mayor shall, during February of each year, certify that a voters' list has been duly kept up to date and his certificate shall be submitted at the last ordinary meeting of the local authority during the said month.

Errors in voters' list.

21. (1) If the town clerk is satisfied that the particulars of any person have been omitted or deleted through error or inadvertance from a voters' list or were entered in a voters' list through error or inadvertance, he shall make an appropriate correction, in relation to such omission or deletion or incorrect enrolment in the voters' list at any time before 4 o'clock in the afternoon on the day which shall be seven days before the day of the election and, if such correction occurs after nomination day, he shall advise every candidate concerned thereof.

(2) The town clerk may, at any time before the day and time referred to in subsection (1), correct a clerical error in the voters' list in order to make it correspond with the parliamentary voters' list.

(3) If anything required by law to be done in the preparation or keeping up to date of a voters' list, through error or inadvertance has been erroneously done or has not been done, the voters' list shall not thereby become invalid and the Administrator may order that all steps shall be taken which he considers necessary to rectify the error or supply the omission.

Inspection and copies of voters' list.

22. Any person who desires to inspect the voters' list or to make a copy thereof or an extract therefrom may, without payment, do so during office hours of the local authority at the municipal office.

geskryf te wees nie of onderworpe is aan 'n hofbevel in artikel 15 genoem.

(2) Wanneer 'n gebied as gevolg van die verandering van grense uit 'n munisipaliteit gesny word, word die besonderhede van elke kieser wat in so 'n gebied woonagtig is of wie se eiendom geleë in so 'n gebied en wat ingevolge artikel 14(1)(b) ingeskryf is, deur die stadsklerk van die kieserslys van so 'n munisipaliteit geskrap met ingang van die datum waarop so 'n verandering van krag word: Met dien verstande dat enige optrede ingevolge subartikel (1)(a) met betrekking tot 'n supplementêre lys wat ingevolge artikel 8(5)(b) van die Wet op die eerste dag van Januarie van die jaar waarin 'n algemene verkiesing staan gehou te word, in werking tree, voor of op die een-en-dertigste dag van daardie maand afgehandel word: Voorts met dien verstande dat vanaf die eerste dag van Januarie van so 'n jaar tot en met die dag van die algemene verkiesing, geen wysigings ingevolge subartikel (1)(b) aangebring word nie.

(3) Enige optrede beoog in hierdie artikel geskied onverwyld nadat die feite wat sodanige optrede noodsaak, tot die plaaslike bestuur se kennis gekom het.

(4) Nadat die burgemeester deur die stadsklerk daarvan oortuig is dat aan die bepalings van hierdie artikel voldoen is, sertifiseer die burgemeester gedurende Februarie van elke jaar dat die kieserslys behoorlik bygehou is en sy sertifikaat word op die laaste gewone vergadering van die plaaslike bestuur gedurende gemelde maand voorgelê.

Foute in van kieserslys.

21. (1) Indien die stadsklerk daarvan oortuig is dat die besonderhede van 'n persoon per abuis of deur onoplettendheid uit 'n kieserslys wegge laat of geskrap is, of per abuis of deur onoplettendheid in 'n kieserslys ingeskryf is, moet hy 'n toepaslike regstelling met betrekking tot so 'n weglating of skrapping of verkeerde inskrywing te eniger tyd voor vieruur in die namiddag op die dag, sewe dae voor die dag van die verkiesing, in die kieserslys aanbring en indien so 'n regstelling na nominasiedag plaasvind, stel hy elke betrokke kandidaat daarvan in kennis.

(2) Die stadsklerk kan te eniger tyd voor die dag en tyd in subartikel (1) genoem, 'n klerklike fout in die kieserslys regstel ten einde dit in ooreenstemming te bring met die parlementêre kieserslys.

(3) Indien enigiets wat regtens by die opstel of byhou van 'n kieserslys gedoen moet word, per abuis of deur onoplettendheid verkeerd gedoen word of nie gedoen word nie, word die kieserslys nie daardeur ongeldig nie en kan die Administrateur gelas dat die stappe gedoen word wat hy nodig ag om die fout te herstel of die weglating aan te vul.

Insae in en afskrifte

22. Iemand wat verlang om insae in die kieserslys te lê of om 'n afskrif daarvan of 'n uittreksel daaruit te maak, kan sonder betaling gedurende kantoorure van die plaaslike bestuur by die munisipale kantoor doen.

Existing voters' list shall remain in force.

23. A voters' list which is in force in a municipality at the commencement of this Ordinance in terms of an ordinance repealed by this Ordinance shall remain in force as if it had been prepared in terms of this Chapter.

Proof of enrolment as voter.

24. Any voters' list certified by a revision court shall be sufficient proof, and any copy purporting to be a copy of such voters' list shall be *prima facie* proof, of the enrolment as a voter of any person whose particulars appear therein.

Offences relating to particulars required in connection with voters' list.

25. Any person who refuses or omits to furnish information or furnishes false information knowing that it is false in connection with particulars required for the preparation, keeping up to date or revision of a voters' list in terms of this Chapter, shall be guilty of an offence.

CHAPTER III COUNCILLORS

Qualifications

26. Every person enrolled as a voter on a voters' list of a municipality may, subject to the provisions of section 27, be nominated and elected as a councillor for such municipality or any ward thereof: Provided that no person may be nominated for more than one ward at one and the same time.

Disqualifications.

27. (1) A person shall not be qualified to be nominated or elected as a councillor for a municipality if —

- (a) he is already a councillor for such municipality except where he offers himself for election at a general election;
- (b) he is a member of the House of Assembly or of the Senate of the Republic of South Africa;
- (c) he is an unrehabilitated insolvent;
- (d) he is disqualified to be so elected in terms of the provisions of section 44 or 45(1) of the Local Government Ordinance, 1939;
- (e) on nomination day he is indebted in respect of any rate, levied in terms of the Local Authorities Rating Ordinance, 1933, advances, fees or claims for services rendered by the local authority for longer than three months;
- (f) in terms of the provisions of section 15 he is disqualified;
- (g) he or his spouse is an employee of such local authority;
- (h) he is an employee of any local authority or health committee;
- (i) he or his spouse or partner has a direct or indirect pecuniary interest in any contract with the local authority as contemplated in section 40 of the Local Government Ordinance, 1939; or
- (j) he is subject to a court order in which he is declared disqualified from holding public office.

(2) The Administrator may exempt a person who desires to offer himself for election as a member of a local authority from the provisions of subsection (1)(g) or (h) in respect of a part-time appointment as medical health officer or from subsection (1)(i) if he is satisfied that such exemption is in the public interest and proof of such exemption shall accompany the nomination form of such person referred to in section 37.

Bestaan-de kieserslys bly van krag.

23. 'n Kieserslys wat by die inwerkingtreeding van hierdie Ordonnansie in 'n munisipaliteit van krag is ingevolge 'n ordonnansie wat by hierdie Ordonnansie herroep word, bly van krag asof dit ingevolge hierdie Hoofstuk opgestel is.

Bewys van inskrywing as kieser.

24. Enige kieserslys deur 'n hersieningshof gesertifiseer, is afdoende bewys, en enige afskrif wat na bewering 'n afskrif van sodanige kieserslys is, is *prima facie* bewys, van die inskrywing as kieser van enige persoon wie se besonderhede daarin voorkom.

Misdrywe betreffende besonderhede vereis in verband met kieserslys.

25. Iemand wat weier of versuim om inligting te verstrek, of wat valse inligting verstrek, wetende dat dit vals is, in verband met besonderhede wat vir die opstel, byhou of hersiening van 'n kieserslys ingevolge hierdie Hoofstuk vereis word, is skuldig aan 'n misdryf.

HOOFSTUK III RAADSLEDE.

Kwalifikasies.

26. Iedereen wat as 'n kieser op die kieserslys van 'n munisipaliteit ingeskryf is, kan, behoudens die bepalings van artikel 27, tot raadslid vir so 'n munisipaliteit of enige wyk daarvan genomineer en verkies word: Met dien verstande dat geen persoon tegelykertyd vir meer as een wyk genomineer mag word nie.

Diskwalifikasies

27. (1) 'n Persoon is nie bevoeg om tot raadslid vir 'n munisipaliteit genomineer of verkies te word nie indien:—

- (a) hy reeds 'n raadslid vir so 'n munisipaliteit is uitgenome waar hy hom by 'n algemene verkiesing verkiesbaar stel;
- (b) hy 'n lid van die Volksraad of die Senaat van die Republiek van Suid-Afrika is;
- (c) hy 'n ongerehabiliteerde insolvent is;
- (d) hy ingevolge die bepalings van artikel 44 of 45(1) van die Ordonnansie op Plaaslike Bestuur, 1939 onbevoeg is om aldus verkies te word;
- (e) hy op nominasiedag enige belasting gehef ingevolge die Plaaslike Bestuur-Belastingordonnansie 1933, voorskotte, gelde of vorderings vir dienste deur die plaaslike bestuur gelewer vir, langer as drie maande verskuldig is;
- (f) hy ingevolge die bepalings van artikel 15 onbevoeg is;
- (g) hy of sy gade 'n werknemer van so 'n plaaslike bestuur is;
- (h) hy 'n werknemer van 'n ander plaaslike bestuur of gesondheidskomitee is;
- (i) hy self, of deur sy gade of vennoot, 'n direkte of indirekte geldelike belang het by enige kontrak met die plaaslike bestuur soos beoog in artikel 40 van die Ordonnansie op Plaaslike Bestuur, 1939; of
- (j) hy onderworpe is aan 'n hofbevel waarby hy onbevoeg verklaar is om 'n openbare amp te beklee.

(2) Die Administrateur kan 'n persoon wat hom as lid van 'n plaaslike bestuur verkiesbaar wil stel, vrystel van die bepalings van subartikel (1)(g) of (h) ten opsigte van 'n deelydse betrekking van mediese gesondheidsbeampte, of van subartikel (1)(i) as hy daarvan oortuig is dat so 'n vrystelling in die openbare belang is en bewys van sodanige vrystelling moet so 'n persoon se nominasiebrief genoem in artikel 37, vergesel.

Number of council-lors.

28. (1) In the case of a town council —
- with two thousand five hundred or more voters within the municipality, every ward shall have one councillor; and
 - with less than two thousand five hundred voters within the municipality, every ward shall have three councillors: Provided that the town council may decide that every ward shall have one councillor and such decision shall be taken before the first day of May of the year immediately preceding a general election.

(2) To enable the Administrator to make a re-determination of wards in terms of section 7, the town council shall advise the Director forthwith in writing of any decision taken in terms of the proviso to subsection (1)(b).

(3) In the case of a town council, the Administrator shall determine the number of councillors, not being less than five nor more than nine, and he may, within such limits, decrease or increase such number.

(4) Any alteration in the number of councillors and any decision of a town council in terms of this section shall come into operation at the next succeeding general election.

Term of office of council-lors.

29. (1) A councillor elected at a general election shall assume office on the date of such election or, in the case of a poll taking place in respect of candidates, on the date on which the result of such poll is declared in terms of section 61.

(2) A councillor elected at a by-election shall assume office immediately after he has been declared duly elected.

(3) A councillor elected at a general election or a by-election shall, subject to the provisions of section 30, remain in office up to and including the day immediately preceding the next succeeding general election.

Casual vacancy in office of councillor.

30. (1) A casual vacancy in the office of a councillor shall arise whenever —

- he dies or a court order is granted whereby his death is presumed;
- his written resignation addressed to the town clerk is received at the office of the town clerk or, if such resignation states that the resignation is to be effected at a date after such receipt, with effect from such date;
- in terms of section 31(1) of the Local Government Ordinance, 1939, he become disqualified;
- he becomes a member of the House of Assembly or the Senate of the Republic of South Africa;
- his estate is sequestrated in terms of any law;
- he becomes disqualified in terms of section 43 or 45 of the Local Government Ordinance, 1939, or is ordered to relinquish his office in terms of section 40, 41 or 42 of this Ordinance;
- he becomes disqualified in terms of the provisions of section 15;
- he is declared disqualified by a court from holding a public office;

Aantal raadslede

28. (1) In die geval van 'n stadsraad:—
- met tweeduisend vyfhonderd of meer kiesers binne die munisipaliteit, het elke wyk een raadslid; en
 - met minder as tweeduisend vyfhonderd kiesers binne die munisipaliteit, het elke wyk drie raadslede: Met dien verstande dat die stadsraad kan besluit dat elke wyk een raadslid moet hê en so 'n besluit moet geneem word voor die eerste dag van Mei van die jaar wat 'n algemene verkiesing onmiddellik voorafgaan.

(2) Om die Administrateur in staat te stel om 'n herbeplanning van wyke ingevolge artikel 7 te doen, stel 'n stadsraad die Direkteur onverwyld skriftelik in kennis van enige besluit ingevolge die voorbehoudsbepaling by subartikel (1)(b) geneem.

(3) In die geval van 'n dorpsraad, bepaal die Administrateur die aantal raadslede wat minstens vyf en hoogstens nege moet wees en kan hy binne sodanige perke sodanige aantal verminder of vermeerder.

(4) Enige verandering in die aantal raadslede en enige besluit van 'n stadsraad ingevolge hierdie artikel tree in werking by die eersvolgende algemene verkiesing.

Ampstermyn van raadslede

29. (1) 'n Raadslid verkies by 'n algemene verkiesing aanvaar sy amp op die datum van sodanige verkiesing of, in geval 'n stemming ten opsigte van kandidaat plaasvind op die datum waarop die uitslag van so 'n stemming ingevolge artikel 61 verklaar word.

(2) 'n Raadslid verkies by 'n tussenverkiesing aanvaar sy amp onmiddellik nadat hy behoorlik verkose verklaar is.

(3) 'n Raadslid verkies by 'n algemene verkiesing of tussenverkiesing bly, behoudens die bepalinge van artikel 30, in sy amp aan tot en met die dag wat die eersvolgende algemene verkiesing onmiddellik voorafgaan.

Toevallige vakature in amp van raadslid.

30. (1) 'n Toevallige vakature in die amp van raadslid ontstaan wanneer:—

- hy sterf of 'n hofbevel verleen word waarby sy dood vermoed word;
- sy skriftelike bedanking gerig aan die stads-klerk op die kantoor van die stads-klerk ontvang word of indien so 'n bedanking meld dat die bedanking op 'n datum na sodanige ontvangs in werking tree, met ingang van sodanige datum;
- hy ingevolge artikel 31(1) van die Ordonnansie op Plaaslike Bestuur, 1939 onbevoeg word;
- hy 'n lid van die Volksraad of van die Senaat van die Republiek van Suid-Afrika word;
- sy boedel ingevolge enige wet gesekwestreer word;
- hy ingevolge artikel 43 of 45 van die Ordonnansie op Plaaslike Bestuur, 1939 onbevoeg word of ingevolge artikel 40, 41 of 42 van daardie Ordonnansie beveel word om sy amp neer te lê;
- hy ingevolge die bepalinge van artikel 15 onbevoeg word;
- hy deur 'n hof onbevoeg verklaar word om 'n openbare amp te beklee;

- (i) after receipt of a notice by registered post from the town clerk that he is in an arrear for a period of more than four months with the payment of any amount in respect of rates levied in terms of the Local Authorities Rating Ordinance, 1933, taxes, advances, fees or claims for services rendered by the local authority, he fails to pay the said amount within a period of thirty days after the date of such notice;
- (j) his spouse becomes an employee of the local authority;
- (k) he becomes an employee of another local authority or health committee;
- (l) he ceases to hold the qualifications referred to in section 26; or
- (m) he becomes a paid agent for a candidate at an election.

(2) on the written request of a local authority the Administrator may, before a councillor or his spouse accepts an appointment as contemplated in subsection (1)(j) or (k), if it is a part-time appointment of medical health officer, exempt such councillor from those provisions if at least two-thirds of the councillors have voted in favour of such a request.

(3) (a) Within seven days after the town clerk has become aware of circumstances which indicate that a casual vacancy has occurred, he shall make a report thereon to the mayor or, if the councillor concerned is the mayor, to the deputy mayor.

(b) If both the mayor and the deputy mayor are concerned in such casual vacancy, the town clerk shall carry out the duty imposed on the mayor or deputy mayor in terms of subsection (4).

(4) If the mayor or deputy mayor, as the case may be, is satisfied that a casual vacancy in the office of a councillor has occurred, he shall, within seven days after the receipt of a report in terms of subsection (3)(a), declare that such vacancy has occurred and he shall affix forthwith a notice to that effect in a conspicuous place at the municipal office and shall report such vacancy to the local authority at its next succeeding ordinary meeting.

(5) A casual vacancy shall be filled by means of an election in a manner provided for in Chapter IV and for this purpose the electoral officer shall —

- (a) within fourteen days after a declaration in terms of subsection (4);
- (b) within the extended period authorized by the Administrator on written request by the returning officer within seven days after having made such declaration; or
- (c) within seven days after receipt by the returning officer of a refusal by the Administrator of a request made in terms of paragraph (b),

give notice as contemplated in section 36: Provided that if a casual vacancy occurs in the month of December, January or February immediately preceding a general election and there are not more than three such vacancies, such vacancy shall not be filled.

