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DEPARTEMENT VAN BINNELANDSE SAKE

No. R. 742

29 Februarie 1992

REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP REFERENDUMS, 1983

Die Minister van Binnelandse Sake het kragtens die bevoegdheid hom verleen by artikel 4 van die Wet op Referendums, 1983 (Wet 108 van 1983), die regulasies vervat in die Bylae uitgevaardig.

BYLAE

WOORDOMSKRYWING

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

- (i) “**die referendum**” die referendum wat ingevolge Proklamasie No. 17 van 28 Februarie 1992 uitgevaardig kragtens artikel 2 (1) (a) van die Wet gehou moet word ten einde te bepaal of kiesers ten gunste is van die voortsetting van die hervormingsproses wat die Staatspresident op 2 Februarie 1990 begin het en wat gerig is op 'n nuwe Grondwet deur onderhandeling; (xx)
- (ii) “**die Wet**” die Wet op Referendums, 1983 (Wet 108 van 1983); (xix)
- (iii) “**hoofdelagent**”, met betrekking tot 'n gebied waarvoor 'n referendumbeampte aangestel is, 'n persoon wat kragtens regulasie 24 (1) as hoofdelagent aangestel is; (iii)
- (iv) “**identiteitsdokument**” 'n identiteitsdokument uitgereik ingevolge artikel 8 (1) (a) van die Wet op Identifikasie, 1986 (Wet 72 van 1986), asook 'n dokument bedoel in artikels 8 (3) (a) en 9 van daardie Wet; (vii)

GOVERNMENT NOTICE

DEPARTMENT OF HOME AFFAIRS

No. R. 742

29 February 1992

REGULATIONS MADE UNDER THE REFERENDUMS ACT, 1983

The Minister of Home Affairs has, under the powers vested in him by section 4 of the Referendums Act, 1983 (Act 108 of 1983), made the regulations set out in the Schedule.

SCHEDULE

DEFINITIONS

1. In these regulations, unless the context otherwise indicates, any word or expression defined in the Act shall have the same meaning as in the Act and—

- (i) “**ballot paper account**” means an account referred to in regulation 22 (2); (xiii)
- (ii) “**ballot paper envelope**,” in relation to a special voter, means a ballot paper envelope referred to in regulation 13 (3) (b); (xii)
- (iii) “**chief counting agent**”, in relation to an area for which a referendum officer has been appointed, means a person appointed under regulation 24 (1) as a chief counting agent; (iii)
- (iv) “**counting agent**” means a person appointed under regulation 24 (2) as a counting agent; (xviii)
- (v) “**counting officer**” means a person appointed under regulation 4 (3) as a counting officer; (xix)
- (vi) “**covering envelope**”, in relation to a special voter, means a covering envelope referred to in regulation 13 (3) (b); (vi)

- (v) **"landdros"** ook 'n addisionele landdros of 'n assistent-landdros; (viii)
- (vi) **"omslagkoevert"**, met betrekking tot 'n spesiale kieser, 'n omslagkoevert in regulasie 13 (3) (b) bedoel; (vi)
- (vii) **"politieke party"** 'n politieke party wat ingevolge die bepalings van artikel 36 van die Kieswet, 1979 (Wet 45 van 1979), as 'n politieke party geregistreer is; (ix)
- (viii) **"referendumagent"**, met betrekking tot 'n stemgebied, 'n persoon wat kragtens regulasie 6 as referendumagent aangestel is; (xvii)
- (ix) **"spesiale kieser"** 'n kieser wat ingevolge regulasie 12 geregtig is om as 'n spesiale kieser sy stem uit te bring; (xviii)
- (x) **"stemagent"**, met betrekking tot 'n stemburo, 'n persoon wat kragtens regulasie 6 (4) (b) as stemagent aangestel is en, met betrekking tot spesiale kiesers, ook 'n persoon wat kragtens regulasie 6 (4) (c) as spesiale stemagent aangestel is; (x)
- (xi) **"stembeampste"**, met betrekking tot 'n stemgebied, die persoon wat kragtens regulasie 3 as stembeampste aangestel is; (xiv)
- (xii) **"stembriefkoevert"**, met betrekking tot 'n spesiale kieser, 'n stembriefkoevert in regulasie 13 (3) (b) bedoel; (ii)
- (xiii) **"stembriefverslag"** 'n verslag in regulasie 22 (2) bedoel; (i)
- (xiv) **"stemburo"**, met betrekking tot 'n stemgebied, 'n stemburo kragtens regulasie 8 ingestel; (xv)
- (xv) **"stemdag"**, met betrekking tot die referendum, die dag kragtens artikel 2 (1) (b) van die Wet bepaal; (xiii)
- (xvi) **"stemgebied"** 'n gebied waarin die Republiek by regulasie 2 vir doeleindes van die referendum verdeel is; (xi)
- (xvii) **"stemopnemer"**, met betrekking tot 'n stemburo, 'n persoon wat kragtens regulasie 4 (1) (b) as stemopnemer aangestel is; (xii)
- (xviii) **"telagent"** 'n persoon wat kragtens regulasie 24 (2) as telagent aangestel is; (iv)
- (xix) **"telbeampste"** 'n persoon wat kragtens regulasie 4 (3) as telbeampste aangestel is; (v)
- (xx) **"voorsittende beampste"**, met betrekking tot 'n stemburo, 'n persoon wat kragtens regulasie 4 (1) (a) as voorsittende beampste aangestel is of—
 - (a) met betrekking tot 'n spesiale kieser in regulasie 12 (1) (a) bedoel, 'n referendumbeampste, stembeampste of landdros, of 'n beampste in die heeltydse diens van die Staat deur die stembeampste as voorsittende beampste aangewys;
- (vii) **"identity document"** means an identity document issued in terms of section 8 (1) (a) of the Identification Act, 1986 (Act 72 of 1986), as well as a document referred to in sections 8 (3) (a) and 9 of that Act; (iv)
- (viii) **"magistrate"** includes an additional magistrate or an assistant magistrate; (v)
- (ix) **"political party"** means any political party registered as a political party in terms of the provisions of section 36 of the Electoral Act, 1979 (Act 45 of 1979); (vii)
- (x) **"polling agent"**, in relation to a polling station, means a person appointed under regulation 6 (4) (b) as a polling agent and, in relation to special voters, includes a person appointed under regulation 6 (4) (c) as a special polling agent; (x)
- (xi) **"polling area"** means an area into which the Republic is divided by regulation 2 for the purposes of the referendum; (xvi)
- (xii) **"polling clerk"**, in relation to a polling station, means a person appointed under regulation 4 (1) (b) as a polling clerk; (xvii)
- (xiii) **"polling day"**, in relation to the referendum, means the day determined under section 2 (1) (b) of the Act; (xv)
- (xiv) **"polling officer"**, in relation to a polling area, means the person appointed under regulation 3 as a polling officer; (xi)
- (xv) **"polling station"**, in relation to a polling area, means a polling station established under regulation 8; (xiv)
- (xvi) **"presiding officer"**, in relation to a polling station, means a person appointed under regulation 4 (1) (a) as a presiding officer or—
 - (a) in relation to a special voter referred to in regulation 12 (1) (a), a referendum officer, polling officer or magistrate, or an officer in the full-time service of the State designated by the polling officer as presiding officer;
 - (b) in relation to a special voter referred to in regulation 12 (1) (b), (c) or (d), the head of a South African mission stationed at the place outside the Republic where the voter concerned is employed or resides, or an officer in the full-time service of the State designated for such purpose by the said head; (xx)
- (xvii) **"referendum agent"**, in relation to a polling area, means a person appointed under regulation 6 as a referendum agent; (viii)
- (xviii) **"special voter"** means a voter entitled in terms of regulation 12 to record his vote as a special voter; (ix)
- (xix) **"the Act"** means the Referendums Act, 1983 (Act 108 of 1983); (ii)

- (b) met betrekking tot 'n spesiale kieser in regulasie 12 (1) (b), (c) of (d) bedoel, die hoof van 'n Suid-Afrikaanse missie gestasioneer op die plek buite die Republiek waar die betrokke kieser in diens of woonagtig is, of 'n beampte in die heeltydse diens van die Staat deur genoemde hoof vir die doel aangewys. (xvi)

DEEL I

VERDELING VAN REPUBLIEK IN GEBIEDE VIR DOELEINDES VAN REFERENDUM

Verdeling van Republiek

2. Vir die doeleindes van die referendum word die Republiek hierby verdeel in die gebiede wat bestaan uit die kiesafdelings waarin die provinsies van die Republiek vir die doeleindes van die verkiesing van lede van die Volksraad kragtens die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet 110 van 1983), verdeel is.

DEEL II

AANSTELLING VAN BEAMPTES EN SEKERE AGENTE

Stembeamptes

3. (1) Die referendumbeampte stel vir elke stemgebied in sy referendumgebied 'n persoon as stembeampte aan.

(2) Die stembeampte vir 'n stemgebied kan een of meer persone as assistent-stembeamptes aanstel om hom by die verrigting van sy pligte by te staan en wat, in die mate deur die stembeampte gemagtig, enige bevoegdheid van die stembeampte kan uitoefen.

Voorsittende beamptes, stemopnemers en telbeamptes

4. (1) 'n Stembeampte stel vir elke stemburo in die stemgebied waarvoor hy aangestel is—

- 'n persoon as 'n voorsittende beampte aan, wat beheer het oor die betrokke stemburo; en
- soveel persone as stemopnemers aan as wat nodig is om die referendum by die betrokke stemburo te vergemaklik.

(2) Ondanks die bepalings van subregulasie (1) kan 'n voorsittende beampte of 'n stemopnemer vir 'n stemburo deur 'n referendumbeampte aangestel word, en kan 'n stemopnemer vir 'n stemburo deur die voorsittende beampte van daardie stemburo aangestel word.

(3) 'n Referendumbeampte kan as telbeamptes die aantal persone aanstel wat hy nodig ag om hom by die bepaling van die uitslag van die stemming in die gebied waarvoor hy aangestel is, by te staan.