- (i) hy, na ontvangs per aangetekende pos van 'n kennisgewing van die stadsklerk dat hy vir 'n tydperk van meer as drie maande agterstallig is met die betaling van bedrae ten opsigte van belasting gehef ingevolge die Plaaslike Bestuur -Belastingordonnansie 1933, voorskotte, gelde of vorderings vir dienste deur die plaaslike bestuur gelewer, versuim om gemelde bedrae binne 'n tydperk van dertig dae na die datum van sodanige kennisgewing, te betaal;
- (j) sy gade 'n werknemer van die plaaslike bestuur word;
- (k) hy 'n werknemer van 'n ander plaaslike bestuur of gesondheidskomitee word;
- (l) hy ophou om die kwalifikasies genoem in artikel 26 te besit; of
- (m) hy 'n besoldigde agent vir 'n kandidaat by 'n verkiesing word.

(2) Op skriftelike versoek van 'n plaaslike bestuur, kan die Administrateur, voordat 'n raadslid of sy gade 'n betrekking soos beoog in subartikel (1)(j) of (k) aanvaar, indien dit 'n deeltydse betrekking van mediese gesondheidsbeampte is, so 'n raadslid van daardie bepalings vrystel indien minstens twee derdes van die raadslede ten gunste van so 'n versoek gestem het.

(3) (a) Binne sewe dae nadat die stadsklerk bewus geword het van omstandighede wat daarop dui dat 'n toevallige vakature ontstaan het, doen hy daarvoor verslag aan die burgemeester of, indien die betrokke raadslid die burgemeester is, aan die onderburgemeester.

(b) Indien beide die burgemeester en onderburgemeester by so 'n toevallige vakature betrokke is, verrig die stadsklerk die plig ingevolge subartikel (4) aan die burgemeester of onderburgemeester opgedra.

(4) Indien die burgemeester of onderburgemeester, na gelang van die geval, daarvan oortuig is dat 'n toevallige vakature in die amp van 'n raadslid ontstaan het, verklaar hy binne sewe dae na ontvangs van 'n verslag ingevolge subartikel (3)(a), dat so 'n vakature ontstaan het en bring hy onverwyld 'n kennisgewing tot dien effekte in 'n opvallende plek by die munisipale kantoor aan en rapporteer sodanige vakature aan die plaaslike bestuur op sy eersvolgende gewone vergadering.

(5) 'n Toevallige vakature word deur middel van 'n verkiesing op die wyse in Hoofstuk IV bepaal, aangevul en vir hierdie doel gee die kiesbeampte:—

- (a) binne veertien dae na die verklaring ingevolge subartikel (4);
- (b) binne die verlengde tydperk wat die Administrateur op skriftelike aansoek deur die kiesbeampte binne sewe dae na so 'n verklaring, gedoen, magtig; of
- (c) binne sewe dae na ontvangs deur die kiesbeampte van die Administrateur se weiering van 'n aansoek ingevolge die paragraaf (b) gedoen,

kennis soos beoog in artikel 36: Met dien verstande dat indien 'n toevallige vakature ontstaan in die maand Desember, Januarie of Februarie wat 'n algemene verkiesing onmiddellik voorafgaan en daar nie meer as drie sodanige vakatures is nie, so 'n vakature nie aangevul word nie.

(6) Only a person who on the date of the notice referred to in subsection (4) is enrolled as a voter in the voters' list, shall be entitled to vote at the election for filling the casual vacancy concerned.

Councillor at commencement of Ordinance. 31. A councillor holding office at the commencement of this Ordinance shall, subject to the provisions of section 30, remain in office up to and including the day immediately preceding the next succeeding general election.

CHAPTER IV

CONDUCT OF ELECTIONS

First election. 32. The first election of councillors of a municipality declared as such in terms of the provisions of section 9 of the Local Government Ordinance, 1939, shall be held on a date to be determined by the Administrator by notice in the *Provincial Gazette*.

General election. 33. A general election of councillors shall be held in all municipalities on the first Wednesday of March, 1972 and thereafter in every fifth year on the first Wednesday of March unless the Administrator, either generally or specifically, determines any other day by notice in the *Provincial Gazette*.

Election in wards or polling districts. 34. In the case of a municipality which is divided into wards or polling districts, an election shall be held in the wards or polling districts, as the case may be.

Returning officer. 35. (1) The town clerk shall be the returning officer at an election: Provided that the Administrator may in the case of a first election referred to in section 32 or, whenever he considers it otherwise expedient, appoint another person as a returning officer.

(2) A town council may appoint so many of its officers as it may consider expedient as deputy returning officers to whom the returning officer may delegate any of his powers and duties and the town council may authorize any deputy returning officer to act as returning officer if the returning officer is not able to exercise his powers or carry out his duties.

Notice of election and nomination day. 36. (1) The returning officer shall, not more than forty-nine and not less than thirty-five days before the day of the election, by means of a notice published in a newspaper and affixed in a conspicuous place at the municipal office, give notice of such election and the date thereof and shall, in such notice, determine a day not more than twenty-one and not less than fourteen days after the publication thereof as the nomination day and a place within the municipality where nominations will be received.

(2) In a notice referred to in subsection (1) the number of vacancies to be filled, the wards in which the vacancies occur and the place where each polling booth will be, in case a poll is to be held, shall be stated.

Nominations of candidates. 37. (1) A candidate shall be nominated by means of a nomination document in a form prescribed in Schedule 3 to this Ordinance which has been properly completed and signed by at least two voters as well as by such candidate

(6) Slegs 'n persoon wat op die datum van die kennisgewing in subartikel (4) genoem, as kieser in die kieserslys ingeskryf is, is geregtig om by die verkiesing ter aanvulling van die betrokke toevallige vakature te stem.

Raadslid by inwerkingtreding van Ordonnansie. 31. 'n Raadslid wat by die inwerkingtreding van hierdie Ordonnansie sy amp beklee, bly, behoudens die bepalings van artikel 3-, in sy amp aan tot en met die dag wat die eersvolgende algemene verkiesing onmiddellik voorafgaan.

HOOFSTUK IV VOER VAN VERKIESING

Eerste verkiesing. 32. Die eerste verkiesing van raadslede van 'n munisipaliteit wat ingevolge die bepalings van artikel 9 van die Ordonnansie op Plaaslike Bestuur, 1939 as sodanig verklaar is, word gehou op 'n datum deur die Administrateur by kennisgewing in die *Provinsiale Koerant* bepaal.

Algemene verkiesing. 33. 'n Algemene verkiesing van raadslede word in alle munisipaliteite gehou op die eerste Woensdag van Maart 1972, en daarna vyfjaarliks op die eerste Woensdag van Maart tensy die Administrateur in die algemeen of in 'n bepaalde geval 'n ander dag by kennisgewing in die *Provinsiale Koerant* bepaal.

Verkiesing in wyke of stembedistrikte. 34. In die geval van 'n munisipaliteit wat in wyke of stembedistrikte ingedeel is, vind 'n verkiesing in die wyke of stembedistrikte, na gelang van die geval, plaas.

Kiesbeampte. 35. (1) Die stadsklerk is die kiesbeampte by 'n verkiesing: Met dien verstande dat die Administrateur in geval van 'n eerste verkiesing soos in artikel 32 genoem of wanneer hy dit andersins dienstig ag, iemand anders as kiesbeampte kan aanstel.

(2) 'n Stadsraad kan soveel van sy beamptes as wat hy dienstig ag as adjunk-kiesbeamptes aanstel aan wie die kiesbeampte enige van sy bevoegdhede en pligte kan opdra en die stadsraad kan enige adjunk-kiesbeampte magtig om as kiesbeampte waar te neem indien die kiesbeampte nie in staat is om sy bevoegdhede uit te oefen of sy pligte na te kom nie.

Kennisgewing van verkiesing en nominasiedag. 36. (1) Hoogstens nege-en-veertig en minstens vyf-en-dertig dae voor die dag van 'n verkiesing gee die kiesbeampte by wyse van 'n kennisgewing wat in 'n nuusblad gepubliseer en in 'n opvallende plek by die munisipale kantoor aangebring word, kennis van so 'n verkiesing en die datum daarvan en bepaal in so 'n kennisgewing 'n dag hoogstens een-en-twintig en minstens veertien dae na die publikasie daarvan as nominasiedag en 'n plek binne die munisipaliteit waar nominasies ontvang sal word.

(2) In 'n kennisgewing genoem in subartikel (1) word die aantal vakatures wat aangevul moet word, die wyke waarin die vakatures bestaan, en die plek waar elke stemburo sal wees, ingeval 'n stemming moet plaasvind, vermeld.

Nominasie van kandidate. 37. (1) 'n Kandidaat word genomineer deur middel van 'n nominasiebrief in 'n vorm soos in Bylae 3 by hierdie Ordonnansie voorgeskryf, wat behoorlik ingevul en onderteken is deur minstens twee kiesers sowel as deur so 'n kandidaat of sy agent wat skriftelik daartoe gemagtig is (welke magtiging die nominasiebrief moet vergesel), en waarin te kenne gegee word dat die kandidaat die

or his agent authorized thereto in writing (which authorization shall accompany the nomination document), and in which it is stated that the candidate accepts the nomination and is not disqualified to be elected as a member of the local authority.

(2) Such nomination document shall be placed not later than three o'clock in the afternoon of the day immediately preceding nomination day in a sealed box which the returning officer shall make available for the purpose.

(3) If a voter has signed nomination documents in respect of more candidates than there are vacancies, the returning officer shall delete his name from all such nomination documents and he shall be deemed not to have signed any nomination documents.

(4) In the case of a municipality divided into wards, a nomination document shall be signed only by a voter who is enrolled on the voters' list for the ward for which the candidate has been nominated.

38. (1) Every nomination document shall, subject to the provisions of subsections (2) and (3), be accompanied by a cash deposit of twenty-five rand.

(2) In the case of a municipality with more than two thousand five hundred voters, the local authority may, by majority of the total number of councillors, decide that the deposit referred to in subsection (1) be increased to an amount not exceeding one hundred rand.

(3) Where more than one nomination document is submitted in respect of the same candidate, one deposit of twenty-five rand or such higher amount as may be determined by the local authority in terms of subsection (2), shall be sufficient in respect of all the nomination documents of such candidate.

(4) The deposit shall be refunded to the candidate or his estate, as the case may be, when —
 (a) the nomination of such candidate is rejected;
 (b) no poll in respect of the vacancy for which such candidate is nominated, is held; or
 (c) the candidate concerned dies before the day of the election.

39. (1) Immediately after the time referred to in section 37(2), the returning officer shall in public open the box containing the nomination documents, announce the name, address and occupation of everyone nominated and shall affix as soon as possible thereafter in a conspicuous place at the municipal office a list wherein the said particulars of everyone nominated appear.

(2) At twelve o'clock noon on nomination day the returning officer shall, subject to the provisions of section 44, at the municipal office announce in public —

- (a) the name of every candidate whose nomination has been rejected by him in terms of section 40;
- (b) the name of every candidate duly elected in terms of section 41; and
- (c) the name of every candidate in respect of whom a poll is required to be held in terms of section 42.

40. The returning officer shall accept the nomination of every candidate who has been duly nominated and shall reject —

- (a) the nomination of a candidate if he is satis-

nominasie aanvaar en nie onbevoeg is om tot lid van die plaaslike bestuur verkies te word nie.

(2) So 'n nominasiebrieff word nie later nie as drie-uur namiddag op die dag wat nominasiedag onmiddellik voorafgaan, geplaas in 'n verseelde bus wat die kiesbeampte vir daardie doel beskikbaar stel.

(3) Indien 'n kieser nominasiebriewe met betrekking tot meer kandidate as wat daar vakatures is, onderteken het skrap die kiesbeampte sy naam van alle sodanige nominasiebriewe en word daar geag dat hy geen nominasiebriewe onderteken het nie.

(4) In die geval van 'n munisipaliteit wat in wyke ingedeel is, word 'n nominasiebrieff net onderteken deur 'n kieser wat op die kieserslys vir die wyk waarvoor die kandidaat genomineer word, ingeskryf.

Kontant-deposito.

38. (1) Elke nominasiebrieff moet, behoudens die bepalings van subartikels (2) en (3), vergesel gaan van 'n kontantdeposito van vyf-en-twintig rand.

(2) In geval van 'n munisipaliteit met meer as tweeduisend vyfhonderd kiesers, kan die plaaslike bestuur met 'n meerderheid van die totale aantal raadslede besluit om die deposito in subartikel (1) genoem, tot 'n bedrag van hoogstens honderd rand te verhoog.

(3) Waar meer as een nominasiebrieff ten opsigte van dieselfde kandidaat ingedien word, is een deposito van vyf-en-twintig rand, of 'n hoër bedrag deur die plaaslike bestuur ingevolgt subartikel (2) bepaal, ten opsigte van al die nominasiebriewe van so 'n kandidaat voldoende.

(4) Die deposito word aan die kandidaat of sy boedel, na gelang van die geval, terugbetaal wanneer —

- (a) die nominasie van so 'n kandidaat verwerp word;
- (b) geen stemming ten opsigte van 'n vakature waarvoor so 'n kandidaat genomineer is, gehou word nie; of
- (c) die betrokke kandidaat voor die dag van die verkiesing sterf.

Openbare aankondiging van nominasies.

39. (1) Onmiddellik na die tyd genoem in artikel 37 (2), maak die kiesbeampte die bus wat die nominasiebriewe bevat in die openbaar oop, kondig die naam, adres en beroep van elke genomineerde aan en bring so spoedig moontlik daarna in 'n opvallende plek by die munisipale kantoor 'n lys aan waarin die gemelde besonderhede van elke genomineerde voorkom.

(2) Om twaalf-uur middag op nominasiedag kondig die kiesbeampte, behoudens die bepalings van artikel 44, by die munisipale kantoor in die openbaar aan —

- (a) die naam van elke kandidaat wie se nominasie deur hom ingevolgt artikel 40 verwerp is;
- (b) die naam van elke kandidaat wat ingevolgt artikel 41 behoorlik verkies is; en
- (c) die naam van elke kandidaat ten opsigte van wie 'n stemming ingevolgt artikel 42 gehou moet word.

Aanname en verwerping van nominasies.

40. Die kiesbeampte neem die nominasie van elke kandidaat aan wat behoorlik genomineer is en verwerp —

- (a) die nominasie van 'n kandidaat indien hy daarvan oortuig is dat so 'n kandidaat nie

Cash deposit.

Public notification of nominations.

Acceptance and rejection of nominations.

fied that such candidate is not qualified to be nominated;

- (b) any nomination which does not comply substantially with the requirements of sections 37 and 38;
- (c) all nominations of a candidate who has been duly nominated for more than one ward; and
- (d) the nomination of a candidate who, before the announcement in terms of section 39(2) has been made, withdraws his candidature in writing.

Nominations equal to or less than vacancies.

41. If the number of candidates, whose nominations have been accepted, is equal to or less than the number of vacancies in the ward or municipality concerned, as the case may be, such candidates shall be deemed to have been duly elected.

Notification of names of candidates and of poll.

42. If the number of candidates, whose nominations have been accepted, is more than the number of vacancies in the ward or municipality concerned, as the case may be, the returning officer shall immediately and, in any event at least seven days before the day of the election, by notice published in a newspaper and affixed in a conspicuous place at the municipal office, notify the names of the candidates in respect of whom a poll on the day of election is required to be held and such notice shall state where the polling stations will be and the hours when the poll will be held.

Withdrawal of candidature.

43. (1) If the returning officer at any time after the announcement in terms of section 39(2) but less than seven days before the day of the election, is notified in writing by a candidate, in respect of whom a poll is required to be held, that the said candidate has withdrawn his candidature, the returning officer shall delete such candidate's name from the list of candidates, and give notice of such withdrawal in the manner provided for in section 42.

(2) Such candidate may not then be elected as a councillor and he shall forfeit the deposit referred to in section 38 which shall thereafter be deposited in the revenue account of the local authority.

(3) If the number of candidates remaining as the result of such withdrawal is equal to or less than the number of vacancies, the provisions of section 41 shall apply and no poll shall be held.

Death of candidate after nomination.

44. If a candidate —
 (a) dies after submission of his nomination document in terms of section 37 but before an announcement in terms of section 39(2) has been made, and if his nomination would not have been rejected in terms of section 40; or
 (b) referred to in section 39(2)(c) dies before day of the election.

the returning officer shall, after having satisfied himself of such death, stop all proceedings in respect of the election in the municipality, if it is not divided into wards, or in the ward concerned, as the case may be, and he shall withdraw, by means of a notice published in a newspaper and affixed in a conspicuous place at the municipal office, all notices which have been issued in terms of this Chapter in respect of such election, whereafter such proceedings shall com-

Nominations gelyk aan of minder as vakatures.

- bevoeg is om genomineer te word nie;
- (b) enige nominasie wat nie wesenlik aan die veristes van artikels 37 en 38 voldoen nie;
- (c) alle nominasies van 'n kandidaat wat vir meer as een wyk behoorlik genomineer is; en
- (d) die nominasie van 'n kandidaat wat, voordat die aankondiging ingevolge artikel 39 (2) gedoen word, sy kandidatuur skriftelik teruggetrek het.

41. Indien die aantal kandidate wie se nominasies aangeneem is, gelyk is aan of minder is as die aantal vakatures in die betrokke wyk of munisipaliteit, na gelang van die geval, word sodanige kandidate geag behoorlik verkies te wees.

Bekendmaking van name van kandidate en van stemming

42. Indien die aantal kandidate wie se nominasies aangeneem is, meer is as die aantal vakatures in die betrokke wyk of munisipaliteit, na gelang van die geval, maak die kiesbeampte onmiddellik, en in enige geval minstens sewe dae voor die dag van die verkiesing, by kennisgewing wat in 'n nuusblad gepubliseer en in 'n opvallende plek by die munisipale kantoor aangebring word, die name van die kandidate bekend ten opsigte van wie 'n stemming op die dag van die verkiesing gehou moet word en in so 'n kennisgewing word vermeld waar die stemburo's sal wees en die ure wanneer die stemming gehou sal word.

Terugtrekking van kandidatuur.

43. (1) Indien die kiesbeampte te eniger tyd na die aankondiging ingevolge artikel 39 (2) maar minstens sewe dae voor die dag van verkiesing, skriftelik in kennis gestel word deur 'n kandidaat ten opsigte van wie 'n stemming gehou moet word dat hy sy kandidatuur terugtrek, skrap die kiesbeampte bedoelde kandidaat se naam van die lys van kandidate en gee kennis van sodanige terugtrekking op die wyse in artikel 42 bepaal.

(2) So 'n kandidaat kan nie tot raadslid verkies word nie en verbeur die deposito in artikel 38 genoem wat daarna op die inkomsterekening van die plaaslike bestuur gestort word.

(3) Indien die aantal oorblywende kandidate as gevolg van sodanige terugtrekking gelyk is aan of minder is as die aantal vakatures, is die bepalinge van artikel 41 van toepassing en word geen stemming gehou nie.

Oortye van kandidaat na nominasie.

44. Indien 'n kandidaat —
 (a) sterf na indiening van sy nominasiebrief ingevolge artikel 37 maar voordat 'n aankondiging ingevolge artikel 39 (2) gedoen word, en indien sy nominasie nie ingevolge artikel 40 verwerp sou word nie; of

(b) in artikel 39 (2) (c) genoem word, voor die dag van die verkiesing sterf, staak die kiesbeampte, nadat hy hom van sodanige sterfte vergewis het, alle verrigtinge ten opsigte van die verkiesing in die munisipaliteit, as dit nie in wyke ingedeel is nie, of in die betrokke wyk, na gelang van die geval, en herroep hy by wyse van 'n kennisgewing wat in 'n nuusblad gepubliseer en in 'n opvallende plek by die munisipale kantoor aangebring word, alle kennisgewings wat ingevolge hierdie Hoofstuk ten opsigte van so 'n verkiesing uitgereik is, waarna sodanige

mence anew as if a casual vacancy had occurred: Provided that no new nomination or deposit shall be necessary in the case of a candidate who was duly nominated when the proceedings were stopped.

No candidate for vacancy.

45. (1) If no candidate has been duly nominated for a vacancy, such vacancy shall be regarded as a casual vacancy and shall be filled by means of a by-election.

(2) If no candidate has been duly nominated for a casual vacancy referred to in subsection (1), the Administrator may appoint any person who is qualified to be elected as a councillor for the local authority concerned, as a councillor for the vacancy and such councillor shall, subject to the provisions of section 30, remain in office up to and including the day immediately preceding the next succeeding general election.

Polling stations.

46. For the purpose of an election, there shall be —

- (a) in the case of a municipality not divided into wards, one polling station at a place determined by the returning officer; and
- (b) in the case of a municipality divided into wards, one polling station within every ward at a place determined by the returning officer or, if a ward is divided into polling districts, one polling station in every polling district at a place so determined: Provided that, with the approval of the Administrator, a polling station may be at a place outside the ward or polling district concerned.

Appointment of officers and arrangements in connection with elections.

47. (1) For the purpose of an election, the returning officer shall appoint for every polling station, presiding officers, polling officers and such other officers as he may deem advisable for the efficient conduct and control of the election.

(2) For the purposes of subsection (1), no person shall be appointed who is in the service of any other person in connection with or for the purpose of the election.

(3) Subject to anything which may be prescribed by regulation in terms of section 90, the returning officer shall furnish the equipment, material and an official mark referred to in section 51(3)(c), perform the acts and make the arrangements which are necessary for the efficient conduct of the election.

Powers of presiding officers.

48. (1) The presiding officer and other officers at the polling station shall keep order thereat, regulate the number of voters to be admitted at a time, and exclude all other persons except the returning officer, the candidates, their election agents, the polling officers, the polling agents of each candidate, one messenger for each candidate whose services may be employed by the polling agents of that candidate to notify the members of the candidates' organisation of the serial numbers on the voters' list of the persons who have voted, and the police officers on duty.

(2) Save for the persons excepted by subsection (1), the presiding officer may require any person, other than a person recording his vote, to leave the polling station and any person who fails to leave the polling station when so required, may on the order of the presiding officer be removed from the polling station and shall be guilty of an offence.

verrigtinge opnuut 'n aanvang neem asof 'n toevallige vakature ontstaan het: Met dien verstande dat geen nuwe nominasie of deposito nodig is nie in die geval van 'n kandidaat wat behoorlik genomineer was toe die verrigtinge gestaak is.

Geen kandidaat vir vakature.

45. (1) Indien geen kandidaat behoorlik vir 'n vakature genomineer word nie, word so 'n vakature as 'n toevallige vakature beskou en deur middel van 'n tussenverkiezing aangevul.

(2) Indien geen kandidaat behoorlik genomineer word vir 'n toevallige vakature in subartikel (1) genoem nie, kan die Administrateur enige persoon wat bevoeg is om tot raadslid van die betrokke plaaslike bestuur verkies te word, as so 'n lid in die vakature aangestel en so 'n lid bly, behoudens die bepalings van artikel 30, in sy amp aan tot en met die dag wat die eersvolgende algemene verkiezing onmiddellik voorafgaan.

Stemburo's.

46. Vir die doel van 'n verkiezing moet daar —

- (a) in geval van 'n munisipaliteit wat nie in wyke ingedeel is nie, een stemburo wees op 'n plek deur die kiesbeampte bepaal; en
- (b) in geval van 'n munisipaliteit wat in wyke ingedeel is, een stemburo binne elke wyk wees op 'n plek deur die kiesbeampte bepaal, of indien 'n wyk in stembedistrikte ingedeel is, een stemburo binne elke stembedistrikt op 'n plek aldus bepaal: Met dien verstande dat met die goedkeuring van die Administrateur 'n stemburo op 'n plek buite die betrokke wyk of stembedistrikt kan wees.

Aanstelling van beamptes en reëlings in verband met verkiesing.

47. (1) Vir die doel van 'n verkiezing stel die kiesbeampte vir elke stemburo 'n voorsittende beampte, stemopnemers en sodanige ander beamptes aan as wat hy vir die doeltreffende reëling en beheer van die verkiezing wenslik ag.

(2) Vir die toepassing van subartikel (1) word niemand aangestel nie wat in verband met of vir die doel van die verkiezing in die diens van iemand anders is.

(3) Behoudens enigiets wat ingevolge artikel 90 by regulasie voorgeskryf mag word, verskaf die kiesbeampte die uitrusting, materiaal en 'n amptelike merk in artikel 51 (3) (c) genoem, verrig die handeling en tref die reëlings wat nodig is om die verkiezing doeltreffend te voer.

Bevoegthede van voorsittende beampte.

48. (1) Die voorsittende beampte en ander beamptes by die stemburo hou daar orde, reël die aantal kiesers wat tegelyk binnegelaat word en hou alle ander persone buite, uitgesonderd die kiesbeampte, die kandidaat, hul verkiesingsagents, die stemopnemers, die stemagente van elke kandidaat, een bode vir elke kandidaat wie se dienste deur die stemagente van daardie kandidaat gebruik mag word om die lede van die kandidaat se organisasie te verwittig van die volgnommers op die kieserslys van die persone wat gestem het, en die diensdoende polisiebeamptes.

(2) Behoudens die persone by subartikel (1) uitgesonder, kan die voorsittende beampte enige persoon, behalwe 'n persoon wat sy stem uitbring, aansê om die stemburo te verlaat, en enige persoon aldus aangesê wat versuim om die stemburo te verlaat kan op bevel van die voorsittende beampte uit die stemburo verwyder word en is skuldig aan 'n misdryf.

(3) The presiding officer may take any steps which he may consider advisable for the protection of himself and other officers or for stopping or preventing violence in or in the vicinity of a polling station.

(4) The powers conferred by this section shall not be exercised so as to prevent any voter who is otherwise entitled to vote at any polling station from having an opportunity of voting at that polling station.

Places where and hours when poll shall be held.

49. The poll at an election shall be held at the places notified by the returning officer in terms of section 36(2) and 42 and shall commence at seven o'clock in the morning of the day of the election and shall close at nine o'clock in the evening on that day, but the presiding officer shall permit any voter who is, at nine o'clock in the evening, inside the room in which the ballot box is, to record his vote before closing the poll.

Place where voter to record his vote.

50. In the case of a municipality divided into wards, the voter may not record his vote at any other place than the polling station for the ward or, if the ward is divided into polling districts, at the polling station for the polling district in respect of which he is enrolled as a voter.

Manner of voting.

51. (1) The voting at an election shall be conducted by ballot papers in substantially and as nearly as possible in the manner hereinafter provided.

(2) Every ballot paper shall be in both official languages and shall be in a form as prescribed in Schedule 4 to this Ordinance and on every ballot paper the names of all the duly nominated candidates shall appear in alphabetical order with their addresses and occupations.

(3) Every voter who wishes to record his vote, shall apply to the presiding officer or polling officer for a ballot paper and such officer shall, after he has satisfied himself that the applicant is enrolled as a voter, is entitled to vote at the polling station and that there is no proof that a ballot paper has already been issued under the name under which the applicant claims to be entitled to vote, issue a ballot paper to such applicant by —

- (a) calling out the serial number and name of the voter as it appears on the voters' list;
- (b) entering the serial number of the voter in the appropriate space on the counterfoil of the ballot paper which is to be issued to the applicant;
- (c) tearing out the ballot paper and on the reverse side in the space provided, mark it with the official mark;
- (d) folding the ballot paper so that the front thereof is on the inside and the official mark is on the outside and shall hand it to the applicant; and
- (e) drawing a line through the serial number and name of the voter on the voters' list as evidence that a voting paper has been issued.

(4) If the presiding officer or polling officer for any reason is in doubt whether a ballot paper in the possession of voter is the ballot paper issued to him, he may, for the purpose of comparing the number printed on the counterfoil, require a voter, before he places the ballot paper

(3) Die voorsittende beampte kan enige stappe doen wat hy raadsaam ag ter beskerming van homself en ander beamptes of ter beëdiging of voorkoming van geweldpleging in of in die omgewing van 'n stemburo.

(4) Die bevoegdhede kragtens hierdie artikel verleë, word nie so uitgeoefen nie dat 'n kieser wat andersins geregtig is om by 'n stemburo sy stem uit te bring, die geleentheid ontnem word om sy stem by daardie stemburo uit te bring.

Plekke waar en ure wanneer stemming ge- hou word.

49. Die stemming by 'n verkiesing word gehou op die plekke wat deur die kiesbeampte ingevolge artikels 36 (2) en 42 bekend gemaak is en begin om sewe-uur voormiddag op die dag van die verkiesing en sluit om nege-uur namiddag op daardie dag maar die voorsittende beampte laat toe dat elke kieser wat om nege-uur namiddag in die lokaal is waarin die stembus is, sy stem uitbring voordat die stemming sluit.

Plek waar kieser sy stem uitbring.

50. In geval van 'n munisipaliteit wat in wyke ingedeel is, mag 'n kieser nie sy stem op 'n ander plek uitbring nie as by die stemburo vir die wyk of, as die wyk in stemburke ingedeel is, by die stemburo vir die stemburk ten opsigte waarvan hy as kieser ingeskryf is.

Wyse waarop gestem word.

51. (1) Die stemming by 'n verkiesing geskied by wyse van stembriewe en wel in hoofsaak en sover doenlik op die wyse hierna bepaal.

(2) Elke stembrief is in albei amptelike tale en is in die vorm soos in Bylae 4 by hierdie Ordonnansie voorgeskryf en op elke stembrief verskyn die name van al die behoorlik genomineerde kandidate in alfabetiese orde, met hul adresse en beroepe.

(3) Elke kieser wat sy stem wil uitbring, doen aansoek om 'n stembrief by die voorsittende beampte of 'n stemopnemer en sodanige beampte of stemopnemer moet, nadat hy hom daarvan vergewis het dat die aansoeker as 'n kieser ingeskryf en geregtig is om by die stemburo sy stem uit te bring en dat daar geen bewys is dat 'n stembrief reeds uitgereik is onder die naam waaronder so 'n aansoeker aanspraak maak dat hy geregtig is om te stem nie, aan so 'n aansoeker 'n stembrief uitreik deur —

- (a) die volgnummer en naam van die kieser uit te roep soos dit op die kieserslys voorkom;
- (b) die volgnummer van die kieser in te skryf in die toepaslike ruimte op die teenblad van die stembrief wat aan die aansoeker uitgereik gaan word;
- (c) die stembrief uit te skeur en dit op die keer- sy in die ruimte voorsien, met die amptelike merk te merk;
- (d) die stembrief te vou sodat die voorkant daarvan aan die binnekant en die amptelike merk aan die buitekant is en dit aan die aansoeker te oorhandig; en
- (e) op die kieserslys 'n streep deur die volgnummer en naam van die kieser te trek as bewys dat 'n stembrief uitgereik is.

(4) Indien die voorsittende beampte of 'n stemopnemer om enige rede twyfel of 'n stembrief in die besit van 'n kieser die stembrief is wat aan hom uitgereik is, kan hy, met doel om dit te vergelyk met die nommer op die teenblad gedruk, 'n kieser versoek om, voordat hy die stembrief

in the ballot box, to display to him the number and official mark on the reverse side of the ballot paper.

(5) (a) A voter to whom a ballot paper has been issued, shall immediately proceed to a vacant polling compartment and shall there without delay signify for whom he desires to vote by secretly placing a cross opposite the name of the candidate or candidates concerned.

(b) After the voter has so marked the ballot paper he shall fold it in the manner contemplated in subsection (3)(d).

(c) After the voter has shown the official mark to the presiding officer or polling officer, he shall place the ballot paper in the box and shall immediately leave the polling station.

(6) If the official mark inadvertently does not appear on the ballot paper which is to be placed in the ballot box, the presiding officer may cause such ballot paper to be marked with the official mark.

(7) No voter shall write his name or any word or make any mark on the ballot paper issued to him by which such ballot paper can be identified.

(8) The presiding officer or polling officer nominated by him shall make a list containing the serial numbers on the voters' list of all voters to whom the ballot papers have been issued and he shall, on demand, deliver a copy of such list to one polling agent of each candidate.

Spoilt ballot papers.

52. If a voter inadvertently spoils a ballot paper, he may return it to the presiding officer who shall, if satisfied of such inadvertance, give him another ballot paper and such officer shall immediately cancel the spoilt ballot paper, keep it apart and shall sign the cancellation on the counterfoil concerned.

Voter to vote in person and not more than once.

53. (1) A voter shall record his vote personally and shall, irrespective of whether he has been enrolled as such more than once, only be entitled to vote once in respect of —

(a) each vacancy at an election in a municipality which is not divided into wards; or

(b) every vacancy in one ward only at an election in a municipality which is divided into wards: Provided that —

(i) if there is more than one vacancy, no voter shall be obliged to record a vote in respect of every vacancy; and

(ii) if a voter shall record more than one vote for the same candidate, such votes shall count as one vote.

(2) If a voter, after being requested thereto by the presiding officer, fails to produce his identity card or other sufficient proof of his identity, he shall not be entitled to vote.

(3) Subject to the provisions of sections 51(3) and 56, no inquiry shall be made at any election as to the identity of any person or his right to vote, except that the presiding officer himself may and, if so required by any candidate or agent of any candidate, shall, after any person has on demand produced his identity card or other proof of identity in terms of subsection (2) and before

in die stembus plaas, die nommer en amptelike merk op die keersy van sy stembrief aan hom te toon.