Voorwaardes van aanstelling

5. (1) Die aanstelling van 'n persoon kragtens regulasie 3 of 4 kan sonder kennisgewing vooraf ingetrek word deur enige persoon wat by die betrokke regulasie gemagtig word om 'n aanstelling van die betrokke aard te doen.

- (xx) "the referendum" means the referendum to be held in terms of Proclamation No. 17 of 28 February 1992 issued under section 2 (1) (a) of the Act in order to ascertain whether voters are in favour of the continuation of the reform process which the State President began on 2 February 1990 and which is aimed at a new Constitution through negotiation. (i)

PART I

DIVISION OF REPUBLIC INTO AREAS FOR PURPOSES OF REFERENDUM

Division of Republic

2. For the purposes of the referendum the Republic is hereby divided into the areas consisting of the electoral divisions into which the provinces of the Republic have been divided for the purposes of the election of members of the House of Assembly under the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983).

PART II

APPOINTMENT OF OFFICERS AND CERTAIN AGENTS

Polling officers

3. (1) The referendum officer shall, for each polling area within his referendum area, appoint a person as polling officer.

(2) The polling officer for a polling area may appoint one or more persons as assistant polling officers to assist him in the performance of his duties and who may, to the extent authorized by the polling officer, exercise any power of the polling officer.

Presiding officers, polling clerks and counting officers

4. (1) A polling officer shall appoint for every polling station in the polling area for which he has been appointed—

- a person as a presiding officer, who shall be in charge of the polling station concerned; and
- as many persons as polling clerks as may be necessary to facilitate the referendum at the polling station concerned.

(2) Notwithstanding the provisions of subregulation (1), a presiding officer or a polling clerk for a polling station may be appointed by a referendum officer, and a polling clerk for a polling station may be appointed by the presiding officer for such polling station.

(3) A referendum officer may appoint as counting officers such number of persons as he may deem necessary for the purpose of assisting him in the determination of the result of the poll in the area for which he has been appointed.

Conditions of appointment

5. (1) The appointment of a person under regulation 3 or 4 may be withdrawn, without prior notice, by any person empowered by the relevant regulation to make an appointment of the nature in question.

(2) 'n Aanstelling kragtens regulasie 3 of 4 wat nie in skrif is nie moet skriftelik bevestig word sodra omstandighede dit toelaat.

(3) Geen persoon wat deur 'n organisasie wat na die oordeel van die hoofreferendumbeamppte 'n belang by die referendum het in diens geneem is, word as voorsittende beampte, stemopnemer of telbeampte aangestel nie.

(4) 'n Persoon kragtens regulasie 3 of 4 aangestel, is op besoldiging of toelaes geregtig onder die omstandighede of op die grondslag of ten opsigte van die dienste deur hom gelewer, en teen die tariewe, wat die Minister van Binnelandse Sake, met die instemming van die Minister van Staatsbesteding, bepaal.

(5) Verskillende omstandighede, grondslae, dienste of tariewe kan kragtens subregulasie (4) bepaal word ten opsigte van die verskillende ampte waarvoor daar in regulasie 3 of 4 voorsiening gemaak word, of ten opsigte van persone in sodanige ampte aangestel wat in die heeltidse diens van die Staat is en persone aldus aangestel wat nie in die heeltidse diens van die Staat is nie, of ten opsigte van werk onder verskillende omstandighede verrig.

Referendum-, hulp- en stemagente

6. (1) Behoudens die bepalings van subregulasie (2) moet die stembeamppte, ten opsigte van die stemgebied waarvoor hy aangestel is, een persoon, wat nie later nie as 13:00 op 6 Maart 1992 deur 'n politieke party of deur politieke partye by onderlinge ooreenkoms benoem is, aanstel om by die referendum in daardie stemgebied as referendumagent te dien vir kiesers wat ten gunste is van die voortsetting van die hervormingsproses wat die Staatspresident op 2 Februarie 1990 begin het en wat gerig is op 'n nuwe Grondwet deur onderhandeling, en een persoon wat aldus deur 'n ander politieke party of deur ander politieke partye by onderlinge ooreenkoms benoem is, aanstel om aldaar as referendumagent te dien vir kiesers wat teen bedoelde voortsetting is.

(2) Indien verskillende persone op bedoelde tydstip deur verskillende politieke partye benoem is en die betrokke politieke partye nie by onderlinge ooreenkoms een van daardie persone of 'n ander persoon om 13:00 op 7 Maart 1992 benoem het nie vir aanstelling soos in subregulasie (1) beoog—

- (a) stel die stembeamppte as so 'n agent daardie persoon aan wat deur die politieke party benoem is wat vir die kiesafdeling waaruit daardie stemgebied bestaan, 'n lid in die Volksraad het; of
- (b) indien geeneen van daardie politieke partye enige sodanige lid het nie, stel die stembeamppte, met inagneming van enige feite of oorwegings wat deur enige van die betrokke politieke partye voor bedoelde tydstip skriftelik aan hom vir oorweging voorgelê is, die persoon as so 'n agent aan wat deur die politieke party benoem is wat na sy mening meer kiesers as

(2) An appointment made under regulation 3 or 4 otherwise than in writing shall be confirmed in writing as soon as circumstances permit.

(3) No person employed by an organization which, in the opinion of the chief referendum officer, has an interest in the referendum, shall be appointed as a presiding officer, polling clerk or counting officer.

(4) A person appointed under regulation 3 or 4 shall be entitled to remuneration or allowances, under such circumstances or on such basis or in respect of such services rendered by him, and at such tariffs, as may be determined by the Minister of Home Affairs, with the concurrence of the Minister of State Expenditure.

(5) Different circumstances, bases, services or tariffs may be determined under subregulation (4) in respect of the different officers provided for in regulation 3 or 4, or in respect of persons appointed to such offices who are in the full-time service of the State and persons so appointed who are not in the full-time service of the State, or in respect of work performed under different circumstances.

Referendum agents, subagents and polling agents

6. (1) Subject to the provisions of subregulation (2), the polling officer shall in respect of the polling area for which he has been appointed, appoint one person, nominated by a political party or by political parties by mutual agreement not later than 13:00 on 6 March 1992, to serve at the referendum in that polling area as referendum agent for voters who are in favour of the continuation of the reform process which the State President began on 2 February 1990 and which is aimed at a new Constitution through negotiation, and one person so nominated by any other political party or by other political parties by mutual agreement to serve thereat as referendum agent for voters who are against such continuation.

(2) If different persons have at such time been nominated by different political parties and the political parties concerned have not nominated by mutual agreement one of such persons or any other person at 13:00 on 7 March 1992 for appointment as contemplated in subregulation (1)—

- (a) the polling officer shall appoint as such an agent that person who has been nominated by the political party which has a member in the House of Assembly for the electoral division of which that polling area consists; or
- (b) if no one of such political parties has any such member, the polling officer shall, with due regard to any facts or considerations which have been submitted to him in writing by the political parties concerned for consideration before such time, appoint as such an agent the person nominated by the political party which in his opinion represents more voters as political party in the

politieke party in die betrokke stemgebied verteenwoordig as enige een van die ander betrokke politieke partye of, indien geen feite oor oorwegings aldus voorgelê is nie of indien bedoelde feite of oorwegings van so 'n aard is dat hy nie so 'n mening/kan vorm nie, stel die stembeamppte 'n persoon as so 'n agent aan wat hy geskik ag.

(3) Die stembeamppte moet onverwyld die naam en adres van elke referendumagent kragtens subregulasie (1) of (2) aangestel en van die kiesers vir wie hy as so 'n agent dien, openbaar bekend maak.

(4) Die referendumagent—

- (a) kan ten opsigte van die stemgebied waarvoor hy aangestel is hoogstens nege persone as hulp-agente aanstel;
- (b) kan ten opsigte van elke stemburo in bedoelde stemgebied hoogstens drie persone vir elke 10 stemopnemers of 'n gedeelte van daardie getal in daardie stemburo as stemagente aanstel;
- (c) kan met betrekking tot spesiale kiesers in regulasie 12 (1) (a) bedoel, drie persone ten opsigte van elke stemburo as spesiale stemagente aanstel;
- (d) moet aan elke persoon wat kragtens paragraaf (a), (b) of (c) aangestel word in die vorm deur die hoofreferendumbeamppte voorgeskryf 'n sertifikaat van aanstelling uitreik.

(5) Die referendumagent kan deur 'n hulpagent optree, en enigiets wat vir die doeleindes van die referendum deur of aan 'n hulpagent gedoen word, word geag deur of aan die referendumagent gedoen te gewees het.

(6) Die stemagente vir 'n bepaalde stemburo en die referendumagent vir die stemgebied waarin daardie stemburo is, is geregtig om in daardie stemburo teenwoordig te wees.

(7) Wanneer die voorsittende beamppte by 'n stemburo iets ingevolge hierdie regulasies moet verseël, is 'n referendumagent of stemagent wat geregtig is om in daardie stemburo teenwoordig te wees en wat aanwesig is, geregtig om sy eie seël daarop aan te bring.

Verklaring van geheimhouding

7. Elke referendumbeamppte, stembeamppte, assistent-stembeppte kragtens regulasie 3 (2) aangestel, voorsittende beamppte, stemopnemer of telbeamppte, en elke agent kragtens hierdie regulasies aangestel, moet, in die vorm deur die hoofreferendumbeamppte voorgeskryf, en voordat hy by 'n stemburo of by die plek waar omslagkoeverte of stembrieffkoeverte oopgemaak word, stembrieffverslae getoets word of die uitslag van die stemming bepaal word sy pligte aanvaar of 'n bevoegdheid uitoefen of, in die geval van so 'n agent, in so 'n stemburo of by so 'n plek teenwoordig is, 'n bevestiging of 'n beëdigde verklaring van geheimhouding voor 'n vrederegter of kommissaris van ede maak of aflê.

polling area concerned than any of the other political parties concerned or, if no facts or considerations have so been submitted or if such facts or considerations are of such a nature that he is unable to form such an opinion, the polling officer shall appoint as such an agent a person he deems fit.