(5) (a) 'n Kieser aan wie 'n stembrief uitgereik is, moet onmiddellik na 'n onbesette stemkompartement gaan en daar sonder versuim aandui vir wie hy wil stem deur die stembrief in die geheim te merk met 'n kruis teenoor die naam van die betrokke kandidaat of kandidate.

(b) Nadat die kieser die stembrief aldus gemerk het, moet hy dit vou op die wyse beoog in subartikel (3) (d).

(c) Nadat die kieser die amptelike merk aan die voorsittende beampte of stemopnemer getoon het, plaas hy die stembrief in die stembus en verlaat die stemburo onmiddellik.

(6) Indien die amptelike merk per abuis nie verskyn op 'n stembrief wat in die stembus geplaas gaan word nie, kan die voorsittende beampte so 'n stembrief met die amptelike merk laat merk.

(7) Geen kieser mag sy naam of enige woord skryf of enige merk maak op die stembrief aan hom uitgereik waardeur so 'n stembrief uitgeken sou kan word nie.

(8) Die voorsittende beampte of 'n stemopnemer deur hom benoem, maak 'n lys bevattende die volgnommers op die kieserslys van alle kiesers aan wie stembriewe uitgereik is en oorhandig 'n afskrif van so 'n lys op aanvraag aan een stemagent van elke kandidaat.

Bedorwe stembriewe.

52. Indien 'n kieser onopsetlik 'n stembrief bederf, kan dit aan die voorsittende beampte teruggee en indien laasgenoemde daarvan oortuig is dat dit onopsetlik gebeur het, gee hy hom 'n ander stembrief en sodanige beampte kanselleer onmiddellik die bedorwe stembrief, hou dit afsonderlik en teken die kansellasië op die betrokke teenblad aan.

Kieser stem self en nie meer as een keer nie.

53. (1) 'n Kieser bring sy stem persoonlik uit en is, ongeag of hy meer as een keer as sodanig ingeskryf is, geregtig om net een keer te stem ten opsigte van —

(a) elke vakature by 'n verkiesing in 'n munisipaliteit wat nie in wyke ingedeel is nie; of

(b) elke vakature in net een wyk by 'n verkiesing in 'n munisipaliteit wat in wyke ingedeel is:

Met dien verstande dat —

(i) indien daar meer as een vakature is, geen kieser verplig is om ten opsigte van elke vakature 'n stem uit te bring nie; en

(ii) indien 'n kieser meer as een stem vir dieselfde kandidaat uitbring, sodanige stemme as een stem getel word.

(2) Indien 'n kieser, nadat hy daartoe deur 'n voorsittende beampte versoek is, versuim om sy persoonskaart of ander voldoende bewys van sy identiteit te toon, is hy nie geregtig om te stem nie.

(3) Behoudens die bepalings van artikels 51 (3) en 56, word by 'n verkiesing geen navraag gedoen omtrent enige persoon se identiteit of sy reg om te stem nie, behalwe dat die voorsittende beampte nadat iemand sy persoonskaart of ander bewys van identiteit ingevolge subartikel (2) getoon het, en voordat hy toegelaat word om te

he is allowed to vote, put to him either or both of the following question and no other:

(a) Are you the person whose name appears as ... (state the name, on the voters' list of this municipality (or ward, if any)?

(b) Have you already voted at this election at this or any other polling station?

(4) Any person who fails on demand to produce his identity card or other proof of identity referred to in subsection (2) or who does not answer the first question distinctly and absolutely in the affirmative and the second question distinctly and absolutely in the negative, shall not be permitted to vote.

(5) Any person who knowingly gives a false answer to a question put to him in terms of subsection (3) shall be guilty of an offence.

(6) The presiding officer may make inquiry of any other presiding officer at a polling station in the municipality for the purpose of verifying and answer to either of the two question put in terms of subsection (3) and may further order the arrest of any person who is suspected by him on reasonable grounds of giving a false answer to either of such questions or of the offence of personation as defined in section 78.

(7) Every person empowered by law to make arrests shall carry out such order of the presiding officer.

Voters who cannot read or are incapacitated by blindness or other physical cause.

54. (1) The presiding officer, on the application in person of any voter who is unable to read or of any voter who is incapacitated by blindness or other physical cause from voting in the manner prescribed in this Ordinance shall, in the presence of such candidates or their agents as may be present, mark the vote of that voter on a ballot paper in the manner directed by the voter and place the ballot paper in the ballot box.

(2) The presiding officer, on the application in person of any voter who is incapacitated by blindness or other physical cause from voting in the manner prescribed in this Ordinance who has not applied to have his vote recorded by the presiding officer in terms of subsection (1), and who is accompanied by another person may, if he is satisfied that such person is the father, mother, brother, sister, husband, wife, son, daughter or friend of the voter and has attained the age of eighteen years permit such voter to vote with the assistance of the person accompanying him and upon such permission being granted, anything which is by this Ordinance required to be done in respect of the said voter in connection with the recording of his vote, may be done with the assistance of the person accompanying him.

(3) The name and serial number on the voters' list of every voter whose vote is marked in terms of this section and the reason why it is so marked, shall be entered on the list entitled "the list of votes marked by the presiding officer or companions of voters".

stem, hom een van of albei die volgende vrae, en geen ander nie, uit eie beweging kan, en op versoek van 'n kandidaat of 'n agent van 'n kandidaat moet stel:

(a) Is u die persoon wie se naam as (meld die naam) op die kieserslys van hierdie munisipaliteit (of wyk, as daar is) voorkom?

(b) Het u reeds by hierdie verkiesing by hierdie of 'n ander stemburo gestem?

(4) Iemand wat versuim om sy persoonskaart of ander bewys van identiteit genoem in subartikel (2) op aanvraag te toon of wat nie die eerste vraag duidelik en sonder voorbehoud bevestigend en die tweede duidelik en sonder voorbehoud ontkenkend beantwoord nie, word nie toegelaat om te stem nie.

(5) Iemand wat wetens 'n valse antwoord gee op 'n vraag wat ingevolge subartikel (3) aan hom gestel is, is skuldig aan 'n misdryf.

(6) Die voorsittende beampte kan by 'n ander voorsittende beampte by 'n stemburo in die munisipaliteit navraag doen ten einde die waarheid van 'n antwoord te toets op enigeen van die vrae gestel ingevolge subartikel (3) en kan verder beveel dat enigiemand wat hy op redelike gronde daarvan verdink dat hy op enigeen van bedoelde vrae 'n valse antwoord gegee het of van die misdryf van hom vir 'n ander uit te gee, soos in artikel 78 omskryf, in hegtenis geneem word.

(7) Iedereen wat regtens bevoeg is tot inhegtenisneming, voer so 'n bevel van die voorsittende beampte uit.

Kiesers wat nie kan lees of weens blindheid of ander liggaamlike oorsaak nie in staat is om te stem nie.

54. (1) Op persoonlike aansoek van 'n kieser wat nie kan lees nie of wat weens blindheid of ander liggaamlike oorsaak nie in staat is om sy stem op die wyse in hierdie Ordonnansie voorgeskryf, uit te bring nie, merk die voorsittende beampte in teenwoordigheid van die kandidate of hul agente indien hul teenwoordig is, die stem van daardie kieser op 'n stembrief op die wyse deur die kieser verlang, en plaas die stembrief in die stembus.

(2) Op persoonlike aansoek van 'n kieser wat weens blindheid of ander liggaamlike oorsaak nie in staat is om sy stem op die wyse in hierdie Ordonnansie voorgeskryf, uit te bring nie, wat nie aansoek gedoen het om sy stem deur die voorsittende beampte ingevolge subartikel (1) te laat merk nie, en wat deur 'n ander persoon vergesel is, kan die voorsittende beampte, indien hy daarvan oortuig is dat daardie persoon die vader, moeder, broer, suster, man, vrou, seun, dogter of vriend van die kieser is en die ouderdom van agtien jaar bereik het, aan daardie kieser verlof verleen om te stem met behulp van die persoon wat hom vergesel, en nadat bedoelde verlof verleen is, kan enigiets wat volgens voorskrif van hierdie Ordonnansie ten opsigte van gemelde kieser in verband met die uitbring van sy stem gedoen moet word, gedoen word met behulp van die persoon wat hom vergesel.

(3) Die naam en volgnummer op die kieserslys van elke kieser wie se stem ingevolge hierdie artikel gemerk is, en die rede waarom dit aldus gemerk is, word ingeskryf op 'n lys genoem „die lys van stemme gemerk deur die voorsittende beampte of metgeselle van kiesers”.

Tendered ballot paper.

55. (1) If a person representing himself to be a particular voter applies for a ballot paper after another person has voted in his name, the applicant shall, upon duly answering question put to him in terms of section 53, be entitled to mark a ballot paper in the same manner as any other voter.

(2) Such ballot paper shall, after it is so marked, be placed in an envelope and handed to the presiding officer who shall endorse the name of the voter and the serial number on the voters' list on the envelope and shall keep it apart.

(3) The name of the voter and his serial number on the voters' list shall be enrolled by the presiding officer on a list of tendered votes.

Objection to a voter.

56. (1) If any candidate or his election agent or polling agent or any voter makes before the presiding officer an affidavit or affirmation declaring that a person enrolled on the voters' list is dead or is so incapacitated by sickness, absence or otherwise that it is impossible for such person to be present at the polling station to record his vote at the election then being held, the presiding officer shall refuse to hand a ballot paper to any person who applies therefore in the name of the person the subject of the declaration, unless the person so applying proves his identity to the satisfaction of the presiding officer that he is the person whose name appears on the voters' list and that the statements made in the first-mentioned declaration, which shall be read over to him by the presiding officer, are false.

(2) The presiding officer may for the purpose of subsection (1), administer an oath or take an affirmation.

(3) Any person who, in a declaration referred to in subsection (1), makes a false statement knowing it to be false, shall be guilty of an offence.

(4) A sworn or affirmed declaration in terms of subsection (1) may refer to more than one person if the reason why each of the persons referred to is unable to attend at a polling station can be clearly connected with every such person.

Procedure after termination of poll.

57. (1) Every presiding officer, immediately after the closing of the poll, shall, in the presence of the candidates and their agents, if present, make up into separate packets, sealed with his own seal, and with the seals of the candidates or agents who desire to affix their seals —

- (a) each ballot box entrusted to him, unopened;
- (b) the unused and spoilt ballot papers placed together;
- (c) the envelopes with the tendered ballot papers;
- (d) the marked copies of the voters' list;
- (e) the counterfoils of the ballot papers; and
- (f) the list of votes referred to in sections 54 (3) and 55(3), and shall deliver the packets forthwith to the returning officer.

(2) The packets shall be accompanied by a statement made by the presiding officer showing the number of ballot papers entrusted to him

Aangebode stembriewe.

55. (1) Indien iemand wat voorgee dat hy 'n bepaalde kieser is, om 'n stembrief aansoek doen nadat 'n ander persoon in sy naam gestem het, is die aansoeker, nadat hy behoorlik geantwoord het op die vrae wat ingevolge artikel 53 aan hom gestel is, geregtig om 'n stembrief te merk op dieselfde wyse as enige ander kieser.

(2) So 'n stembrief word, nadat dit aldus gemerk is, in 'n koevert geplaas en aan die voorsittende beampte gegee wat die naam van die kieser en sy volgnummer op die kieserslys op die koevert endosseer en dit afsonderlik hou.

(3) Die naam van die kieser en sy volgnummer op die kieserslys word deur die voorsittende beampte op 'n lys van aangebode stemme ingeskryf.

Beswaar teen 'n kieser.

56. (1) Indien 'n kandidaat of sy verkiesingsagent of sy stemagent of 'n kieser voor die voorsittende beampte 'n beëdigde of bevestigde verklaring aflê dat 'n persoon wat op die kieserslys ingeskryf is, oorlede is of weens siekte, afwesigheid of om 'n ander rede onmoontlik by die stemburo teenwoordig kan wees om by die verkiesing wat dan gehou word sy stem uit te bring, weier die voorsittende beampte om 'n stembrief uit te reik aan enigiemand wat daarom aansoek doen in naam van die persoon op wie die verklaring betrekking het, tensy die persoon wat aldus aansoek doen sy identiteit tot bevrediging van die voorsittende beampte bewys of voor die voorsittende beampte 'n beëdigde of bevestigde verklaring aflê dat hy die persoon is wie se naam op die kieserslys voorkom en dat die bewerings in eersgenoemde verklaring, wat deur die voorsittende beampte aan hom voorgelees moet word, vals is.

(2) Die voorsittende beampte kan vir die toepassing van subartikel (1), 'n eed of bevestiging ople.

(3) Iemand wat in 'n verklaring in subartikel (1) genoem 'n valse bewering maak, wetende dat dit vals is, is skuldig aan 'n misdryf.

(4) 'n Beëdigde of bevestigde verklaring ingevolge subartikel (1) kan na meer as een persoon verwys, indien die rede waarom elkeen van die persone na wie verwys word, nie by die stemburo teenwoordig kan wees nie, duidelik met elke sodanige persoon verbind kan word.

Prosedure na sluiting van stemming.

57. (1) Elke voorsittende beampte maak onmiddellik na die sluiting van die stemming, in teenwoordigheid van die kandidaat en hulle agente, indien hulle aanwesig is, afsonderlike pakkette, verseël met sy eie seël en met die seëls van die kandidaat of agente wat verlang om hulle seëls aan te bring, van —

- (a) elke stembus wat aan hom toevertrou is, ongeopen;
- (b) die ongebruikte en bedorwe stembriewe, bymekaar geplaas;
- (c) die koevert met die aangebode stembriewe;
- (d) die gemerkte afskrifte van die kieserslys;
- (e) die teenblaai van stembriewe; en
- (f) die lys van stemme genoem in artikels 54 (3) en 55 (3),

en lewer die pakkette onverwyld aan die kiesbeampte af.

(2) Die pakette gaan vergesel van 'n opgawe opgestel deur die voorsittende beampte van die aantal stembriewe aan hom toevertrou, waarin hy

and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt and tendered ballot papers.

Determination of result of poll.

58. (1) The returning officer shall take charge of the packets which have been delivered to him in terms of section 57, and shall ascertain forthwith the aid of the counting officers appointed by him, the result of the poll by counting the votes recorded for each candidate.

(2) The candidates and not more than two agents of each candidate may be present at the counting of the votes.

(3) the packets referred to in section 57(1)(b) (c), (d), (e) and (f) shall not be opened.

(4) If two or more candidates obtained an equal number of votes and they cannot all be elected, the returning officer shall decide forthwith the election by lot.

What ballot papers shall be rejected.

59. (1) The returning officer shall reject and shall not count any ballot paper —

- (a) which does not bear the official mark referred to in section 51(3)(c);
- (b) on which votes are recorded for more candidates than there are vacancies to be filled;
- (c) which is unmarked or void for uncertainty; or
- (d) on which any name, word or mark referred to in section 51(7) appears.

(2) Subject to the provisions of subsection (1), the returning officer shall not reject any ballot paper on which a voter has indicated clearly in any other manner than by means of a cross for which candidate he votes.

Marking of rejected ballot paper and ballot papers objected to.

60. (1) The returning officer shall endorse the word "rejected" on every ballot paper which he has rejected in terms of section 59 and, if an objection to his decision is made by or on behalf of any candidate, he shall add to the endorsement the words "rejection objected to".

(2) If the acceptance of any ballot paper is objected to by or on behalf of any candidate, the returning officer shall endorse on the ballot paper the words "acceptance objected to".

Declaration of poll.

61. After every election the returning officer shall declare forthwith in public which candidates have been duly elected as councillors and the number of votes recorded for each candidate.

Forfeiture or repayment of amount deposited by candidate.

62. (1) If the total number of votes recorded at a poll for a defeated candidate is less than one-fifth of the number of votes recorded for the elected candidate with the fewest votes in the ward or municipality concerned, as the case may be, the amount deposited by the defeated candidate in terms of section 38 shall be forfeited and shall be deposited in the revenue account of the local authority.

(2) The amount deposited by a candidate, not forfeited in terms of subsection (1), shall be refunded to him after the election.

Sealing and custody of election documents.

63. (1) After the declaration of the result of the poll the returning officer shall make forthwith separate packets of the counted and rejected ballot papers and shall seal such packets.

Vasstelling van uitslag van stemming.

daarvan rekenskap gee onder die hoofde van stembriewe in die stembus, ongebruikte, bedorwe en aangebode stembriewe.

58. (1) Die kiesbeampte neem die pakkette wat ingevolge artikel 57 aan hom gelewer is, in bewaring en stel onverwyld met behulp van telbeamptes deur hom aangestel, die uitslag van die stemming vas deur die stemme wat op elke kandidaat uitgebring is, te tel.

(2) Die kandidate en hoogstens twee agente van elke kandidaat, kan by die tel van stemme teenwoordig wees.

(3) Die pakkette genoem in artikel 57 (1) (b), (c), (d), (e) en (f) word nie oopgemaak nie.