(3) The polling officer shall forthwith give public notice of the name and address of every referendum agent appointed under subregulation (1) or (2) and of the voters for whom he serves as such an agent.

(4) The referendum agent—

- (a) may, in respect of the polling area for which he has been appointed, appoint not more than nine persons as subagents;
- (b) may, in respect of every polling station in such polling area, appoint not more than three persons for every 10 polling clerks or any part of that number in that polling station as polling agents;
- (c) may, in relation to special voters referred to in regulation 12 (1) (a), appoint three persons in respect of every polling station as special polling agents;
- (d) shall issue to every person appointed under paragraph (a), (b) or (c) a certificate of appointment in a form prescribed by the chief referendum officer.

(5) The referendum agent may act through a sub-agent, and anything done for the purposes of the referendum by or to a subagent, shall be deemed to be done by or to the referendum agent.

(6) The polling agents for a particular polling station and the referendum agent for the polling area in which that polling station is situated, shall be entitled to attend at that polling station.

(7) When the presiding officer at a polling station is in terms of these regulations required to seal anything, a referendum agent or polling agent who is entitled to attend at such polling station and who is present shall be entitled to place his own seal on that thing.

Declaration of secrecy

7. Every referendum officer, polling officer, assistant polling officer appointed under regulation 3 (2), presiding officer, polling clerk or counting officer, and every agent appointed under these regulations shall, before assuming his duties or exercising any power at any polling station or place where covering envelopes or ballot paper envelopes are opened or ballot paper accounts are verified or the result of the poll is determined or in the case of any such agent, attending at such polling station or place, make in the form prescribed by the chief referendum officer a declaration of secrecy by affirmation or on oath before a justice of the peace or commissioner of oaths.

DEEL III**VOORAFGAANDE REËLINGS
VIR DIE REFERENDUM*****Stemburo's***

8. (1) Ten einde die stemming deur kiesers in 'n stemgebied te vergemaklik, moet daar soveel stemburo's op sodanige plekke in die betrokke stemgebied wees as wat deur die stembeampte vir daardie stemgebied handelende op gesag van die hoofreferendumbeampte bepaal word.

(2) Elke stembeampte moet die hoofreferendumbeampte binne sewe dae na die datum van die aanstelling van die stembeampte van 'n kennisgewing voorsien van die plekke in daardie stemgebied waar stemburo's ingestel sal word of ingestel is.

(3) Die hoofreferendumbeampte moet so gou doenlik 'n kennisgewing in die *Staatskoerant* publiseer waarin die plekke aangegee word waar in elke stemgebied stemburo's ingestel sal word of ingestel is.

Verskaffing van uitrusting

9. (1) Die hoofreferendumbeampte verskaf so gou doenlik na die datum van sy aanstelling kragtens artikel 2 (1) (e) van die Wet stembusse, stembriewe, werktuie, seëls en ander benodighede aan stembeamptes of, met betrekking tot spesiale kiesers, aan voorsittende beamptes, en verrig die ander handelinge en tref die reëlins wat raadsaam geag word om die referendum te vergemaklik en doeltreffend te voer.

(2) Elke stembeampte is daarvoor verantwoordelik om 'n genoegsame hoeveelheid van die in subregulasie (1) bedoelde benodighede van die hoofreferendumbeampte te verkry en aan die voorsittende beamptes vir die stemburo's in sy stemgebied te verskaf ten einde die referendum by daardie stemburo's te vergemaklik en doeltreffend te voer.

Die stemkompartement

10. (1) Die stemkompartement in of by 'n stemburo word op 'n plek geplaas of ingerig waar niemand dit kan binnegaan of verlaat of, na vereiste van die omstandighede, dit kan gebruik nie sonder om deur die voorsittende beampte of 'n stemopnemer deur hom aangewys, gesien te word, en die voorsittende beampte of bedoelde stemopnemer, moet toesien dat, terwyl 'n kieser daarin is of dit gebruik ten einde sy stem uit te bring, niemand anders die stemkompartement binnegaan of dit gebruik nie behalwe ooreenkomstig die bepalings van hierdie regulasies.

(2) By die toepassing van hierdie regulasies beteken die uitdrukking "stemkompartement" ook enige plek of oppervlakte in of by 'n stemburo wat tot bevrediging van die voorsittende beampte op so 'n wyse afgeskort is dat 'n kieser sy stem in die geheim daarop kan uitbring.

Die stembus

11. (1) Hoogstens 30 minute voor die aanvang van die stemming by 'n stemburo moet die voorsittende beampte—

- (a) hom oortuig dat die stembus wat by daardie stemburo gebruik gaan word, leeg is;

PART III**PRELIMINARY ARRANGEMENTS
FOR THE REFERENDUM*****Polling stations***

8. (1) For the purpose of conveniently taking a poll of voters in any polling area there shall be as many polling stations at such places in the polling area concerned as may be determined by the polling officer for that polling area acting under the authority of the chief referendum officer.

(2) Every polling officer shall furnish the chief referendum officer within seven days after the date of appointment of the polling officer with a notice of the places in that polling area where polling stations will be established or are established.

(3) The chief referendum officer shall as soon as possible publish a notice in the *Gazette*, indicating the places in each polling area where polling stations will be established or are established.

Provision of equipment

9. (1) The chief referendum officer shall as soon as possible after the date of his appointment under section 2 (1) (e) of the Act provide polling officers or, in relation to special voters, presiding officers with ballot boxes, ballot papers, instruments, seals and other requisites, and shall do such other acts and make such arrangements as may be deemed advisable to facilitate and effectually conduct the referendum.

(2) Every polling officer shall be responsible for obtaining from the chief referendum officer, and supplying to presiding officers for the polling stations in his polling area, a sufficient quantity of the requisites referred to in subregulation (1) to facilitate and effectually conduct the referendum.

The voting compartment

10. (1) The voting compartment in or at a polling station shall be placed or arranged in a position where no person can enter or leave it or, as the circumstances may require, use it without being seen by the presiding officer or a polling clerk designated by him, and the presiding officer or such polling clerk shall take care that no other person shall, except in accordance with the provisions of these regulations, enter or use the voting compartment while a voter is in it using it for the purpose of recording his vote.

(2) For the purposes of these regulations the expression "voting compartment" shall include any place or surface in or at a polling station that is screened off, to the satisfaction of the presiding officer, in such a manner that a voter may record his vote thereat or thereon in secrecy.

The ballot box

11. (1) Not more than 30 minutes before the commencement of the poll at any polling station, the presiding officer shall—

- (a) satisfy himself that the ballot box to be used at such polling station is empty;

(b) die binnekant van die leë stembus aan die persone toon wat geregtig is om in die stemburo teenwoordig te wees en wat aanwesig is; en

(c) onmiddellik daarna die stembus toemaak en verseël ooreenkomstig die voorskrifte deur die hoofreferendumbeamppte uitgereik.

(2) Indien dit te eniger tyd nodig word om 'n addisionele stembus by 'n stemburo te gebruik, word daardie addisionele stembus *mutatis mutandis* volgens voorskrif van subregulasie (1) getoon, toegemaak en verseël voordat dit vir die deponering van stembriewe beskikbaar gestel word.

(3) 'n Stembus wat soos voormeld toegemaak en verseël is, word nie oopgemaak nie, en die seël word nie gebreek nie, behalwe soos in regulasie 23 of 26 bepaal.

(4) Die voorsittende beamppte by 'n stemburo moet by die sluit van die stemming die opening in die stembus wat by daardie stemburo gebruik word, toemaak en verseël ooreenkomstig die voorskrifte deur die hoofreferendumbeamppte uitgereik en in die teenwoordigheid van die agente wat geregtig is om in die stemburo teenwoordig te wees en wat aanwesig is.

(5) Die stembus wat in of by 'n stemburo gebruik word, moet op 'n plek geplaas word waar dit te alle tye gedurende die stemming deur die voorsittende beamppte of 'n stemopnemer deur hom aangewys, gesien kan word.

(6) Die voorsittende beamppte is vir die veilige bewaring van 'n stembus wat by sy stemburo gebruik word, verantwoordelik totdat dit aan die stembeamppte afgelewer word.

DEEL IV

SPEZIALE KIESERS

Kiesers wat as spesiale kiesers kan stem

12. (1) 'n Kieser—

(a) wat—

- (i) weens sy siekte of liggaamlike swaakteit of liggaamlike gebrek of hoë ouderdom of, in die geval van 'n vrou, haar swangerskap;
- (ii) vanweë die feit dat hy op 'n openbare vervoermiddel diens sal doen of dat hy noodsaaklike hospitaal-, polisie- of brandweerpligte sal verrig;
- (iii) vanweë die feit dat hy op 'n trein of vaartuig sal wees;
- (iv) behalwe onder die omstandighede in paragraaf (b), (c) of (d) beoog, vanweë die feit dat hy buite die Republiek sal wees,

te gener tyd op stemdag gedurende die stemure in staat sal wees om 'n stemburo te besoek nie;

(b) display the inside of such empty ballot box to such persons entitled to attend at the polling station as are present; and

(c) immediately thereafter close and seal such ballot box in accordance with the instructions issued by the chief referendum officer.

(2) If it becomes necessary at any time to use an additional ballot box at any polling station, such additional ballot box shall be displayed, closed and sealed *mutatis mutandis* as provided in subregulation (1) before being made available for the deposit of ballot papers.

(3) A ballot box closed and sealed as aforesaid shall not be opened, and the seal shall not be broken, except as provided in regulation 23 or 26.

(4) The presiding officer at a polling station shall at the close of the poll, close and seal the aperture in the ballot box used at such polling station in accordance with the instructions issued by the chief referendum officer, and in the presence of such agents entitled to attend at the polling station as are present.

(5) The ballot box used in or at a polling station shall be placed in a position where it can be seen by the presiding officer or a polling clerk designated by him, at all times during the poll.

(6) The presiding officer shall be responsible for the safe-keeping of any ballot box used at his polling station, until it is delivered to the polling officer.

PART IV

SPECIAL VOTERS

Voters who may vote as special voters

12. (1) A voter—

(a) who—

- (i) because of his illness or physical infirmity or physical disability or advanced age or, in the case of a female, her pregnancy;
- (ii) by reason of the fact that he will be employed on a public conveyance or that he will perform essential hospital, police or fire brigade services;
- (iii) by reason of the fact that he will be on a train or vessel;
- (iv) except in the circumstances contemplated in paragraph (b), (c) or (d), by reason of the fact that he will be outside the Republic,

will not be able to attend a polling station at any time during the polling hours on polling day;

- (b) wat in die Republiek gedomisileer is en in diens is van die Staat of van 'n statutêre liggaam soos omskryf in artikel 1 (1) van die Skatkiswet, 1975 (Wet 66 van 1975), of van 'n instelling of liggaam bedoel in artikel 84 (1) (f) van die Wet op Provinsiale Bestuur, 1961 (Wet 32 van 1961), en werksaamhede buite die Republiek verrig of aan die diens van die regering van 'n ander land afgestaan is en, terwyl hy sodanige werksaamhede verrig aldus afgestaan is, op die stemdag buite die Republiek sal wees;
- (c) wat die eggenote of kind van 'n kieser in paragraaf (b) bedoel en, terwyl bedoelde kieser sodanige werksaamhede verrig of aldus afgestaan is, buite die Republiek by hom inwoon;
- (d) wat in die Republiek gedomisileer is en wat tydelik buite die Republiek is in 'n land waar daar 'n Suid-Afrikaanse diplomatieke of konsulêre missie is;
- is, behoudens die bepalings van subregulasie (2), geregtig om volgens voorskrif van regulasie 13 sy stem as 'n spesiale kieser uit te bring.
- (2) 'n Voortsittende beampte moet te alle tye—
- (a) op 13, 14 en 16 Maart 1992 met betrekking tot kiesers in paragraaf (a) van subregulasie (1) bedoel; en
- (b) op 11 en 12 Maart 1992 met betrekking tot kiesers in paragrafe (b), (c) en (d) van subregulasie (1) bedoel,
- gedurende sy gewone kantoorure en na behoefte tot om 21:00 op gemelde dae, die nodige stappe doen om spesiale kiesers in staat te stel om hul stemme op die plek waar die voortsittende beampte se kantoor gedurende gewone kantoorure geleë is, uit te bring.
- (3) 'n Voortsittende beampte kan—
- (a) enige spesiale kieser wat volgens sy oordeel nie in staat is om die plek in subregulasie (2) beoog, te besoek nie, te eniger tyd op die datums en gedurende die ure in genoemde subregulasie (2) bedoel, by enige adres op versoek van daardie kieser besoek om bedoelde kieser in staat te stel om as 'n spesiale kieser sy stem uit te bring;
- (b) te eniger tyd op die datums en gedurende die ure in paragraaf (a) bedoel, enige plek besoek ten einde 'n spesiale kieser aldaar in staat te stel om sy stem uit te bring, mits daar aan elke referendumagent in die stemgebied waarin daardie plek geleë is, vooraf kennis gegee is van bedoelde voortsittende beampte se voorneme om daardie plek vir bedoelde doel te besoek en van die adres waar en die datum waarop en die tyd wanneer hy daar aanwesig sal wees.
- (4) 'n Plek waar spesiale kiesers kragtens hierdie regulasie hul stemme kan uitbring, word by die toepassing van hierdie regulasies, behalwe regulasies 8 (3), 11, 12 (1) en 18 as 'n stemburo beskou.
- (5) Die hoofreferendumbeampte moet so gou doenlik 'n kennisgewing in die *Staatskoerant* publiseer waarin die plekke, behalwe die plekke in subregulasie (3) bedoel, aangegee word waar kiesers in paragraaf (a) van subregulasie (1) hul stemme kan uitbring.
- (b) who is domiciled in the Republic and is in the service of the State or of a statutory body as defined in section 1 (1) of the Exchequer Act, 1975 (Act 66 of 1975), or of an institution or body referred to in section 84 (1) (f) of the Provincial Government Act, 1961 (Act 32 of 1961), and performs any functions outside the Republic or has been seconded to the service of the government of any other country and, while performing such functions or so seconded, will be outside the Republic on polling day;
- (c) who is the wife or child of a voter referred to in paragraph (b) and while such voter performs such functions or is so seconded, resides with him outside the Republic;
- (d) who is domiciled in the Republic and temporarily outside the Republic in a country where a South African diplomatic or consular mission is,
- shall be entitled, subject to the provisions of subregulation (2), to record his vote as a special voter as provided in regulation 13.
- (2) A presiding officer shall at all times—
- (a) on 13, 14 and 16 March 1992 in relation to voters referred to in paragraph (a) of subregulation (1); and
- (b) on 11 and 12 March 1992 in relation to voters referred to in paragraphs (b), (c) and (d) of subregulation (1),
- during his ordinary office hours, and as needed until 21:00 on the said days take the necessary steps to enable special voters to record their votes at the place where the office of the presiding officer is situated during ordinary office hours.
- (3) A presiding officer may—
- (a) at the request of a special voter who in his opinion is unable to attend at the place contemplated in subregulation (2), call upon that voter at any time on the dates and during the hours referred to in the said subregulation (2) at any address in order to enable that voter to record his vote as a special voter;
- (b) at any time on the dates and during the hours referred to in paragraph (a) visit any place in order to enable any special voter at that place to record his vote, provided prior notice of such presiding officer's intention to visit that place for such purpose and of the address at which and the date on which and the time when he will be present thereat, has been given to every referendum agent in the polling area in which that place is situated.
- (4) A place where special voters may record their votes under this regulation shall, for purposes of these regulations, except regulations 8 (3), 11, 12 (1) and 18 be deemed to be a polling station.
- (5) The chief referendum officer shall as soon as possible publish a notice in the *Gazette* indicating the places, except the places referred to in subregulation (3), where voters referred to in paragraph (a) of subregulation (1) may record their votes.

Prosedure waarop 'n kieser as spesiale kieser kan stem

13. (1) (a) 'n Kieser bedoel in regulasie 12 moet, wanneer hy sy stem wil uitbring, die voorsittende beampte deur middel van 'n beëdigde of bevestigende verklaring oortuig dat hy—

- (i) nie te eniger tyd gedurende die stemure op stemdag 'n stemburo kan bywoon nie; en
- (ii) volgens voorskrif van regulasie 12 geregtig is om as spesiale kieser sy stem uit te bring,

en moet terselfdertyd sy identiteitsdokumente volgens voorskrif van regulasie 17 voorlê.

(b) 'n Kieser bedoel in regulasie 12 (1) (d) moet, benewens die voorskrifte van paragraaf (a), die voorsittende beampte, by voorlegging van 'n paspoort wat aan hom namens die Regering van die Republiek van Suid-Afrika uitgereik is, oortuig dat hy tydelik buite die Republiek is.

(2) Wanneer 'n kieser aan die voorskrifte van subregulasie (1) voldoen het, moet die voorsittende beampte ooreenkomstig die voorskrifte van die hoofreferendumbeampte die identiteitsdokument van die kieser ondersoek ten einde hom te vergewis dat daardie kieser volgens daardie identiteitsdokument—

- (a) 'n Blanke is: Met dien verstande dat indien daardie feit nie uit die identiteitsdokument blyk nie, die voorsittende beampte hom, deur ondersoek van enige amptelike stuk wat deur die Departement van Binnelandse Sake ten opsigte van daardie kieser uitgereik is en ooreenkomstig die voorskrifte van die hoofreferendumbeampte of deur daardie kieser self of deur daardie Departement tot die voorsittende beampte se beskikking gestel is, van daardie feit moet vergewis; en
- (b) 'n Suid-Afrikaanse burger is; en
- (c) 18 jaar oud of ouer is; en
- (d) die persoon is aan wie daardie identiteitsdokument uitgereik is.

(3) Indien die voorsittende beampte hom soos in subregulasie (2) beoog, vergewis het en die persoon wat wil stem in die vorm deur die hoofreferendumbeampte voorgeskryf skriftelik verklaar het dat hy 'n persoon is in paragrawe (a) tot (d) van subregulasie (2) beoog, dat hy sy werklike verblyf in die Republiek of in die Republiek van Transkei, Bophuthatswana, Ciskei of Venda het of sy vaste woonplek daarin aanhou, dat hy deur geeneen van die onbevoegdhede in artikel 4 (1) of (2) van die Kieswet, 1979 (Wet 45 van 1979), genoem, geraak word nie en dat hy nie voorheen by die referendum gestem het nie, moet die voorsittende beampte—

- (a) die eerste 10 syfers van die identiteitsnommer vervat in die identiteitsdokument van die betrokke spesiale kieser aanteken op die teenblad van 'n stembrief in 'n stembriefboek vir die referendum wat met 'n amptelike stempel deur die hoofreferendumbeampte voorgeskryf op die agterkant van die stembrief gestempel is en deur die voorsittende beampte onderteken is;

Procedure in which a voter may vote as special voter

13. (1) (a) A voter referred to in regulation 12 shall, when he intends to record his vote, by means of a sworn or affirmed affidavit convince the presiding officer that he—

- (i) will not be able to attend a polling station at any time during polling hours on polling day; and
- (ii) is entitled to record his vote as a special voter as provided in regulation 12,

and shall at the same time submit his identity document as provided in regulation 17.

(b) A voter referred to in regulation 12 (1) (d) shall, in addition to the instructions in paragraph (a), convince the presiding officer that he is temporarily outside the Republic by submitting a passport issued to him on behalf of the Government of the Republic of South Africa.

(2) When a voter has complied with the instructions of subregulation (1), the presiding officer shall, in accordance with the instructions of the chief referendum officer, examine the identity document of the voter in order to satisfy himself that according to that identity document, that voter—

- (a) is a White person: Provided that if that fact does not appear from the identity document, the presiding officer shall satisfy himself as to that fact by examination of any official document issued in respect of that voter by the Department of Home Affairs and made available to the presiding officer in accordance with the instructions of the chief referendum officer by either that voter himself or that Department; and
- (b) is a South African citizen; and
- (c) is of or over the age of 18 years; and
- (d) is the person to whom the identity document has been issued.