(4) Indien twee of meer kandidate 'n gelyke aantal stemme behaal het en hulle nie almal verkies kan word nie, beslis die kiesbeampte onverwyld die verkiesing by loting.

Watter stembriewe verwerp word.

59. (1) Die kiesbeampte verwerp en tel nie 'n stembrief nie —

- (a) wat nie die amptelike merk in artikel 51 (3) (c) genoem daarop het nie;
- (b) waarop vir meer kandidate gestem is as die aantal vakatures wat gevul moet word;
- (c) wat ongemerk of weens onsekerheid ongedig is; of
- (d) waarop enige naam, woord of merk, genoem in artikel 51 (7), verskyn.

(2) Behoudens die bepalinge van subartikel (1), verwerp die kiesbeampte nie enige stembrief nie waarop 'n kieser op 'n ander wyse as by wyse van 'n kruis duidelik aangedui het vir watter kandidaat hy stem.

Endosseering van stembriewe wat verworpen en waarteen beswaar geopper is.

60. (1) Die kiesbeampte endosseer die woord „verwerp” op elke stembrief wat hy ingevolge artikel 59 verwerp en, indien deur of ten behoeve van 'n kandidaat teen sy besluit beswaar geopper word, voeg hy die woorde „beswaar geopper teen verwerping” by die endossement.

(2) Indien deur of ten behoeve van 'n kandidaat beswaar geopper word teen die aanname van 'n stembrief, endosseer die kiesbeampte die woorde „beswaar geopper teen aanname” op die stembrief.

Verklaring van stemming.

61. Na elke verkiesing verklaar die kiesbeampte onverwyld in die openbaar watter kandidate behoortlik tot raadslede verkies is en die aantal stemme wat op elke kandidaat uitgebring is.

Verbeuring of terugbetaling van bedrag deur kandidaat gedeponeer.

62. (1) Indien die totale aantal stemme wat by 'n stemming op 'n verslane kandidaat uitgebring is, minder is as een-vyfde van die aantal stemme wat op die verkose kandidaat met die minste stemme in die betrokke wyk of munisipaliteit, na gelang van die geval, uitgebring is, word die bedrag wat ingevolge artikel 38 deur die verslane kandidaat gedeponeer is, verbeur en op die inkomsterekening van die plaaslike bestuur gestort.

(2) Die bedrag deur 'n kandidaat gedeponeer wat nie ingevolge subartikel (1) verbeur word nie, word na die verkiesing aan hom terugbetaal.

Verseëling en bewaring van verkiesingsstukke.

63. (1) Na die aankondiging van die uitslag van die verkiesing maak die kiesbeampte onverwyld afsonderlike pakette van die getelde en verwerpe stembriewe en verseël sodanige pakette.

(2) The town clerk shall be responsible for the safe custody of all counted, rejected and tendered ballot papers, and all other election documents for a period of one year from the date of the election, and thereafter he shall cause such documents to be destroyed unless a court otherwise orders.

Declara-
tion of
secrecy.

64. Every returning officer, presiding officer, polling officer; counting officer, candidate, election agent, polling agent or messenger of a candidate, entitled to attend at the polling station or at the counting of votes, shall make, in the form prescribed by regulation, before the opening of the poll a declaration of secrecy on oath or by way of affirmation, if he is a returning officer, before a justice of the peace or commissioner of oaths and, if he is not a returning officer, before a justice of the peace or commissioner of oaths or returning officer or presiding officer who is hereby authorized to administer such oath or take such affirmation.

Immater-
ial mis-
takes not
to effect
validity of
election.

65. An election shall not be invalid nor shall it be set aside by a court solely by reason of any mistake or non-compliance with any provision of this Chapter or of any regulation made in terms of section 90, if it appears that the election was conducted substantially in accordance with the principles laid down therein and that such mistake or non-compliance did not affect the result of the election.

Interrup-
tion or
disturb-
ance at
election.

66. Any person who wilfully interrupts, obstructs or disturbs proceedings taken under this Chapter shall be guilty of an offence.

Fraudu-
lent bal-
lot papers.

67. Any person who —
(a) forges, counterfeits or with intent to defraud, destroys any ballot paper or the official mark on a ballot paper;
(b) without due authority, supplies any ballot paper to any person;
(c) with intent to defraud, puts into any ballot box any other paper than the ballot paper which he is authorized by law to put in;
(d) with intent to defraud, takes out of the polling station any ballot paper; or
(e) without due authority, destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purpose of the election, shall be guilty of an offence.

Infringe-
ment of
secrecy.

68. (1) Any returning officer, presiding officer, polling officer, counting officer, candidate, election agent, polling agent or messenger of a candidate, who is in attendance at a polling station, shall maintain, and aid in maintaining, the secrecy of the voting in that station and shall not, except for some purpose authorized by law communicate any information likely to defeat the secrecy of the voting.

(2) Subject to the provisions of this Ordinance, no person shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in that station is about to vote or has voted, or, communicate at any time to any person any information obtained in a polling station as to

(2) Die stadsklerk is verantwoordelik vir die veilige bewaring van alle getelde, verworpe en aangebode stembriewe en alle ander verkiesingsstukke vir 'n tydperk van een jaar van die datum van die verkiesing af, en daarna laat hy sodanige stukke vernietig, tensy 'n hof anders gelas.

Verkla-
ring van
geheim-
houding.

64. Elke kiesbeampte, voorsittende beampte, stemopnemer, telbeampte, kandidaat, verkiesingsagent, stemagent of bode van 'n kandidaat, wat geregtig is om in 'n stemburo of by die tel van stemme teenwoordig te wees, lê in die vorm by regulasie voorgeskryf, voor die begin van die stemming, 'n beëdigde of bevestigde verklaring van geheimhouding af, as hy 'n kiesbeampte is, voor 'n vrederegter of kommissaris van ede, en as hy nie 'n kiesbeampte is nie, voor 'n vrederegter of kommissaris van ede of die kiesbeampte of voorsittende beampte, welke beampte hierby gemagtig word om so 'n eed of 'n bevestiging op te lê.

Onbe-
langrike
foute
raak nie
geldig-
heid van
verkiesing
nie.

65. 'n Verkiesing is nie ongeldig nie of word nie deur 'n hof tersyde gestel nie bloot weens 'n fout of nie-nakoming van enige bepaling van hierdie Hoofstuk of van enige regulasie wat kragtens artikel 90 gemaak is, as dit blyk dat die verkiesing wesenlik in ooreenstemming met die daarin neergelegde beginsels gevoer is en dat sodanige fout of nie-nakoming nie die uitslag van die verkiesing geraak het nie.

Onder-
breking
of steu-
ring van
verrig-
tings by
verkle-
sing.

66. Iemand wat opsetlik verrigtings wat ingevolge hierdie Hoofstuk plaasvind, onderbreek, belemmer of steur, is skuldig aan 'n misdryf.

Bedrog
met
stembrie-
we.

67. Iemand wat —
(a) 'n stembrief of die amptelike merk op 'n stembrief vervals, namaak of met opset om te bedrieg, vernietig;
(b) sonder behoorlike magtiging 'n ander van 'n stembrief voorsien;
(c) met opset om te bedrieg enige ander stuk papier in 'n stembus plaas as die stembrief wat hy regtens daarin mag plaas;
(d) met opset om te bedrieg 'n stembrief uit die stemburo wegneem; of
(e) sonder behoorlike magtiging 'n stembus of pak stembriewe wat dan vir die doel van die verkiesing in gebruik is, vernietig, neem, oopmaak of hom op ander wyse daarmee bemoei, is skuldig aan 'n misdryf.

Skending
van ge-
heimhou-
ding.

68. (1) Elke kiesbeampte, voorsittende beampte, stemopnemer, telbeampte, kandidaat, verkiesingsagent, stemagent of bode van 'n kandidaat, wat in 'n stemburo teenwoordig is, moet die geheimhouding van die stemming in daardie buro handhaaf en help om dit te handhaaf, en mag aan niemand, behalwe om die een of ander regtens geoorloofde rede, enige inligting meedeel wat die geheimhouding van die stemming kan verydel nie.

(2) Behoudens die bepalings van hierdie Ordonnansie, mag niemand hom met 'n kieser bemoei of poog om hom met 'n kieser te bemoei nie, wanneer so 'n kieser sy stem merk, of op 'n ander wyse in die stemburo poog om te wete

the candidate for whom any voter in such station is about to vote, or has voted, or as to the number on the back of the ballot paper given to any voter at such station.

(3) No person shall directly or indirectly induce any voter to display his ballot paper, after he has marked it, in such manner as to make known to any person the name of the candidate for whom the voter has so marked his vote.

(4) No person shall place upon any ballot paper any mark or writing whereby a person, who voted with that ballot paper, may be identified.

(5) Every person in attendance at the counting of the votes shall maintain, and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting, the number on the back of any ballot paper or communicate to any other person any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

(6) Subject to the provisions of section 54, no person shall attempt to ascertain, or directly or indirectly aid in ascertaining, for which candidate any voter has given his vote.

(7) A person who has, in the carrying out of his duties in terms of this Ordinance, obtained knowledge as to the candidate for whom any other person has voted, shall not, except in answer to a question lawfully put to him in the course of proceedings in a competent court, disclose such knowledge.

(8) No person shall, except upon the order of a competent court, or as authorized by this Ordinance, break the seal of or open any such sealed packet as is referred to in section 57 or 63;

(9) Every person who contravenes or fails, to comply with any provision of this section shall be guilty of an offence.

Neglect by returning officer or presiding officer to perform his duties.

69. Any returning officer, a presiding officer or other officer or person who wilfully fails to perform any duty which by the provisions of this Ordinance he is required to perform, shall be guilty of an offence.

CHAPTER V

ELECTION EXPENSES

Allowable electoral expenses.

70. The expenses which a candidate may incur in respect of an election shall not be lawful unless incurred in respect of —

- (a) purchase of voters' lists;
- (b) printing and advertising, publishing, issuing and distributing addresses and notices;
- (c) stationery, messages, postage, telegrams and the use of telephones;
- (d) one committee room for every polling station in the ward or municipality concerned, as the case may be;
- (e) public meetings and hiring of halls or premises therefore;

Pligsversuim deur kiesbeampte of voorsittende beampte.

te kom vir welke kandidaat 'n kieser in daardie buro gaan stem of gestem het nie, of te eniger tyd aan enige persoon inligting meedeel nie wat in 'n stemburo ontvang is omtrent die kandidaat vir wie 'n kieser in daardie buro gaan stem of gestem het, of omtrent die nommer agterop die stembrief wat aan 'n kieser by daardie buro gegee is.

(3) Niemand mag direk of indirek 'n kieser beweeg om sy stembrief, nadat so 'n kieser dit gemerk het, op so 'n wyse te vertoon dat enige persoon die naam van die kandidaat vir wie hy sy stem aldus gemerk het, te wete kom nie.

(4) Niemand mag op 'n stembrief enige merk of skrif aanbring nie waardeur iemand wat met daardie stembrief stem, ge-identifiseer kan word nie.

(5) Iedereen wat teenwoordig is by die tel van die stemme, moet die geheimhouding van die stemming handhaaf en help om dit te handhaaf, en mag nie poog om die nommer agterop 'n stembrief by die telling te wete te kom nie, of enige inligting wat hy by die telling verkry het omtrent die kandidaat op wie in 'n bepaalde stembrief 'n stem uitgebring is, aan 'n ander meedeel nie.

(6) Behoudens die bepalings van artikel 54, mag niemand poog om te wete te kom op welke kandidaat 'n kieser sy stem uitgebring het nie, of direk of indirek hulp verleen om dit te wete te kom nie.

(7) Iemand wat by die vervulling van sy pligte ingevolge hierdie Ordonnansie te wete gekom het op welke kandidaat 'n ander persoon sy stem uitgebring het, mag die kennis nie openbaar nie, behalwe in antwoord op 'n vraag wat wettiglik aan hom gestel is in die loop van prosesverrigtings in 'n bevoegde hof.

(8) Niemand mag die seël van 'n verseëlde pakket in artikel 57 of 63 genoem, breek of so 'n pakket oopmaak nie, behalwe op bevel van 'n bevoegde hof of soos by hierdie Ordonnansie gemagtig.

(9) Iemand wat enige van die bepalings van hierdie artikel oortree of versuim om daaraan te voldoen, is skuldig aan 'n misdryf.

69. 'n Kiesbeampte, 'n voorsittende beampte of ander beampte of persoon wat opsetlik versuim om enige plig by hierdie Ordonnansie aan hom opgelê, ter vervul, is skuldig aan 'n misdryf.

HOOFSTUK V

VERKIESINGSUITGAWES

Geoorloofde verkiesingsuitgawes.

70. Die uitgawes wat 'n kandidaat ten opsigte van 'n verkiesing aangaan, is nie wettig nie tensy dit aangegaan word ten opsigte van —

- (a) aankoop van kieserslyste;
- (b) drukwerk en advertensie, publikasie, uitgifte en verspreiding van toesprake en kennisgewings;
- (c) skryfbehoeftes, boodskappe, posgeld, telegramme en die gebruik van telefone;
- (d) een komiteekamer vir elke stemburo in die betrokke wyk of munisipaliteit, na gelang van die geval;
- (e) openbare vergaderings en die huur van sale of persele daarvoor;

- (f) not more than one election agent appointed by such candidate in terms of section 71(1);
- (g) polling agents appointed in terms of section 72(1);
- (h) one clerk and one messenger for every polling station in the ward or municipality concerned, as the case may be;
- (i) miscellaneous and personal expenses which do not exceed one hundred rand in all and not being expenses incurred in respect of any matter or in any manner constituting an offence in terms of this Ordinance or any other law or in respect of any matter or thing payment for which is prohibited by this Ordinance or any other law;
- (j) fuel for motor vehicles supplied by or on behalf of a candidate for the conveyance of voters to or from the polling station or over part of the way to or from the polling station or for other lawful election purposes; and
- (k) the sum deposited in terms of section 38.

Appoint-
ment of
election
agent.

71. (1) Not later than twelve o'clock noon on nomination day, one white person shall be appointed by or on behalf of each candidate as an agent for the election and his full name and address shall be furnished by or on behalf of the candidate in writing to the returning officer.

(2) The returning officer shall in the notice referred to in section 42, make known the name and address of every election agent so furnished and where no election agent is appointed for a candidate, such candidate shall be deemed to be his own agent and the provisions of the Ordinance, in relation to such election agent, shall apply to him *mutatis mutandis*.

(3) The appointment of an election agent may be revoked and, in the case of such revocation or the death of such agent, the candidate shall be deemed to be his own election agent unless the returning officer is informed, in writing, by the candidate at least ten clear days before the day of the election, of another appointment, in which case the returning officer shall, by a notice published in a newspaper and affixed in a conspicuous place at the municipal office make known forthwith the name and address of such election agent.

Appoint-
ment of
polling
agents,
clerks and
messen-
gers.

72. (1) The election agent shall appoint every polling agent, clerk and messenger who, whether for payment or otherwise, is employed at an election on behalf of a candidate and shall hire every committee room on behalf of such candidate.

(2) If the number of voters who are enrolled on the voters' list in respect of a municipality or ward, if a municipality is divided into wards, does not exceed two thousand, not more than two polling agents shall be appointed for each candidate and, if the number of voters so enrolled exceeds two thousand, one additional polling agent may be appointed for every one thousand voters who, in respect of such municipality or ward, as the case may be, exceeds two thousand.

- (f) nie meer nie as een verkiesingsagent deur so 'n kandidaat ingevolge artikel 71(1) aangestel;
- (g) stemagente aangestel ingevolge artikel 72 (1);
- (h) een klerk en een bode vir elke stemburo in die betrokke wyk of munisipaliteit, na gelang van die geval;
- (i) diverse en persoonlike uitgawes wat tesame nie meer as R100 bedra nie en wat nie uitgawes is wat aangegaan is ten opsigte van 'n aangeleentheid of op 'n wyse wat ingevolge hierdie Ordonnansie of 'n ander wet 'n misdryf uitmaak nie of ten opsigte van enige aangeleentheid of ding waarvoor betaling by hierdie Ordonnansie of 'n ander wet verbied word nie;
- (j) brandstof vir motorvoertuie wat deur of ten behoewe van die kandidaat voorsien is vir die vervoer van kiesers na of vanaf die stemburo of oor 'n deel van die weg na of vanaf die stemburo of vir ander wettige verkiesingsdoelendes; en
- (k) die bedrag wat ingevolge artikel 38 gedeponeer is.

Aanstel-
ling van
ver-
kiesings-
agent.

71. (1) Nie later nie as twaalfuur middag op nominasiedag word een blanke persoon deur of namens elke kandidaat as 'n agent vir die verkiesing aangestel en word sy volle naam en adres skriftelik deur of namens so 'n kandidaat aan die kiesbeampte verstrek.

(2) Die kiesbeampte maak in die kennisgewing genoem in artikel 42 die naam en adres van elke verkiesingsagent wat aldus verstrek is, bekend en, waar geen verkiesingsagent vir 'n kandidaat aangestel is nie, word so 'n kandidaat geag sy eie verkiesingsagent te wees en is die bepalings van hierdie Ordonnansie met betrekking tot 'n verkiesingsagent, *mutatis mutandis* op hom van toepassing.

(3) Die aanstelling van 'n verkiesingsagent kan herroep word en in geval van so 'n herroeping of die oorlye van so 'n agent, word die kandidaat geag sy eie verkiesingsagent te wees tensy die kiesbeampte minstens tien volle dae voor die dag van die verkiesing deur die kandidaat skriftelik in kennis gestel word van 'n ander aanstelling, in welke geval die kiesbeampte so 'n verkiesingsagent se naam en adres onverwyld by kennisgewing wat in 'n nuusblad gepubliseer en in 'n opvallende plek by die munisipale kantoor aangebring word, bekend maak.

Aanstel-
ling van
stem-
agente,
klerke en
bodes.

72. (1) Die verkiesingsagent stel elke stemagent, klerk en bode aan wat, hetsy teen betaling of andersins, by 'n verkiesing ten behoewe van 'n kandidaat in diens geneem word en huur elke komiteekamer ten behoewe van so 'n kandidaat.

(2) Indien die aantal kiesers wat ten opsigte van 'n munisipaliteit of 'n wyk, indien 'n munisipaliteit in wyke ingedeel is, op die kieserslys ingeskryf is, nie tweeduisend oorskryf nie, word hoogstens twee stemagente vir elke kandidaat aangestel, en indien die aantal kiesers wat aldus ingeskryf is, meer as tweeduisend is, kan een adisionele stemagent aangestel word vir elke duisend kiesers wat ten opsigte van daardie munisipaliteit of wyk, na gelang van die geval, tweeduisend oorskryf.

(3) A contract whereby election expenses are incurred, shall not be enforceable against a candidate, unless made by the candidate himself or his election agent: Provided that the unenforceability of such contract in terms of this section shall not relieve the candidate of the consequences of corrupt or illegal practices committed by his agent.

(4) No person, other than a white person, shall be appointed as a polling agent, clerk or messenger.

Payments to be made through election agents.

73. (1) Except as otherwise provided in this Ordinance, no payment, advance or deposit shall be made or promised by a candidate at an election or by an agent on behalf of a candidate or by any other person in respect of election expenses incurred or to be incurred, otherwise than by or through the election agent of such candidate.

(2) All moneys provided by an association or group of persons or by any person, other than the candidate, as a gift, loan, advance or deposit in respect of election expenses incurred shall be paid or promised only to the candidate or his election agent.

Forwarding and settlement of claims in respect of election expenses.

74. (1) Every payment made by an election agent in respect of election expenses incurred shall, except where it is less than four rand in all in one account, be vouched for by an account stating the particulars or by a receipt or other evidence of payment.

(2) Except as otherwise provided in this Ordinance, all claims in respect of such expenses shall be forwarded, within twenty-one days after the day of the election, to the election agent.

(3) Every claim against a candidate at an election or his election agent in respect of such expenses, which is not forwarded as contemplated in subsection (2), shall lapse and shall not be paid.

(4) Except as otherwise provided in this Ordinance, all such expenses shall be paid within thirty days after the day of the election and not thereafter.

(5) If an election agent disputes a claim forwarded in terms of subsection (2) or refuses or fails to settle it in terms of subsection (4), such claim shall be deemed to be a disputed claim.

(6) A person may institute an action in a competent court to recover the amount of the disputed claim and any amount paid by the candidate or his agent in terms of the decision of the court, shall be deemed to have been paid in terms of subsection (4).

(7) Where a competent court has ordered the candidate or his election agent to pay a disputed claim or a claim not forwarded in terms of subsection (2), any amount so paid shall be deemed to be a payment in terms of subsection (4).

(3) 'n Kontrak waarby verkiesingsuitgawes aangegaan word, is nie teen 'n kandidaat afdwingbaar nie, tensy dit deur die kandidaat self of sy verkiesingsagent gesluit is: Met dien verstande dat die onafdwingbaarheid van so 'n kontrak ingevolge hierdie artikel, die kandidaat nie van die gevolge van korrumperte of onwettige praktyke deur sy agent begaan, onthef nie.

(4) Niemand anders as 'n blanke persoon word as 'n stemagent, klerk of bode aangestel nie.

Betalings geskied deur verkiesingsagent.

73. (1) Uitgesonderd soos andersins in hierdie Ordonnansie bepaal, word geen betaling, voorskot of deposito deur 'n kandidaat by 'n verkiesing of deur 'n agent ten behoeve van 'n kandidaat of deur 'n ander persoon, met betrekking tot verkiesingsuitgawes aangegaan of aangegaan te word, gemaak of beloof nie dan alleen deur of deur bemiddeling van die verkiesingsagent van so 'n kandidaat.

(2) Alle gelde wat deur 'n vereniging of groep persone of deur 'n ander persoon as die kandidaat, as 'n skenking, lening, voorskot of deposito voorsien is ten opsigte van verkiesingsuitgawes aangegaan, word slegs aan die kandidaat of sy verkiesingsagent betaal of beloof.

Instuur en vereffening van vorderings ten opsigte van verkiesingsuitgawes.

74. (1) Elke betaling deur 'n verkiesingsagent gedoen ten opsigte van verkiesingsuitgawes aangegaan, word, tensy dit altesame minder as vier rand op een rekening bedra, deur 'n rekening waarin die besonderhede vermeld staan, of deur 'n kwitansie of ander bewys van betaling gestaaf.

(2) Uitgesonderd soos andersins in hierdie Ordonnansie bepaal, moet alle vorderings ten opsigte van sodanige uitgawes binne een-en-twintig dae na die dag van die verkiesing aan die verkiesingsagent ingestuur word.

(3) Elke vordering teen 'n kandidaat by 'n verkiesing of sy verkiesingsagent ten opsigte van sodanige uitgawes, wat nie ingestuur word soos beoog in subartikel (2) nie, verval en word nie betaal nie.

(4) Uitgesonderd soos andersins in hierdie Ordonnansie bepaal, word al sodanige uitgawes binne dertig dae na die dag van die verkiesing, betaal en nie daarna nie.

(5) Indien 'n verkiesingsagent 'n vordering wat ingevolge subartikel (2) ingestuur is, betwis of weier of versuim om dit ingevolge subartikel (4) te vereffen, word so 'n vordering geag 'n betwiste vordering te wees.

(6) 'n Persoon kan 'n aksie in 'n bevoegde hof instel om die bedrag van 'n betwiste vordering te verhaal en enige bedrag deur die kandidaat of sy agent ingevolge die beslissing van die hof betaal, word geag ingevolge subartikel (4) betaal te wees.

(7) Waar 'n bevoegde hof die kandidaat of sy verkiesingsagent beveel het om 'n betwiste vordering, of 'n vordering wat nie ingevolge subartikel (2) ingestuur is nie, te betaal, word enige bedrag aldus betaal geag 'n betaling ingevolge subartikel (4) te wees.

CHAPTER VI

CORRUPT AND ILLEGAL PRACTICES AND OTHER OFFENCES RELATING TO ELECTIONS.

Treating. 75. (1) Any person who corruptly by himself or by any other person, either before, during or after an election, directly or indirectly, gives or provides or pays, wholly or in part, the expense of giving or providing any food, drink, entertainment, lodging or provisions to or for any person for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at the election, or on account of such person or any other person having voted or refrained from voting or being about to vote or refrain from voting at such election, shall be guilty of an offence.

(2) Any voter who corruptly accepts any such food, drink, entertainment, lodging or provisions shall be guilty of an offence.

Unduc influence. 76. (1) Any person who directly or indirectly, by himself or by any other person makes use or threatens to make use of any force or duress or inflicts or threatens to inflict any injury, damage, harm or loss upon or does or threatens to do anything to the disadvantage of any person in order to induce or compel that person to vote or refrain from voting or on account of that person having voted, or refrained from voting at any election, shall be guilty of an offence.

(2) Any person who by abduction, duress or any fraudulent device, impedes or prevents any voter from voting at an election or thereby compels, induces or prevails upon any voter either to give or refrain from giving his vote at any election, shall be guilty of an offence.

(3) Any person who, within a polling station, attempts by threats, intimidation or otherwise to influence a voter in favour of a particular candidate, shall be guilty of an offence.

Bribery. 77. (1) Any person who, directly or indirectly, by himself or by any other person —

- (a) gives, lends or procures, or agrees to give, lend or procure, or offers, promises, or promises to procure or to endeavour to procure, any money to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at any election;
- (b) gives, lends, or agrees to give or lend, or offers, or promises to procure or to endeavour to procure, any money to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, for acting or joining in any procession or demonstration before, during, or after any election;
- (c) makes any such gift, loan, offer, promise, procurement, or agreement to or for any person in order to induce such person to procure or to endeavour to procure, the re-

HOOFSTUK VI

KORRUPT EN ONWETTIGE BEDRYWIGHEDE EN ANDER MISDRYWE BETREFFENDE VERKIESINGS.

Trakter-dery. 75. (1) Iemand wat korruptelik, hetsy voor, gedurende of na 'n verkiesing, self of deur 'n ander, direk of indirek, aan of vir enige persoon voedsel, drank, vermaak, losies of lewensmiddels gee of verskaf of die koste om dit te gee of te verskaf, of 'n deel daarvan, betaal, met die doel om daardie persoon of 'n ander persoon korruptelik te beïnvloed om sy stem by die verkiesing uit te bring al dan nie, of omdat daardie persoon of 'n ander persoon sy stem by die verkiesing uitbring het of gaan uitbring al dan nie, is skuldig aan 'n misdryf.

(2) 'n Kieser wat korruptelik enige sodanige voedsel, drank, vermaak, losies of lewensmiddels aanneem, is skuldig aan 'n misdryf.

Onbehoorlike beïnvloeding. 76. (1) Iemand wat self of deur 'n ander, direk of indirek, teen enige persoon geweld of dwang gebruik of dreig om dit te gebruik, of aan enige persoon enige leed, skade, kwaad of verlies berokken of dreig om dit te berokken, of iets ten nadele van enige persoon doen of dreig om dit te doen, ten einde daardie persoon te beweeg of te dwing om sy stem by 'n verkiesing uit te bring al dan nie, of omdat hy sy stem by 'n verkiesing uitbring het al dan nie, is skuldig aan 'n misdryf.

(2) Iemand wat deur ontvoering, dwang of enige bedrieglike middel, 'n kieser belemmer of belet om sy stem by 'n verkiesing uit te bring, of 'n kieser daardeur dwing, beweeg of oorhaal om sy stem by 'n verkiesing uit te bring al dan nie, is skuldig aan 'n misdryf.

(3) Iemand wat deur dreigemente, intimidasie of andersins poog om 'n kieser in 'n stemburo te beïnvloed om sy stem ten gunste van 'n bepaalde kandidaat uit te bring, is skuldig aan 'n misdryf.

Omkoperij. 77. (1) Iemand wat self of deur 'n ander, direk of indirek —

- (a) aan of vir 'n kieser, of aan of vir enige persoon ten behoeve van 'n kieser, of aan of vir enige ander persoon, geld gee, leen of verkry of ooreenkom om dit te gee, te leen of te verkry, of dit aanbied of beloop, of beloop om dit te verkry of poog om dit te verkry, ten einde 'n kieser te beweeg om sy stem by 'n verkiesing uit te bring al dan nie, of korruptelik enige sodanige handeling soos voornoem, verrig omdat die kieser sy stem by 'n verkiesing uitbring het al dan nie;
- (b) aan of vir 'n kieser, of aan of vir enige persoon ten behoeve van 'n kieser, of aan of vir enige ander persoon, geld gee of leen, of ooreenkom om dit te gee of te leen, of dit aanbied, of beloop om dit te verkry of poog om dit te verkry, vir optrede in of deelname aan 'n optog of betoging voor, gedurende of na 'n verkiesing;
- (c) aan of vir enige persoon so 'n skenking, lening, aanbod, belofte, verkryging of ooreenkoms, gee, verstrek, doen of aangaan, ten einde daardie persoon te beweeg om die verkiesing van 'n kandidaat of die stem van

turn of any candidate at any election or the vote of any voter at any election;

- (d) upon or in consequence of any such gift, loan, offer, promise, procurement, on agreement, procures, or engages, promises, or endeavours to procure, the return of any candidate at any election or the vote of any voter at any election;
- (e) advances or pays, or causes to be advanced or paid, any money to, or for the use of, any other person with the intent that such money, or any part thereof, shall be expended for bribery at any election, or knowingly pays, or causes to be paid, any money to any person in discharge or repayment of any money, wholly or in part, expended for bribery at any election;
- (f) before or during any election, receives or contracts for any money or loan, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting, at any election;
- (g) after any election receives any money on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting, at any election; or
- (h) conveys or transfers or is concerned with the conveyance of transfer of any property, or pays or is concerned with the payment of any money, to any person for the purpose of enabling him to be registered as a voter, thereby to influence his vote at any future election, or pays or is concerned with the payment of any money on behalf of any voter for the purpose of inducing him to vote or refrain from voting.

shall be guilty of an offence.

(2) Nothing in this section contained shall be construed as applying to any money paid or agreed to be paid, for any election expenses *bona fide* and lawfully incurred.

Personation.

78. Any person who —
- (a) at any election applies for a ballot paper in the name of any other person, living or dead, or of a fictitious person, or who, except as provided in section 54(2), records a vote in the name of such person; or
 - (b) having voted once at any election, applies again at any polling station at the same election for a ballot paper,
- shall be guilty of an offence.

Payments in contravention of sections 73 and 74.

79. (1) Any person who shall make or promise any payment, advance or deposit in contravention of section 73 or for any purpose, other than a lawful and authorized purpose, or pays in contravention thereof or for a purpose, other than a lawful and authorized purpose, any money provided in terms of subsection (2) of the said section, shall be guilty of an offence.

(2) An election agent who makes a payment in contravention of section 74(2) or (4) shall be guilty of an offence.

'n kieser by 'n verkiesing te verkry of poog om dit te verkry;

- (d) teen of ten gevolge van so 'n skenking, lening, aanbod, belofte, verkryging of ooreenkoms, die verkiesing van 'n kandidaat of die stem van 'n kieser by 'n verkiesing verkry of onderneem, belof, of poog om dit te verkry;
- (e) aan of vir die gebruik van enige ander persoon geld voorskiet of betaal of laat voorskiet of betaal, met die bedoeling dat daardie geld of 'n deel daarvan by 'n verkiesing aan omkoperij bestee moet word, of wetens aan enige persoon geld betaal of laat betaal ter vereffening of terugbetaling van geld wat geheel of ten dele by 'n verkiesing aan omkoperij bestee is;
- (f) voor of gedurende 'n verkiesing, vir homself of enige ander persoon, enige geld of lening ontvang of beding, omdat hy by 'n verkiesing gestem het of ooreengekom het om te stem, of omdat hy hom by 'n verkiesing van stemming onthou het of ooreengekom het om hom van stemming te onthou.
- (g) na 'n verkiesing geld ontvang omdat enige persoon sy stem by die verkiesing uitbring het al dan nie of 'n ander persoon beweeg het om sy stem by die verkiesing uit te bring al dan nie; of
- (h) eiendom oordra of transporteer of betrokke is by die oordrag of transport van eiendom, of geld betaal of betrokke is by die betaal van geld, aan enige persoon ten einde hom in staat te stel om as kieser geregistreer te word en daardeur sy stem by 'n toekomstige verkiesing te beïnvloed, of geld betaal of betrokke is by die betaling van geld ten behoeve van 'n kieser, ten einde hom te beweeg om sy stem uit te bring al dan nie, is skuldig aan 'n misdryf.

(2) Die bepalinge van hierdie artikel word nie so uitgelê nie as sou dit van toepassing wees op geld vir *bona fide* en wettige aangegeane verkiesingskoste betaal is of volgens ooreenkoms betaal moet word.

Personasie.

78. Iemand wat —
- (a) by 'n verkiesing in die naam van 'n ander lewende of afgestorwe persoon, of van 'n denkbeeldige persoon, of van 'n stembrief aansoek doen of wat, behalwe soos in artikel 54 (2) bepaal, sy stem op die naam van so 'n persoon uitbring; of
 - (b) nadat hy eenmaal by 'n verkiesing gestem het, weer by enige stemburo by dieselfde verkiesing om 'n stembrief aansoek doen,
- is skuldig aan 'n misdryf.

Betalings in stryd met artikels 73 en 74.

79. (1) Iemand wat 'n betaling, voorskot of deposito in stryd met artikel 73 of vir 'n ander as 'n wettige en geoorloofde doel, doen of belof, of geld wat kragtens subartikel (2) van genoemde artikel voorsien is, in stryd daarmee of vir 'n ander as 'n wettige en geoorloofde doel, betaal, is skuldig aan 'n misdryf.