(3) If the presiding officer has satisfied himself as to that contemplated in subregulation (2) and the person who wishes to vote declares in writing in the form prescribed by the chief referendum officer that he is a person contemplated in paragraphs (a) to (d) of subregulation (2), that he actually resides in the Republic or in the Republic of Transkei, Bophuthatswana, Ciskei or Venda, or retains his home therein, that he is not subject to the disqualifications mentioned in section 4 (1) or (2) of the Electoral Act, 1979 (Act 45 of 1979), and that he has not previously voted at the referendum, the presiding officer shall—

- (a) enter the first 10 digits of the identity number contained in the identity document of the special voter concerned on the counterfoil of a ballot paper in a ballot paper book for the referendum stamped with an official stamp prescribed by the chief referendum officer on the reverse side of the ballot paper and signed by the presiding officer;

- (b) die stembrief op die teenblad waarvan bedoelde identiteitsnommer aldus aangeteken is, uit die stembriefboek skeur en tesame met 'n stembriefkoevert en omslagkoevert waarop aangeteken is die volgnommer wat daaraan toegeken is en die identiteitsnommer van die spesiale kieser aan wie dit oorhandig is, aan die betrokke spesiale kieser oorhandig;
- (c) die identiteitsdokument van die betrokke spesiale kieser, of in die geval van 'n spesiale kieser bedoel in regulasie 12 (1) (d) sy identiteitsdokument en paspoort, merk met die merk en op die wyse deur die hoofreferendumbeampte voorgeskryf om aan te dui dat 'n stembrief aan die houer daarvan oorhandig is, en die identiteitsdokument aan die betrokke kieser teruggee;
- (d) ooreenkomstig die voorskrifte van die hoofreferendumbeampte, 'n identifikasiemerk plaas op die kieser, uitgesonderd 'n kieser bedoel in regulasie 12 (1) (b), (c) en (d), se vingers van sy linkerhand of van sy regterhand.
- (4) Ten einde vas te stel of 'n persoon voorheen by die referendum gestem het, moet die voorsittende beampte nagaan of die merk in subregulasie (3) (c) bedoel, in daardie persoon se identiteitsdokument aangebring is, en moet hy verder ten opsigte van 'n kieser bedoel in regulasie 12 (1) (a), ooreenkomstig die voorskrifte van die hoofreferendumbeampte, daardie persoon se vingers ondersoek om te bepaal of 'n identifikasiemerk bedoel in subregulasie (3) (d) daarop geplaas is.
- (5) Wanneer die spesiale kieser wat wil stem die stembrief ontvang het, moet hy—
- dit na die stemkompartement neem;
 - dit ooreenkomstig die voorskrifte daarin vervat in die geheim merk;
 - die stembrief so opvou dat die amptelike stempel sigbaar is en die wyse waarop hy sy stembrief gemerk het, nie sigbaar is nie;
 - die gemerkte stembrief in die stembriefkoevert plaas en maak hy die stembriefkoevert toe en plaas hy dan die stembriefkoevert in die omslagkoevert wat, in die geval van 'n kieser in regulasie 12 (1) (b), (c) of (d) bedoel, aan die stembeampte vir die stemgebied wat uit die kiesafdeling Pretoria-Sentraal bestaan, geadresseer is;
 - die omslagkoevert aan die voorsittende beampte oorhandig.
- (6) Die voorsittende beampte—
- in die geval van 'n kieser in regulasie 12 (1) (a) bedoel, neem die omslagkoevert in sy bewaring en, indien hy nie die stembeampte is nie, stuur onverwyld die omslagkoevert aan die stembeampte vir die stemgebied waarin die spesiale kieser sy stem uitbring het;
 - tear from the ballot paper book the ballot paper upon the counterfoil of which such identity number has been so entered and hand the ballot paper to the special voter concerned, together with a ballot paper envelope and covering envelope on which the serial number allotted to it and the identity number of the special voter to whom it has been handed have been noted;
 - mark the identity document of the special voter concerned, or in the case of a special voter referred to in regulation 12 (1) (d) his identity document and passport, with the mark and in the manner prescribed by the chief referendum officer to indicate that a ballot paper has been handed to the holder thereof, and return the identity document to the voter concerned;
 - in accordance with the instructions of the chief referendum officer, place an identification mark on the fingers of the left hand or the right hand of the voter, except for a voter referred to in regulation 12 (1) (b), (c) and (d).
- (4) In order to determine whether a person has previously voted at the referendum, the presiding officer shall ascertain whether the mark referred to in subregulation (3) (c) has been entered in the identity document of that person, and he shall further, in respect of a voter referred to in regulation 12 (1) (a), in accordance with the instructions of the chief referendum officer, examine the fingers of that person in order to determine whether the identification mark referred to in subregulation (3) (d) has been placed thereon.
- (5) When the special voter who wishes to vote has received the ballot paper, he shall—
- take it to the voting compartment;
 - mark it in secret in accordance with the directions contained thereon;
 - fold the ballot paper so that the official stamp is visible and the manner in which he has marked his ballot paper is not visible;
 - place the marked ballot paper in the ballot paper envelope, close the ballot paper envelope and thereafter place it in the covering envelope which, in the case of a voter referred to in regulation 12 (1) (b), (c) or (d), has been addressed to the polling officer for the polling area consisting of the electoral division of Pretoria Central;
 - hand the covering envelope to the presiding officer.
- (6) The presiding officer—
- in the case of a voter referred to in regulation 12 (1) (a), shall take the covering envelope in his custody and, if he is not the polling officer, shall forthwith transmit the covering envelope to the polling officer for the polling area in which the special voter recorded his vote;

(b) in die geval van 'n kieser in regulasie 12 (1) (b), (c) of (d) bedoel, stuur onverwyld die omslagkoevert aan die stembeampste vir die stemgebied wat uit die kiesafdeling Pretoria-Sentraal bestaan;

(c) hou met betrekking tot stemme wat ingevolge hierdie regulasie opgeneem is, 'n lys waarin ten opsigte van elke stembrief aangegee word die volgnommer wat aan die stembrief- en omslagkoevert toegeken is en die naam en identiteitsnommer van die spesiale kieser aan wie dit oorhandig is en die rede op grond waarvan hy as 'n spesiale kieser sy stem uitgebring het, en stuur 'n afsonderlike lys aan die stembeampste vir die stemgebied wat uit die kiesafdeling Pretoria-Sentraal bestaan of aan die stembeampste in paragraaf (a) bedoel, na gelang van die geval, sodat dit hom nie later nie as op die stembdag bereik.

(7) Indien die voorsittende beampte—

(a) by die ondersoek van 'n identiteitsdokument ingevolge subregulasie (2), of die identiteitsdokument tesame met 'n amptelike stuk soos bedoel in die voorbehoudsbepaling by paragraaf (a) van daardie subregulasie bevind dat die persoon wie se naam daarin verskyn nie 'n persoon is soos in paragrafe (a) tot (d) van genoemde subregulasie (2) beoog nie of dat die merk bedoel in subregulasie (3) (c) in daardie identiteitsdokument aangebring is; of

(b) bevind dat die persoon wat wil stem, of deur daardie persoon meegedeel is dat hy nie geregtig is om by die referendum te stem nie of reeds by die referendum gestem het,

is die persoon wat wil stem en daardie identiteitsdokument voorgelê het, nie op 'n stembrief geregtig nie en word 'n stembrief nie aan hom uitgereik nie.

Toepassing van sekere regulasies met betrekking tot kiesers wat as spesiale kiesers hul stemme uitbring

14. Die bepalings van regulasies 18 (9), 19, 20 en 21 is *mutatis mutandis* van toepassing met betrekking tot kiesers wat ingevolge regulasie 12 as spesiale kiesers hul stemme wil uitbring of aldus uitgebring het, na gelang van die geval.

DEEL V

STEMMING BY STEMBURO'S

Bevoegdheid van voorsittende beamptes by stemburo's

15. (1) Die voorsittende beampte en ander beamptes by 'n stemburo hou daar orde, reël die aantal kiesers wat tegelyk binnegeleat word, en hou alle ander persone buite, behalwe die hoofreferendum-beampste, die referendum-beampste vir die stemgebied, die stembeampste, die stemopnemers, 'n referendum-agent of stemagent wat ingevolge regulasie 6 (6) geregtig is om in die stemburo teenwoordig te wees, diensdoende polisiebeamptes, en enige ander persoon wat deur of op gesag van die hoofreferendum-beampste spesiaal gemagtig is om teenwoordig te wees.

(b) in the case of a voter referred to in regulation 12 (1) (b), (c) or (d), shall forthwith transmit the covering envelope to the polling officer for the polling area consisting of the electoral division of Pretoria Central;

(c) shall keep, in relation to votes recorded in terms of this regulation, a list indicating in respect of each ballot paper the serial number allotted to the ballot paper envelope and covering envelope and the name and identity number of the special voter to whom it has been handed, and the reason by virtue of which he recorded his vote as a special voter, and shall transmit a separate list to the polling officer for the polling area consisting of the electoral division Pretoria Central or to the polling officer referred to in paragraph (a), as the case may be, so that it reaches him not later than polling day.

(7) If the presiding officer—

(a) at the examination of an identity document in terms of subregulation (2), or the identity document together with an official document referred to in the proviso to paragraph (a) of that subregulation, finds that the person whose name appears in it is not a person contemplated in paragraphs (a) to (d) of the said subregulation (2) or that the mark referred to in subregulation (3) (c) has been entered in that identity document; or

(b) finds that the person who wishes to vote, or has been informed by such person that he is not entitled to vote at the referendum or that he has already voted at the referendum,

the person who wishes to vote and has submitted that identity document shall not be entitled to a ballot paper and a ballot paper shall not be issued to him.