(2) 'n Verkiesingsagent wat 'n betaling in stryd met artikel 74 (2) of (4) doen, is skuldig aan 'n misdryf.

Providing money for any payment contrary to this Ordinance.

80. Any person who knowingly provides money for any payment which is contrary to the provisions of this Ordinance or for any expenses in excess of any maximum amount allowed by this Ordinance or for refunding any money expended on such payment or expenses, except where it is otherwise provided in this Ordinance, shall be guilty of an offence.

Employment for payment to promote election of candidate.

81. Any person who, either before, during or after an election, for the purpose of promoting or procuring the election of a candidate, is engaged or employed, knowing that he is to be employed unlawfully, or engages or employs any person for payment or promise of payment for any purpose or in any capacity whatever, except for any purpose or capacity mentioned in section 70 or except so far as payment is authorized by that section, shall be guilty of an offence.

Corrupt procurement of candidate or withdrawal thereof.

82. (1) Any person who —
 (a) corruptly induces or procures any other person to become a candidate or to withdraw as a candidate at any election in consideration of any payment or promise of any nature;
 (b) becomes a candidate or withdraws as a candidate at any election in pursuance of such inducement or procurement; or
 (c) before or during an election, publishes a false statement of the withdrawal of a candidate at an election, for the purpose of promoting or procuring the election of another candidate, knowing that the statement is false.

shall be guilty of an offence.

(2) Any money expended or expenses incurred on behalf of or in the interest of any candidate, in terms of the provisions of section 70, for the purpose of promoting or procuring his election shall, notwithstanding the provisions of subsection (1) not be an illegal payment or promise.

Bills and placards to bear printer's and publisher's name.

83. (1) Every bill, placard, poster, pamphlet, circular or other printed matter having reference to an election shall bear upon the face thereof the name and address of the printer and publisher thereof.

(2) No person shall print, publish or post, or cause to be printed, published or posted, any such printed matter which does not bear upon the face thereof the name and address of the printer and publisher.

(3) The owner and publisher of every newspaper shall cause the word "advertisement" to be printed as a headline to each article or paragraph in his newspaper containing electoral matter the insertion of which is or is to be paid for or for which any reward or compensation or promise of reward or compensation is or is to be made.

(4) The words "electoral matter" used in subsection (3) include all matters which, on the face thereof, are intended or calculated to affect the result of an election and any report of a speech of a candidate, if the insertion of the report is or is to be paid for.

(5) Any person who contravenes or fails to comply with the provisions of this section shall be guilty of an offence.

Verak-fing van geld vir betaling in stryd met hierdie Ordonnansie.

80. Iemand wat wetens geld verskaf vir 'n betaling wat strydig met die bepalings van hierdie Ordonnansie is, of vir uitgawes wat meer bedra as die maksimum bedrag wat volgens hierdie Ordonnansie geoorloof is, of vir die terugbetaling van geld wat aan so 'n betaling of aan sulke uitgawes bestee is, behalwe soos andersins in hierdie Ordonnansie bepaal, is skuldig aan 'n misdryf.

Indiens-neming teen betaling om verkiesing van kandidaat te bevorder.

81. Iemand wat, hetsy voor, gedurende of na 'n verkiesing, ten einde die verkiesing van 'n kandidaat te bevorder of te verkry, teen betaling of belofte van betaling, in diens gaan, wetende dat hy onwettig in diens gaan, of enige persoon in diens neem, vir welke doel of in welke hoedanigheid ook al, behalwe vir 'n doel of in 'n hoedanigheid genoem in artikel 70 of behalwe vir sover betaling volgens daardie artikel geoorloof is, is skuldig aan 'n misdryf.

Korrupte verkryging van kandidatuur of terugtrekking daarvan.

82. (1) Iemand wat —
 (a) 'n ander persoon korruptelik beweeg of oorhaal om as teenprestasie vir 'n betaling of belofte van welke aard ook 'n kandidaat by 'n verkiesing te word of as sodanig terug te trek;

(b) as gevolg daarvan dat hy aldus beweeg of oorgehaal is, 'n kandidaat by 'n verkiesing word as sodanig terugtrek; of

(c) voor of gedurende 'n verkiesing, met die doel om die verkiesing van 'n ander kandidaat te bevorder of te bewerkstellig, 'n valse verklaring dat 'n kandidaat by 'n verkiesing teruggetrek het, publiseer, wetende dat die verklaring vals is,

is skuldig aan 'n misdryf.

(2) Geld wat uitgegee is of uitgawes wat aangegaan is ten behoeve van of in belang van 'n kandidaat, ingevolge die bepalings van artikel 70, ten einde sy verkiesing te bevorder of te verkry, maak, ondanks die bepalings van subartikel (1), nie 'n onwettige betaling of belofte uit nie.

Biljette en plakkate moet naam van drukker en uitgewer dra.

83. (1) Alle biljette, plakkate, aanplakbiljette, pamflette, omsendbriewe of ander drukwerk wat op 'n verkiesing betrekking het, moet op die voorkant die naam en adres dra van die drukker en uitgewer daarvan.

(2) Niemand mag sulke drukwerk wat nie op die voorkant daarvan die naam en adres van die drukker en uitgewer dra nie, druk, uitgee of aanplak of laat druk, uitgee of aanplak nie:

(3) Die eienaar en uitgewer van elke nuusblad laat die woord „advertensie” as 'n opskrif druk by elke artikel of paragraaf in sy nuusblad wat verkiesingstof bevat, vir die opname waarvan betaal is of gaan word of waarvoor 'n beloning of vergoeding of 'n belofte van beloning of vergoeding gegee is of gaan word.

(4) Die woord „verkiesingstof” in subartikel (3) gebesig, omvat alles wat na die skyn geoordeel, bedoel of bereken is om die uitslag van 'n verkiesing te beïnvloed, asook enige verslag van 'n toespraak van 'n kandidaat, indien vir die opname van die verslag betaal word of gaan word.

(5) Iemand wat enige van die bepalings van hierdie artikel oortree of versuim om daaraan te voldoen, is skuldig aan 'n misdryf.

Meetings on premises where liquor is usually sold.

84. (1) Any person who hires or uses —
(a) any premises on which the sale, by wholesale or retail, of any intoxicating liquor is authorized by a licence (whether the licence be for consumption of liquor on or off the premises); or

(b) any premises where any intoxicating liquor is sold or is supplied to members of a club, society or association (other than a permanent political club),

or any part of such premises, as a committee room or for any meeting of voters for the purpose of promoting or procuring the election of a candidate at an election or in connection with arrangements made by any person with reference to an election, shall be guilty of an offence.

(2) Any person who lets any such premises or part thereof knowing that it is intended to be so used shall be guilty of an offence.

(3) Any contract entered into a contravention of subsection (1) or (2) shall be null and void.

Voting by person and interference with voters

85. Any person who —

(a) votes or induces or procures any other person to vote at any election, knowing that he or that person is prohibited by law from voting at that election; or

(b) at any election wilfully obstructs the voter, either at the polling station or on his way thereto or therefrom, shall be guilty of an offence.

No action for liquor, food or refreshments supplied during election.

86. Any person who is licensed to sell intoxicating liquor or who is the owner or keeper of any shop, booth, tent or other place of entertainment, may not institute any action against a candidate or agent of a candidate for intoxicating liquor, food or refreshment of any kind supplied upon the credit of such candidate or agent during the progress of any election, except in respect of such intoxicating liquor, food or refreshment as may have been supplied to the candidate or his election agent for their personal consumption the payment whereof is under this Ordinance part of the personal expenses allowed to the candidate.

CHAPTER VII

GENERAL

Expenses in connection with an election.

87. The expenses in connection with the holding of an election shall be paid by the local authority concerned: Provided that, —

(a) the expenses in connection with an election referred to in section 32 may in the first instance be paid from the Provincial Revenue Fund and shall thereafter be recovered from the local authority; and

(b) no candidate or his agent shall be entitled to claim or to receive any election expenses from the local authority.

Sundays and public holidays.

88. If anything is required to be commenced, concluded or done on a particular date and that date falls on a Sunday or a day declared by law to be a public holiday, it shall be commenced, concluded or done on the next succeeding day thereafter which is not a Sunday or a public holiday.

Vergaderings op perseel waar drank gewoonlik verkoop word.

84. (1) Iemand wat —

(a) 'n perseel waarop die verkoop van bedwelmende drank, by wyse van groothandel of kleinhandel, deur 'n lisensie gemagtig is (onverskillig of dit 'n lisensie is vir verbruik van drank op die perseel of daarbuite); of

(b) 'n perseel waar bedwelmende drank aan lede van 'n klub, genootskap of vereniging (uitgesonderd 'n permanente politieke klub) verkoop of verskaf word,

of 'n gedeelte van so 'n perseel, as 'n komiteekamer of vir 'n vergadering van kiesers ter bevordering of verkryging van die verkiesing van 'n kandidaat by 'n verkiesing of in verband met reëlings wat deur 'n persoon met betrekking tot 'n verkiesing getref is, huur of gebruik, is skuldig aan 'n misdryf.

(2) Iemand wat so 'n perseel of 'n gedeelte daarvan verhuur, wetende dat dit die bedoeling is om dit aldus te gebruik, is skuldig aan 'n misdryf.

(3) 'n Kontrak wat in stryd met subartikel (1) of (2) gesluit is, is van nul en gener waarde.

Uitbring van stem deur verbode persoon en hemoeling met kieser.

85. Iemand wat —

(a) by 'n verkiesing 'n stem uitbring of iemand anders oorhaal om 'n stem uit te bring, wetende dat hy of daardie persoon regtens nie by daardie verkiesing 'n stem mag uitbring nie; of

(b) by 'n verkiesing 'n kieser opsetlik by die stemburo of terwyl hy daarheen of daarvan daan op weg is, belemmer, is skuldig aan 'n misdryf.

Goen aksie vir bedwelmende drank, voedsel of verversings gedurende verkiesing verskaf.

86. Iemand wat gelisensieer is om bedwelmende drank te verkoop, of wat die eienaar of houër van 'n winkel, kraam, tent of ander vermaaklikheidsplek, kan geen aksie teen 'n kandidaat of 'n agent van 'n kandidaat instel nie vir bedwelmende drank, voedsel of verversings van watter aard ook al wat gedurende die gang van 'n verkiesing op rekening van die kandidaat of agent verskaf is, uitgesonderd die bedwelmende drank, voedsel of verversings aan die kandidaat of sy verkiesingsagent vir hul eie verbruik verskaf, die betaling waarvoor ingevolge hierdie Ordonnansie deel uitmaak van die persoonlike uitgawes wat aan die kandidaat toegestaan word.

HOOFTUK VII

ALGEMEEN

Uitgawes in verband met 'n verkiesing.

87. Die uitgawes in verband met die hou van 'n verkiesing word deur die betrokke plaaslike bestuur betaal: Met dien verstande dat —

(a) die uitgawes in verband met 'n verkiesing bedoel in artikel 32 in die eerste plek uit die Provinsiale Inkomstefonds betaal kan word en daarna op die plaaslike bestuur verhaal word; en

(b) geen kandidaat of sy agent geregtig is om van die plaaslike bestuur enige verkiesingsuitgawes te eis of te ontvang nie.

Sondae en openbare feesdae.

88. Indien enigiets ingevolge hierdie Ordonnansie op 'n bepaalde datum begin, voltooi of gedoen moet word en daardie datum op 'n Sondag val of op 'n dag wat ingevolge 'n wet tot 'n openbare feesdag verklaar is, moet dit begin, voltooi of gedoen word op die eersvolgende dag daarna wat nie 'n Sondag of openbare feesdag is nie.

Power of Administrator to give effect to intent purposes of Ordinance.

89. If, in the opinion of the Administrator, through any error, accident or omission, anything required to be done in terms of the provisions of this Ordinance is not done in the manner, or within the time therein provided, the Administrator may order that all steps shall be taken as, in his opinion, may be necessary to rectify any such error, accident or omission or he may validate anything which may have been done irregularly as aforesaid, so that the intent and purpose of this Ordinance may have effect.

Regulations.

90. (1) The Administrator may make regulations generally in respect of all matters which he may deem necessary and expedient for the proper and efficient conduct of elections and polls and, in particular but without prejudice to the generality of the foregoing provisions, in respect of any of the following matters —

- (a) the determination of the maximum fees payable to the returning officer and other election officers;
- (b) the form of any document which may be necessary for the purpose of this Ordinance; and
- (c) equipment, material and stationery.

(2) Any regulation made in terms of this section may provide for penalties for any contravention thereof but no penalty shall exceed a fine of two hundred rand, or in default of payment, to imprisonment for a period of not more than six months or to both such fine and imprisonment.

General penalty.

91. Except as provided in section 90(2), any person who is convicted of an offence in terms of this Ordinance shall be liable to a fine not exceeding two hundred rand or, in default of payment, to imprisonment for a period of not more than six months or to both such fine and imprisonment.

Repeal of laws.

92. (1) Subject to the provisions of subsection (2), the laws referred to in Schedule 5 to this Ordinance are hereby repealed to the extent set out in the third column of that Schedule.

(2) Any proclamation, regulation, notice, order, prohibition, authority, permission or document issued, made, promulgated or given, and any other steps taken in terms of the provisions of any law repealed by subsection (1), if not in conflict with this Ordinance, shall be deemed to have been issued, made, promulgated, given or done in terms of the corresponding provisions of this Ordinance.

Amendment of section 9 of Ordinance 17 of 1939, as amended by section 2 of Ordinance 21 of 1967 and section 1 of Ordinance 14 of 1968.

93. Section 9 of the Local Government Ordinance, 1939, is hereby amended by the substitution for paragraph (7) of the following paragraph:

„(7) from time to time alter the boundaries of any municipality;”

Bevoegdheid van Administrateur om gevolg te gee aan strekking en doelstelling van Ordonnansie.

89. Indien enigiets wat ingevolge die bepalings van hierdie Ordonnansie gedoen moet word, na die mening van die Administrateur, weens enige fout, toeval of versuim nie op die wyse of binne die tyd daarin bepaal, gedoen is nie, kan die Administrateur gelas dat alle stappe gedoen word wat na sy mening nodig is om enige sodanige fout, toeval of versuim te herstel of hy kan enigiets wat onreëlmstig gedoen is soos voormeld, geldig verklaar sodat aan die strekking en doelstelling van hierdie Ordonnansie gevolg gegee word.

Regulasies.

90. (1) Die Administrateur kan regulasies maak in die algemeen ten opsigte van alle sake wat hy nodig en dienstig ag vir die behoorlike en doeltreffende voer van verkiesings en stemmings, en in die besonder, maar sonder inkorting van die algemeenheid van die voorafgaandé bepaling, ten opsigte van enige van die volgende aangeleenthede:

- (a) die vasstelling van die maksimum gelde betaalbaar aan die kiesbeampte en ander verkiesingsbeamptes;
- (b) die vorm van enige dokument wat vir die toepassing van hierdie Ordonnansie nodig mag wees; en
- (c) uitrusting, materiaal en skryfbehoeftes.

(2) Enige regulasie kragtens hierdie artikel gemaak, kan strawwe bepaal vir enige oortreding daarvan maar geen straf mag 'n boete van tweehonderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande of sodanige boete sowel as sodanige gevangenisstraf oorskry nie.

Algemene straf.

91. Uitgesonderd soos in artikel 90 (2) bepaal is, is iemand wat aan 'n misdryf ingevolge hierdie Ordonnansie skuldig bevind word, strafbaar met 'n boete van hoogstens tweehonderd rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en gevangenisstraf.

Herroeping van wette.

92 (1) Behoudens die bepalings van subartikel (2), word die wette in Bylae 5 by hierdie Ordonnansie genoem, hierby herroep in die mate in die derde kolom van daardie Bylae uiteengesit.

(2) Enige proklamasie, regulasie, kennisgewing, bevel, verbod, magtiging, toestemming of dokument uitgereik, gemaak, afgekondig of gegee en enige ander stappe gedoen ingevolge die bepalings van 'n wet herroep by subartikel (1), word, indien dit nie in stryd is met die bepalings van hierdie Ordonnansie nie, geag uitgereik, gemaak, afgekondig, gegee of gedoen te wees ingevolge die ooreenstemmende bepalings van hierdie Ordonnansie.

Wysiging van artikel 9 van Ordonnansie 17 van 1939, soos gewysig by artikel 2 van Ordonnansie 21 van 1967 en artikel 1 van Ordonnansie 14 van 1968.

93. Artikel 9 van die Ordonnansie op Plaaslike Bestuur, 1939, word hierby gewysig deur paragraaf (7) deur die volgende paragraaf te vervang:

„(7) van tyd tot tyd die grense van enige munisipaliteit verander;”

Amendment of section 31 of Ordinance 17 of 1939, as amended by section 1 of Ordinance 18 of 1961.