Application of certain regulations in relation to voters who record their votes as special voters

14. The provisions of regulations 18 (9), 19, 20 and 21 shall *mutatis mutandis* apply in relation to voters who in terms of regulation 12 wish to record their votes or have so recorded their votes, as the case may be, as special voters.

PART V

VOTING AT POLLING STATIONS

Powers of presiding officers at polling stations

15. (1) The presiding officer and other officers at a polling station shall keep order thereat, shall regulate the number of voters to be admitted at a time and shall exclude all other persons except the chief referendum officer, the referendum officer for the polling area, the polling officer, the polling clerks, a referendum agent or polling agent entitled in terms of regulation 6 (6) to attend at the polling station, any police officials on duty, and any other person specially authorized by or on the authority of the chief referendum officer to attend.

(2) Behalwe soos in subregulasie (1) bepaal, kan die voorsittende beampte enige persoon, behalwe 'n persoon wat sy stem uitbring, aansê om die stemburo te verlaat, en 'n persoon wat versuim om die stemburo te verlaat wanneer aldus aangesê, kan op bevel van die voorsittende beampte sonder lasbrief in hegtenis geneem word.

(3) Die voorsittende beampte kan, na oorlegpleging met die diensdoende polisiebeamptes, indien daar is, die stappe doen wat hy nodig ag ter beskerming van homself en ander beamptes of ter beëindiging of voorkoming van geweldpleging in of in die nabyheid van die stemburo.

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

(5) Elke voorsittende beampte moet in of by sy stemburo 'n kennisgewing opplak waarin aangedui word—

- (a) dat 'n persoon sy werklike verblyf moet hê of sy vaste woonplek moet aanhou in die Republiek of in die Republiek van Transkei, Bophuthatswana, Ciskei of Venda ten einde geregtig te wees om by die referendum te stem;
- (b) dat iemand wat by die voorsittende beampte of 'n stemopnemer valslik verklaar dat hy geregtig is om by die referendum te stem, aan 'n misdryf skuldig is en by skuldigbevinding strafbaar is met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande.

Stemburo waar kieser kan stem

16. 'n Kieser moet sy stem by 'n stemburo uitbring maar kan dit by enige stemburo uitbring.

Kieser moet sy identiteitsdokument voorlê

17. 'n Kieser is nie geregtig en word nie toegelaat om te stem nie tensy hy sy identiteitsdokument aan die voorsittende beampte of 'n stemopnemer by 'n stemburo voorlê.

Wyse waarop gestem word

18. (1) Stemming by 'n stemburo vind in wese en sover doenlik plaas volgens voorskrif van hierdie regulasie en regulasie 19.

(2) Die voorsittende beampte of 'n stemopnemer deur hom vir dié doel aangewys, merk op die stemdag in die stemburo elke stembrief in 'n stembriefboek op die agterkant daarvan met die amptelike merk voordat daardie stembriefboek oorhandig word aan 'n stemopnemer vir uitreiking van stembriewe aan kiesers wat by die stemburo kan stem.

(2) Save as provided in subregulation (1), the presiding officer may order any person, other than a person recording his vote, to leave the polling station, and a person who fails to leave the polling station when so required, may be arrested without a warrant on the order of the presiding officer.

(3) The presiding officer, after consultation with the police officials on duty, if any, may take the steps that he deems necessary for the protection of himself and other officers or for stopping or preventing violence in or in the vicinity of the polling station.

(4) The powers conferred by this regulation shall not be exercised so as to prevent any voter who is otherwise entitled to vote, from having an opportunity to record his vote.

(5) Every presiding officer shall post up in or at his polling station a notice indicating—

- (a) that a person is required actually to reside or to retain his home in the Republic or in the Republic of Transkei, Bophuthatswana, Ciskei or Venda in order to be entitled to vote at the referendum;
- (b) that any person who falsely declares to the presiding officer or a polling clerk that he is entitled to vote at the referendum, shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months.

Polling station where voter may vote

16. A voter shall record his vote at a polling station, but may do so at any polling station.

Voter shall submit his identity document

17. A voter shall not be entitled or permitted to vote unless he submits his identity document to the presiding officer or a polling clerk at a polling station.

Manner of voting

18. (1) The voting at any polling station shall be conducted in substance and as far as possible in the manner prescribed in this regulation and regulation 19.

(2) The presiding officer or a polling clerk designated by him for that purpose, shall on polling day in the polling station mark every ballot paper in a ballot paper book on the reverse side thereof with the official mark before such ballot paper book is handed to a polling clerk for the handing of ballot papers to voters who may vote at the polling station.

(3) Wanneer 'n persoon wat wil stem sy identiteitsdokument voorgelê het, moet die voorsittende beampte of 'n stemopnemer ooreenkomstig die voorskrifte van die hoofreferendumbeampte daardie identiteitsdokument ondersoek ten einde hom te vergewis dat die persoon wie se naam daarin verskyn volgens die identiteitsdokument—

(a) 'n Blanke is: Met dien verstande dat indien daardie feit nie uit die identiteitsdokument blyk nie, die voorsittende beampte hom, deur ondersoek van enige amptelike stuk wat deur die Departement van Binnelandse Sake ten opsigte van daardie kieser uitgereik is en ooreenkomstig die voorskrifte van die hoofreferendumbeampte of deur daardie kieser self of deur daardie Departement tot die voorsittende beampte se beskikking gestel is, van daardie feit moet vergewis; en

(b) 'n Suid-Afrikaanse burger is; en

(c) 18 jaar oud of ouer is; en

(d) die persoon is aan wie daardie identiteitsdokument uitgereik is.

(4) Indien die voorsittende beampte of 'n stemopnemer hom soos in subregulasie (3) beoog, vergewis het en die persoon wat wil stem op versoek van die voorsittende beampte of stemopnemer mondeling of, indien die voorsittende beampte of 'n stemopnemer dit nodig ag, in die vorm deur die hoofreferendumbeampte voorgeskryf skriftelik verklaar het dat hy 'n persoon is in paragrawe (a) tot (d) van subregulasie (3) beoog, dat hy sy werklike verblyf in die Republiek of in die Republiek van Transkei, Bophuthatswana, Ciskei of Venda het of sy vaste woonplek daarin aanhou, dat hy deur geeneen van die onbevoegdhede in artikel 4 (1) of (2) van die Kieswet, 1979 (Wet 45 van 1979), genoem, geraak word nie en dat hy geregtig is om by die referendum te stem en nie voorheen by die referendum gestem het nie, moet die voorsittende beampte of 'n stemopnemer—

(a) die eerste 10 syfers van die identiteitsnommer vervat in die identiteitsdokument van die betrokke kieser aanteken op die teenblad van 'n stembrief in 'n stembriefboek vir die referendum wat ingevolge subregulasie (2) met die amptelike merk gemerk is;

(b) die stembrief op die teenblad waarvan bedoelde identiteitsnommer aldus aangeteken is, uit die stembriefboek skeur en aan die betrokke kieser oorhandig;

(c) die identiteitsdokument merk met die merk en op die wyse deur die hoofreferendumbeampte voorgeskryf om aan te dui dat 'n stembrief aan die houer daarvan oorhandig is, en die identiteitsdokument aan die betrokke kieser teruggee;

(d) ooreenkomstig die voorskrifte van die hoofreferendumbeampte, 'n identifikasiemerk op die vingers van die kieser se linkerhand of van sy regterhand plaas.

(3) When a person who wishes to vote has submitted his identity document, the presiding officer or a polling clerk shall examine such identity document in accordance with the instructions of the chief referendum officer in order to ascertain that according to such identity document the person whose name appears in it—

(a) is a White person: Provided that if that fact does not appear from the identity document, the presiding officer shall satisfy himself as to that fact by examination of any official document issued in respect of that voter by the Department of Home Affairs and made available to the presiding officer in accordance with the instructions of the chief referendum officer by either that voter himself or that Department; and

(b) is a South African citizen; and

(c) is of or over the age of 18 years; and

(d) is the person to whom the identity document has been issued.

(4) If the presiding officer or a polling clerk has satisfied himself as to that contemplated in subregulation (3) and the person who wishes to vote has at the request of the presiding officer or polling clerk declared orally or, if the presiding officer or a polling clerk deems it necessary, in writing in a form prescribed by the chief referendum officer that he is a person contemplated in paragraphs (a) to (d) of subregulation (3), that he actually resides in the Republic or in the Republic of Transkei, Bophuthatswana, Ciskei or Venda, or retains his home address therein, that he is not subject to the disqualifications mentioned in section 4 (1) or (2) of the Electoral Act, 1979 (Act 45 of 1979), and that he has not previously voted at the referendum, the presiding officer or a polling clerk shall—

(a) enter the first 10 digits of the identity number contained in the identity document of the voter concerned on the counterfoil of a ballot paper in a ballot paper book for the referendum marked with the official mark in terms of subregulation (2);

(b) tear from the ballot paper book the ballot paper upon the counterfoil of which such identity number has been so entered and hand the ballot paper to the voter concerned;

(c) mark the identity document with the mark and in the manner prescribed by the chief referendum officer, to indicate that a ballot paper has been handed to the holder thereof, and return the identity document to the voter concerned;

(d) in accordance with the instructions of the chief referendum officer, place an identification mark on the fingers of the left hand or the right hand of the voter.

(5) Ten einde vas te stel of 'n persoon voorheen by die referendum gestem het, moet die voorsittende beampte nagaan of die merk in subregulasie (4) (c) bedoel, in daardie persoon se identiteitsdokument aangebring is, en moet hy verder ooreenkomstig die voorskrifte van die hoofreferendumbeampte, daardie persoon se vingers ondersoek om te bepaal of 'n identifikasiemerk bedoel in subregulasie (4) (d) daarop geplaas is.

(6) Wanneer die kieser die stembrief ontvang het, moet hy—

- (a) dit na die stemkompartement neem;
- (b) dit ooreenkomstig die voorskrifte daarin vervat in die geheim merk;
- (c) die stembrief so opvou dat die amptelike merk sigbaar is en die wyse waarop hy sy stembrief gemerk het, nie sigbaar is nie;
- (d) die stembrief so ophou dat die voorsittende beampte of 'n stemopnemer deur hom aangewys die amptelike merk kan herken; en
- (e) die stembrief in die stembus laat val wat voor die voorsittende beampte of bedoelde stemopnemer staan.