94. Section 31 of the Local Government Ordinance, 1939, is hereby amended by the deletion of subsection (3).

Short title and date of commencement.

95. This Ordinance shall be called the Municipal Elections Ordinance, 1970, and shall come into operation on the first day of January, 1971.

SCHEDULE 1

(Section 16(5) and 19(3)(c) of the Municipal Elections Ordinance, 1970)

APPLICATION FOR ENROLMENT AS VOTER FOR CONSIDERATION BY REVISION COURT.

The Town Clerk,

I, (first names and surname and maiden name in the case of a female voter if she is or was married) of (residential address) do hereby apply to have my name enrolled on the voters' list as a voter *for Ward No. in this municipality, and I declare as follows:

- 1. I am enrolled on the parliamentary voters' list for the electoral division polling district No. and my serial number on that voters' list is
2. My profession, trade or occupation is
3. My postal address is
4. My identity number is
5. I am not in terms of section 15 of the abovementioned Ordinance disqualified to be enrolled as a voter.

Signature of Applicant

Residential address of witness

Signature of witness

Date of application:

*Delete if not applicable.

SCHEDULE 2

(Section 18(1) of the Municipal Elections Ordinance, 1970)

Application by a person who is the owner of rateable property in the municipality, but is not resident in a municipality, to have his name enrolled on the voters' list of the municipality.

The Town Clerk,

In terms of the provisions of section 18(1) of the Municipal

Wysiging van artikel 31 van Ordonnansie 17 van 1939, soos gewysig by artikel 1 van Ordonnansie 18 van 1961.

94. Artikel 31 van die Ordonnansie op Plaaslike Bestuur, 1939, word hierby gewysig deur subartikel (3) te skrap.

Kort titel en datum van inwerking-treding.

95. Hierdie Ordonnansie heet die Ordonnansie op Munisipale Verkiesings, 1970, en tree in werking op die eerste dag van Januarie 1971.

BYLAE 1

(Artikels 16(5) en 19(3)(c) van die Ordonnansie op Munisipale Verkiesings, 1970)

AANSOEK OM INSKRYWING AS KIESER VIR OORWEGING DEUR HERSTENINGSHOF.

Die Stadsklerk,

Ek, (volle voorname en van en nooiensvan in die geval van 'n vroulike kieser as sy getrou is of was) van (woonadres) doen hierby aansoek om my naam in die kieserslys te laat inskryf as 'n kieser *vir Wyk No. in hierdie munisipaliteit, en ek verklaar soos volg:

- 1. Ek is ingeskryf op die parlementêre kieserslys vir die kiesafdeling stembedstrik No. en my volgnummer op daardie kieserslys is
2. My professie, bedryf of beroep is
3. My posadres is
4. My persoonsnommer is
5. Ek is nie ingevolge artikel 15 van bogemelde Ordonnansie onbevoeg om as 'n kieser ingeskryf te word nie.

Handtekening van Applikant.

Getuie se woonadres.

Handtekening van Getuie.

Datum van aansoek:

* Skrap indien nie van toepassing nie.

BYLAE 2

(Artikel 18(1) van die Ordonnansie op Munisipale Verkiesings 1970)

Aansoek van 'n persoon wat die eienaar van belasbare eiendom binne 'n munisipaliteit is maar nie in 'n munisipaliteit woonagtig is nie, om sy naam op die kieserslys van 'n munisipaliteit te laat inskryf.

Die Stadsklerk,

Ingevolge die bepalings van artikel 18(1) van die Ordonnansie

Elections Ordinance, 1970, I hereby apply to have my name enrolled on the voters' list for your municipality and in support thereof I furnish the following information:

1. (a) Full first names and surname:
- (b) Maiden name (in the case of a female voter if she is or was married)
2. I am enrolled on the parliamentary voters' list for the electoral division polling district No. and my serial number on that voters' list is
3. Profession, trade or occupation
4. Residential address
5. Postal address
6. Identity number
7. I am the owner of the following rateable property within your municipality
(Give a description of the property, erf number and situation thereof.)
8. The property referred to in paragraph 7 is solely registered in my name.
9. (a) My name is not enrolled on the voters' list for any other municipality in the Transvaal.
(b) My name is presently enrolled on the second part of the voters' list for the municipality
(Delete (a) or (b) whichever is not applicable).
10. (a) I have not applied to have my name enrolled on the voters' list for any other municipality in the Transvaal.
(b) I have also applied to the Town Clerk of to have my name enrolled on the voters' list for that municipality.
(Delete (a) or (b) whichever is not applicable).

I hereby declare that the information herein contained is to the best of my knowledge in all respects correct.

.....
Signature of Applicant
.....
Residential address of witness

.....
Signature of witness
Date of application:

SCHEDULE 3

(Sections 37 and 38 of the Municipal Elections Ordinance, 1970)

MUNICIPALITY

NOMINATION OF CANDIDATE FOR OFFICE OF COUNCILLOR.

Nomination day
Day of election

NOTE: This nomination document shall be placed not later than 3 p.m. on the day immediately preceding nomination day in a sealed box made available by the returning officer.

op Munisipale Verkiesings, 1970, doen ek aansoek om my naam op die kieserslys van u munisipaliteit te laat inskryf en ter staving daarvan verstrek ek die volgende inligting:

1. (a) Volle voorname en van:
- (b) Nooiensvan (in die geval van 'n vroulike kieser as sy getroud is of was):
2. Ek is ingeskryf op die parlementêre kieserslys vir die kiesafdeling stembestreek No. en my volgnummer op daardie kieserslys is
3. Professie, bedryf of beroep:
4. Woonadres:
5. Posadres:
6. Persoonsnommer:
7. Ek is die eienaar van die volgende belasbare eiendom binne u munisipaliteit:
(Gee 'n beskrywing van die eiendom, die erfnummer en ligging daarvan.)
8. Die eiendom vermeld in paragraaf 7 is uitsluitlik in my naam geregistreer.
9. (a) My naam is nie op die kieserslys vir 'n ander munisipaliteit in Transvaal ingeskryf nie.
(b) My naam is tans op die tweede deel van die kieserslys vir die Munisipaliteit ingeskryf.
(Skrap (a) of (b) wat ook al nie van toepassing is nie.)
10. (a) Ek het nie aansoek gedoen om my naam op die kieserslys vir 'n ander munisipaliteit in Transvaal te laat inskryf nie.
(b) Ek het ook by die Stadsklere van aansoek gedoen om my naam op die kieserslys vir daardie munisipaliteit te laat inskryf.
(Skrap (a) of (b) wat ook al nie van toepassing is nie.)

Ek verklaar hierby dat die inligting hierin verstrek na my beste wete in alle opsigte juis is.

.....
Handtekening van Applikant.
.....
Getuie se woonadres.

.....
Handtekening van Getuie.
Datum van aansoek:

BYLAE 3

(Artikels 37 en 38 van die Ordonnansie op Munisipale Verkiesings, 1970)

MUNISIPALITEIT

NOMINASIE VAN KANDIDAAT VIR AMP VAN RAADSLID

Nominasiedag
Dag van verkiesing

NOTA: Hierdie nominasiebrief moet nie later nie as 3 nm. van die dag wat nominasiedag onmiddellik voorafgaan in 'n verseelde bus wat die kiesbeampte beskikbaar stel, geplaas word.

Candidate nominated:
(Use printed letters)

Surname:
 First names:
 Residential address:
 Occupation:
 Serial number on voters' list:
 Identity number:
 Ward (if applicable):

The nomination is for Ward:

Acceptance and declaration by candidate or agent:

The above-mentioned person or his authorized agent (authority attached) hereby accepts the nomination and declares that he is not in terms of section 27 of the said Ordinance disqualified to be elected as a councillor. (Proof of exemption in terms of section 27(2), if any, shall be attached.)

Cash deposit:

A cash deposit for the amount of R..... is hereby attached.

Date

.....
 Signature of candidate or agent

Voters who nominate:

(A candidate shall be nominated by two voters. Where a municipality is divided into wards, they shall be voters of the ward for which they nominate the candidate).

We, the undersigned, hereby nominate the abovementioned candidate.

Initials and surname in printed letters	Signature	Serial number on voters' list
1.
2.

SCHEDULE 4

(Section 51(2) of the Municipal Elections Ordinance, 1970)

FORM OF BALLOT PAPER

(Face of ballot paper)

Couterfoil No.	DE BRUYN Johannes de Bruyn of 22, Church Street, Pretoria Merchant
Municipality	JONES (Full name, address and occupation)
Ward	VAN STADEN (Full name, address and occupation)
Election on	
Number of voter	

(Reverse side of ballot paper)

.....
 Official Mark
 No.
 Municipality
 Ward
 Election on

NOTE: The number on the reverse side of the ballot paper shall correspond with the number on the counterfoil.

Kandidaat wat genomineer word:
(Gebruik drukletters)

Van:
 Van:
 Voorname:
 Woonadres:
 Beroep:
 Volgnommer op kieserslys:
 Persoonsnommer:
 Wyk (indien van toepassing):

Die nominasie is vir Wyk:

Aanname en verklaring deur kandidaat of agent:

Bogemelde genomineerde of sy gemagtigde agent (magtiging aangeheg) aanvaar hierby die nominasie en verklaar dat hy nie ingevolge artikel 27 van genoemde Ordonnansie onbevoeg is om as raadslid verkies te word nie. (Bewys van vrystelling ingevolge artikel 27(2), as daar is, moet aangeheg word).

Kontantdeposito:

'n Kontantdeposito vir die bedrag van R..... word hierby aangeheg.

.....
 Datum. Handtekening van kandidaat of agent.

Kiesers wat nomineer:

('n Kandidaat moet deur twee kiesers genomineer word. Waar 'n munisipaliteit in wyke ingedeel is, moet hulle kiesers wees van die wyk waarvoor hulle die kandidaat nomineer.)

Ons, die ondergetekendes, nomineer hierby die bovermelde kandidaat.

Voorletters en van in drukletters	Handtekening	Volgnommer op kieserslys
1.
2.

BYLAE 4

(Artikel 51(2) van die Ordonnansie op Munisipale Verkiesings, 1970)

VORM VAN STEM BRIEF

(Voorkant van stembrief)

Teenblad No.	DE BRUYN Johannes de Bruyn van Kerkstraat 22, Pretoria, Handelaar
Munisipaliteit	JONES (Volle naam, adres en beroep)
Wyk	VAN STADEN (Volle naam, adres en beroep)
Verkiesing op	
No. van Kieser	

(Keersy van Stembrief)

.....
 'Amptelike merk
 No.
MUNISIPALITEIT
 Wyk
 Verkiesing op

NOTA: Die nommer op die keersy van die stembrief moet ooreenstem met die nommer van die teenblad.

SCHEDULE 5

LAWS REPEALED (SECTION 92)

<i>Ordinance No. and year</i>	<i>Shirt tile</i>	<i>Extent of repeal</i>
4 of 1927	Municipal Elections Ordinance, 1927	The Whole
9 of 1937	Municipal Elections Amendment Ordinance, 1937	The Whole
8 of 1940	Municipal Elections Amendment Ordinance, 1940	The Whole
21 of 1940	Municipal Elections Suspension Ordinance, 1940	The Whole
8 of 1941	Municipal Elections Amendment Ordinance, 1941	The Whole
16 of 1941	Municipal Elections Suspension Ordinance, 1941	The Whole
4 of 1942	Municipal Elections Amendment Ordinance, 1942	The Whole
10 of 1942	Municipal Elections Suspension Ordinance, 1942	The Whole
9 of 1943	Municipal Elections Amendment Ordinance, 1943	The Whole
18 of 1943	Municipal Election Further Amendment Ordinance, 1943	The Whole
13 of 1945	Municipal Elections Amendment Ordinance, 1945	The Whole
7 of 1949	Municipal Elections Amendment (Repeal) Ordinance, 1949	The Whole
21 of 1949	Municipal Elections Further Amendment Ordinance, 1949	The Whole
12 of 1950	Municipal Elections Suspension Ordinance, 1950	The Whole
18 of 1950	Municipal Elections Suspension Ordinance, 1950	The Whole
19 of 1950	Municipal Elections Amendment Ordinance, 1950	The Whole
20 of 1950	Municipal Voters' Roll (Suspension of Compilation) Ordinance, 1950	The Whole
18 of 1951	The Election of Mayors and Deputy Mayors in Designated Municipalities Amendment Ordinance, 1951	The Whole
19 of 1951	Municipal Elections Suspension Ordinance, 1951	The Whole
26 of 1951	Municipal Elections Amendment Ordinance, 1951	The Whole
14 of 1952	Municipal Elections (Annual Election of Councillors) Ordinance, 1952	The Whole
18 of 1953	Municipal Elections Amendment Ordinance, 1952	The Whole
19 of 1953	Election of Mayors and Deputy Mayors in Designated Municipalities Amendment Ordinance, 1953	The Whole
13 of 1954	Municipal Elections Amendment Ordinance, 1954	The Whole
11 of 1957	Municipal Elections Amendment Ordinance, 1957	The Whole
27 of 1960	Municipal Elections (Postponement) Ordinance, 1960	The Whole
40 of 1960	Local Government (Administration and Elections) Ordinance, 1960	Sections 3 up to and including 23 and sections 37 up to and including 50.
13 of 1964	Municipal Elections Amendment Ordinance, 1964	The Whole
19 of 1966	Municipal Elections Amendment Ordinance, 1966	The Whole
6 of 1968	Municipal Elections Amendment Ordinance, 1968	The Whole

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WETTE HERROEP (ARTIKEL 92)

<i>Ordonnansie No. en jaar</i>	<i>Kort titel</i>	<i>In hoeverre herroep</i>
4 van 1927	Munisipale Verkiegings Ordonnansie, 1927	Geheel
9 van 1937	Munisipale Verkiegings Wysigingsordonnansie, 1937	Geheel
8 van 1940	Munisipale Verkiegings Wysigingsordonnansie, 1940	Geheel
21 van 1940	Ordonnansie tot Opskorting van Munisipale Verkiegings, 1940	Geheel
8 van 1941	Wysigingsordonnansie op Munisipale Verkiegings, 1941	Geheel
16 van 1941	Ordonnansie tot Opskorting van Munisipale Verkiegings, 1941	Geheel
4 van 1942	Wysigingsordonnansie op Munisipale Verkiegings, 1942	Geheel
10 van 1942	Wysigingsordonnansie tot Opskorting van Munisipale Verkiegings, 1942	Geheel
9 van 1943	Wysigingsordonnansie op Munisipale Verkiegings, 1943	Geheel
18 van 1943	Verdere Wysigingsordonnansie op Munisipale Verkiegings, 1943	Geheel
13 van 1945	Wysigingsordonnansie op Munisipale Verkiegings, 1945	Geheel
7 van 1949	Munisipale Verkiegingswysigings- (Herroepings-) Ordonnansie, 1949	Geheel
21 van 1949	Verdere Wysigingsordonnansie op Munisipale Verkiegings, 1949	Geheel
12 van 1950	Ordonnansie tot Opskorting van Munisipale Verkiegings, 1950	Geheel
18 van 1950	Wysigingsordonnansie op die Opskorting van Munisipale Verkiegings, 1950	Geheel
19 van 1950	Wysigingsordonnansie op Munisipale Verkiegings, 1950	Geheel
20 van 1950	Ordonnansie tot Opskorting van die Samestelling van Munisipale Kieserslyste, 1950	Geheel
18 van 1951	Wysigingsordonnansie op die Verkieging van Burgemeesters en Onderburgemeesters in Aangewese Munisipaliteite, 1951	Geheel
19 van 1951	Wysigingsordonnansie op die Opskorting van Munisipale Verkiegings, 1951	Geheel
26 van 1951	Wysigingsordonnansie op Munisipale Verkiegings, 1951	Geheel
14 van 1952	Ordonnansie op Munisipale Verkiegings (Jaarlikse Verkieging van Raadslede), 1952	Geheel
18 van 1953	Wysigingsordonnansie op Munisipale Verkiegings, 1953	Geheel
19 van 1953	Wysigingsordonnansie op die Verkieging van Burgemeesters en Onderburgemeesters in Aangewese Munisipaliteite, 1953	Geheel
13 van 1954	Wysigingsordonnansie op Munisipale Verkiegings, 1954	Geheel
11 van 1957	Wysigingsordonnansie op Munisipale Verkiegings, 1957	Geheel
27 van 1960	Ordonnansie op Munisipale Verkiegings (Uitstel), 1960	Geheel
40 van 1960	Ordonnansie op Plaaslike Bestuur Artikels 3 tot (Administrasie en Verkiegings), 1960	en met 23 en artikels 37 tot en met 50
13 van 1964	Wysigingsordonnansie op Munisipale Verkiegings, 1964	Geheel
19 van 1966	Wysigingsordonnansie op Munisipale Verkiegings, 1966	Geheel
6 van 1968	Wysigingsordonnansie op Munisipale Verkiegings, 1968	Geheel

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