(7) Ten einde vas te stel of 'n stuk papier wat 'n kieser in die stembus gaan laat val soos in subregulasie (6) beoog, 'n amptelike uitgereikte stembrief is, moet die voorsittende beampte of 'n stemopnemer deur hom aangewys, die kieser aansê om die agterkant van die stuk papier op so 'n wyse aan hom te toon dat, indien die stuk papier 'n amptelike uitgereikte stembrief is, die nommer en die amptelike merk en die aanduiding van die referendum daarop sigbaar sou wees en die wyse waarop die kieser die stembrief gemerk het, nie sigbaar sou wees nie.

(8) Indien die voorsittende beampte of 'n stemopnemer—

- (a) by die ondersoek van 'n identiteitsdokument ingevolge subregulasie (3), of die identiteitsdokument tesame met 'n amptelike stuk soos bedoel in die voorbehoudsbepaling by paragraaf (a) van daardie subregulasie, bevind dat die persoon wie se naam daarin verskyn nie 'n persoon is nie soos in paragrafe (a) tot (d) van genoemde subregulasie (3) beoog of dat die merk in subregulasie (4) (c) bedoel in daardie identiteitsdokument aangeteken is; of
- (b) bevind dat die persoon wat wil stem, of deur daardie persoon meegedeel is dat hy nie geregtig is om by die referendum te stem nie of reeds by die referendum gestem het,

is die persoon wat wil stem en daardie identiteitsdokument voorgelê het, nie op 'n stembrief geregtig nie en word 'n stembrief nie aan hom uitgereik nie.

(9) Die voorsittende beampte of 'n stemopnemer deur hom aangewys, hou 'n lys van die identiteitsnommers van elke kieser aan wie 'n stembrief uitgereik is en stel 'n afskrif daarvan aan stemagente by die stemburo beskikbaar.

(5) In order to determine whether a person has previously voted at the referendum, the presiding officer shall ascertain whether the mark referred to in subregulation (4) (c) has been entered in the identity document of that person, and he shall further, in accordance with the instructions of the chief referendum officer, examine the fingers of that person in order to determine whether the identification mark referred to in subregulation (4) (d) has been placed thereon.

(6) When the voter has received the ballot paper he shall—

- (a) take it to the voting compartment;
- (b) mark it in secret in accordance with the directions contained thereon;
- (c) fold the ballot paper so that the official mark is visible and the manner in which he has marked his ballot paper is not visible;
- (d) hold the ballot paper so that the presiding officer or a polling clerk designated by him can recognize the official mark; and
- (e) drop the ballot paper in the ballot box placed in front of the presiding officer or such polling clerk.

(7) For the purpose of ascertaining whether any paper which any voter is about to drop into a ballot box as contemplated in subregulation (6) is a ballot paper officially issued, the presiding officer or a polling clerk designated by him shall require the voter to show him the reverse side of the paper in such a manner that if the paper were a ballot paper officially issued, the number and the official mark and the indication of the referendum on it would be visible but the vote recorded by the voter would not be visible.

(8) If the presiding officer or polling clerk—

- (a) at the examination of an identity document in terms of subregulation (3), or the identity document together with an official document referred to in the proviso to paragraph (a) of that subregulation, finds that the person whose name appears in it is not a person as contemplated in paragraphs (a) to (d) of the said subregulation (3) or that the mark referred to in subregulation (4) (c) has been entered in such identity document; or
- (b) finds that the person who wishes to vote or has been informed by such person that he is not entitled to vote at the referendum or that he has already voted at the referendum,

the person who wishes to vote and who has submitted such identity document shall not be entitled to a ballot paper and a ballot paper shall not be issued to him.

(9) The presiding officer or a polling clerk designated by him, shall keep a list of identity numbers of every voter to whom a ballot paper has been issued and shall make a copy of it available to polling agents at the polling station.

***Kieser wat nie kan lees nie
of onbekwaam is***

19. (1) (a) Op persoonlike versoek 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 regulasie 13 (5) of 18 (6) voorgeskryf, uit te bring nie, moet die voorsittende beampte, behoudens die bepalings van subregulasie (2) van hierdie regulasie, die stem van daardie kieser op die stembrief merk op die wyse deur die kieser verlang, en die stembrief in die stembus plaas.

(b) Indien die opdrag van die kieser oor die wyse waarop sy stem deur die voorsittende beampte op die stembrief gemerk moet word, nie duidelik genoeg is om die voorsittende beampte in staat te stel om die stem te merk sonder om nadere opdrag van die kieser te verkry nie, kan die voorsittende beampte die vrae aan die kieser stel wat na sy oordeel nodig is om sodanige nadere opdrag te verkry.

(2) (a) Indien 'n referendum- of stemagent in die stemburo teenwoordig is wanneer so 'n versoek aan die voorsittende beampte gerig word, moet die voorsittende beampte, voordat hy aan die versoek voldoen, die kieser vra of hy toestem dat sy stembrief gemerk word in die teenwoordigheid van bedoelde agent of, indien daar twee of meer sodanige agente is, in die teenwoordigheid van almal of enige van hulle.

(b) Indien die kieser soos voormeld toestem, moet die voorsittende beampte aan bedoelde versoek voldoen in die teenwoordigheid van elke sodanige agent tot wie se teenwoordigheid die kieser toestem en wat teenwoordig wil wees.

(3) Op persoonlike versoek van 'n in subregulasie (1) (a) bedoelde kieser wat nie versoek dat sy stem ingevolge daardie subregulasie deur die voorsittende beampte gemerk word nie en wat deur 'n volwasse persoon vergesel is, kan die voorsittende beampte, indien hy oortuig is dat daardie volwasse persoon die vader, moeder, broer, suster, man, vrou, seun, dogter of vriend van die kieser is, daardie kieser toelaat om met die hulp van die volwasse persoon te stem, en nadat bedoelde verlof verleen is, kan enigiets wat ingevolge regulasie 13 (5) of 18 (6) deur die kieser gedoen moet word, gedoen word met die hulp van daardie volwasse persoon.

Bedorwe stembriewe

20. Indien 'n kieser 'n stembrief onopsetlik bederf, kan hy dit teruggee aan die voorsittende beampte wat, indien hy oortuig is dat dit onopsetlik gebeur het, aan hom 'n ander stembrief gee en die bedorwe stembrief behou, waarna die bedorwe stembrief gekanselleer en die kansellering op die teenblad daarvan aangeteken word.

Sluiting van stemburo

21. Die voorsittende beampte van 'n stemburo moet die betrokke stemburo om 21:00 op die stemburg sluit maar moet elke kieser wat dan binne die kamer is waarin die stembus is, toelaat om sy stem uit te bring voordat die stemming sluit.

***Voter who cannot read
or is incapacitated***

19. (1) (a) At the request in person of any voter who cannot read or who is incapacitated by blindness or other physical cause from voting in the manner prescribed in regulation 13 (5) or 18 (6), the presiding officer shall, subject to the provisions of subregulation (2) of this regulation, mark the vote of that voter on the ballot paper in the manner directed by the voter, and place the ballot paper in the ballot box.

(b) If the instructions of the voter as to the manner in which the presiding officer is to mark his vote on the ballot paper are not sufficiently clear to enable the presiding officer to mark the vote without obtaining further instructions from the voter, the presiding officer may put such questions to the voter as in his opinion are necessary to elicit such further instructions.

(2) (a) If a referendum agent or polling agent is in attendance at the polling station when such a request is made to the presiding officer, the presiding officer, before complying with the request, shall ask the voter whether he consents to the marking of his ballot paper taking place in the presence of such agent or, if there are two or more such agents, in the presence of all or any of them.

(b) If the voter consents as aforesaid, the presiding officer shall comply with such request in the presence of every such agent to whose presence the voter consents and who wishes to be present.

(3) At the request in person of a voter referred to in subregulation (1) (a) who does not request to have his vote marked by the presiding officer in terms of that subregulation and who is accompanied by an adult person, the presiding officer may, if he is satisfied that such adult person is the father, mother, brother, sister, husband, wife, son, daughter or friend of the voter, permit such voter to vote with the assistance of such adult person, and after such leave has been granted, anything required to be done by the voter in terms of regulation 13 (5) or 18 (6), may be done with the assistance of such adult person.

Spoilt ballot papers

20. If a voter inadvertently spoils a ballot paper, he may return it to the presiding officer who, if satisfied of the inadvertence shall give him another ballot paper and retain the spoiled ballot paper, whereupon the spoiled ballot paper shall be cancelled and the cancellation noted on its counterfoil.

Closing of polling station

21. The presiding officer of a polling station shall close the polling station concerned at 21:00 on polling day but shall permit every voter who is then inside the room where the ballot box is, to record his vote before the poll is closed.

Verseëling van stembus en ander referendum-materiaal, en aflewering daarvan

22. (1) Onmiddellik na die sluit van die stemming by 'n stemburo moet die voorsittende beampte in die teenwoordigheid van die referendumentagent en stem-agente wat aanwesig is, afsonderlike pakkette, verseël met sy eie seël en met die seëls van diegene van genoemde agente wat hulle seëls wil aanheg, maak van—

- (a) elke stembus aan hom toevertrou, ongeopen;
- (b) die teenblaai van alle gebruikte stembriewe;
- (c) die bedorwe stembriewe; en
- (d) die ongebruikte stembriewe,

en moet hy elke pakket merk en die pakkette aan die stembeampste vir die betrokke stemgebied aflewer of laat lewer ooreenkomstig die voorskrifte van die hoof-referendumentbeampste.

(2) Die pakkette moet vergesel gaan van 'n verslag in 'n vorm deur die hoofreferendumentbeampste voorgeskryf, waarin die voorsittende beampte rekenskap gee van die aantal stembriewe wat aan hom toevertrou is, onder die hoofde van stembriewe in die stembus, bedorwe stembriewe en ongebruikte stembriewe.

DEEL VI

BEPALING EN AANKONDIGING VAN UITSLAG VAN REFERENDUM

Oopmaak van omslag- en stembriefkoeverte en toets van stembriefverslae

23. (1) Die stembeampste moet—

- (a) daagliks op 'n tyd en by 'n plek wat hy na oorleg-pleging met elke referendumentagent bepaal het alle omslagkoeverte in sy bewaring of deur hom ontvang in die teenwoordigheid van die persone in subregulasie (2) bedoel wat aanwesig is, oopmaak en—
 - (i) die stembriefkoeverte daaruit verwyder;
 - (ii) 'n volgnommer daarop plaas;
 - (iii) op 'n afsonderlike lys skryf die volgnommer deur die voorsittende beampte daaraan ingevolge regulasie 13 (3) (b) toegeken, die identiteitsnommer wat op die stembriefkoevert aangeteken is, die volgnommer in subparagraaf (ii) bedoel en, indien hy nie die voorsittende beampte is nie, die voorsittende beampte van wie hy die omslagkoevert ontvang het;
 - (iv) die stembriefkoeverte *mutatis mutandis* ooreenkomstig die bepalings van regulasie 11 in 'n stembus plaas en die opening van die stembus toemaak en verseël of, indien die opening reeds geseël is, die seël breek en genoemde opening oopmaak, die stembriefkoevert in die stembus plaas en die opening weer toemaak en verseël;

Sealing of ballot box and other referendum material, and delivery thereof

22. (1) Immediately after the close of the poll at a polling station the presiding officer shall, in the presence of the referendum agent and polling agents as may be in attendance, make up into separate packets, sealed with his own seal and with the seals of such of the said agents as may wish to affix their seals—

- (a) each ballot box entrusted to him, unopened;
- (b) the counterfoils of all used ballot papers;
- (c) the spoiled ballot papers; and
- (d) the unused ballot papers,

and shall mark each packet and deliver the packets to the polling officer for the polling area concerned or cause them to be delivered in accordance with the instructions of the chief referendum officer.

(2) The packets shall be accompanied by an account in a form prescribed by the chief referendum officer, in which the presiding officer accounts for the number of ballot papers entrusted to him, under the headings of ballot papers in the ballot box, spoiled ballot papers and unused ballot papers.

PART VI

DETERMINATION AND ANNOUNCEMENT OF RESULT OF REFERENDUM

Opening of covering envelopes and ballot paper envelopes and verification of ballot paper accounts

23. (1) The polling officer shall—

- (a) daily at a time and place determined by him after consultation with every referendum agent open all covering envelopes in his custody or received by him in the presence of the persons referred to in subregulation (2) as may be in attendance and—
 - (i) remove from them the ballot paper envelopes;
 - (ii) place a serial number on it;
 - (iii) write on a separate list the serial number allotted to it by the presiding officer in terms of regulation 13 (3) (b), the identity number noted on the ballot paper envelope, the serial number referred to in subparagraph (ii) and, if he is not the presiding officer, the presiding officer from whom he has received the covering envelope;
 - (iv) place the ballot paper envelopes *mutatis mutandis* in accordance with the provisions of regulation 11 in a ballot box and close and seal the aperture of the ballot box or, if the aperture has already been sealed, break the seal and open the said aperture, place the ballot paper envelope in the ballot box, and close and again seal the aperture;

(b) op stemdag op 'n tyd en by 'n plek wat hy na oorlegpleging met elke referendumagent bepaal het, in die teenwoordigheid van die persone in subregulasie (2) bedoel wat aanwesig is, die stembrieffkoeverte uit die stembus in paragraaf (a) (iv) bedoel, verwyder en—

- (i) die stembrieffkoeverte met die lys in paragraaf (a) (iii) bedoel, vergelyk;
- (ii) die stembrieffkoeverte wat stembriewe bevat wat gemerk is deur kiesers ten opsigte van wie die stembeampte op grond van 'n beëdigde of bevestigende verklaring van 'n referendumagent oortuig is dat hulle voor stemdag dood is, uithaal, verseël en in sy bewaring hou;
- (iii) elke stembrieffkoevert in subparagraaf (i) bedoel, oopmaak en die stembrief daarin uithaal;
- (iv) hom vergewis dat die stembriewe op die agterkant die amptelike stempel en handtekening in regulasie 13 (3) (a) bedoel, dra;
- (v) die stembriewe wat nie bedoelde amptelike stempel en handtekening dra nie, in 'n koevert plaas, die koevert merk en verseël;
- (vi) die stembriewe, met inbegrip van die stembriewe in subparagraaf (v) bedoel, *mutatis mutandis* ooreenkomstig die bepalinge van regulasie 11 in die stembus plaas en die stembus aldus toemaak en verseël;

(c) by die ontvangs van die in regulasie 22 bedoelde pakkette—

- (i) dit in sy bewaring neem en op 'n tyd en by 'n plek wat hy na oorlegpleging met elke referendumagent bepaal het, ondersoek of die seëls in orde is en die persone in subregulasie (2) bedoel wat aanwesig is, 'n geleentheid gee om dieselfde te doen;
- (ii) elke stembus wat aldus ontvang is, oopmaak, die stembriewe daaruit haal, hom vergewis dat die stembriewe op die agterkant die amptelike merk in regulasie 18 (2) bedoel, dra, die stembriewe tel en die stembriewe in die stembus terugplaas;
- (iii) die stembriewe wat nie bedoelde amptelike merk dra nie in 'n koevert plaas, die koevert merk en verseël;
- (iv) die stembriefverslag toets deur dit te vergelyk met die getal stembriewe wat ingevolge subparagraaf (ii) getel is en die bedorwe en ongebruikte stembriewe, en 'n aantekening maak van foute wat onder sy aandag kom;
- (v) die bedorwe en ongebruikte stembriewe in hul onderskeie pakkette terugplaas en die pakkette verseël;

(b) on polling day at a time and place determined by him after consultation with every referendum agent, remove the ballot paper envelopes in the presence of the persons referred to in subregulation (2) as may be in attendance, from the ballot box referred to in paragraph (a) (iv), and—

- (i) compare the ballot paper envelopes with the list referred to in paragraph (a) (iii);
- (ii) take out, seal and keep in his custody the ballot paper envelopes containing the ballot papers marked by voters in respect of whom the polling officer is by virtue of a declaration on oath or affirmation by a referendum agent, satisfied that they have died before polling day;
- (iii) open every ballot paper envelope referred to in subparagraph (i) and take out the ballot paper contained in it;
- (iv) ascertain that the ballot papers bear on the reverse side the official stamp and signature referred to in regulation 13 (3) (a);
- (v) place the ballot papers which do not bear such official stamp and signature in an envelope and mark and seal the envelope;
- (vi) place the ballot papers, including the ballot papers referred to in subparagraph (v), *mutatis mutandis* in accordance with the provisions of regulation 11 in the ballot box and so close and seal the ballot box;

(c) on receiving the packets referred to in regulation 22—

- (i) take charge of them and at a time and place determined by him after consultation with every referendum agent, examine whether the seals are in order and give the persons referred to in subregulation (2) as may be in attendance, an opportunity to do the same;
- (ii) open every ballot box so received, take out the ballot papers from it, ascertain that the ballot papers bear the official mark referred to in regulation 18 (2) on the reverse side, count the ballot papers and replace it in the ballot box;
- (iii) place the ballot papers not bearing such official mark in an envelope and mark and seal the envelope;
- (iv) verify the ballot papers account by comparing it with the number of ballot papers counted in terms of subparagraph (ii) and of the spoiled and unused ballot papers, and keep a record of any errors coming to his attention;
- (v) replace the spoiled and unused ballot papers in their respective packets and seal the packets;

- (vi) die stembriewe, met inbegrip van die stembriewe in subparagraaf (iii) bedoel, *mutatis mutandis* ooreenkomstig die bepalings van regulasie 11 in een of meer stembusse plaas en die stembus of stembusse aldus toemaak en verseël;
- (vii) 'n verslag opstel in die vorm deur die hoofreferendumbeampte voorgeskryf waarin rekenskap gegee word van al die stembriewe, met inbegrip van bedorwe en ongebruikte stembriewe, deur hom ontvang en van enige foute wat onder sy aandag kom; en
- (viii) die stembusse in paragraaf (b) (vi) en (c) (vi) bedoel, die lys in paragraaf (a) (iii) bedoel, die stembriefverslae in paragraaf (c) (iv) en (vii) bedoel en die bedorwe stembriewe aan die referendumbeampte aflewer of laat aflewer.

(2) 'n Referendumagent kan uit die geledere van persone in regulasie 6 (4) (a), (b) of (c) bedoel of andersins vir die doeleindes van—

- (a) subregulasie (1) (a) en (b), hoogstens drie persone aanstel wat by die oopmaak van die omslagkoeverte en die stembriefkoeverte teenwoordig kan wees; en
- (b) subregulasie (1) (c), hoogstens vyf persone aanstel wat by die toets van die stembriefverslae teenwoordig kan wees.

(3) Die stembeampte tref die voorsorgmaatreëls wat hy nodig ag om te verhoed dat enigiemand wat by die oopmaak van die stembusse aanwesig is, enigiets doen waardeur hy of iemand anders 'n stembrief as dié van 'n bepaalde kieser identifiseer of sal kan identifiseer.

(4) Die referendumagente of persone in subregulasie (2) bedoel wat teenwoordig is wanneer die stembusse oopgemaak word, moet toegelaat word om 'n afskrif van die verslag in subregulasie (1) (c) (vii) bedoel, te maak voordat dit afgelewer word.

Hooftelagent en telagente

24. (1) 'n Referendumbeampte kan ten opsigte van die gebied waarvoor hy aangestel is vir die doeleindes van die bepaling van die uitslag van die stemming in daardie gebied, 'n persoon wat as referendumagent aangestel is of een persoon uit die geledere van die persone in regulasie 6 (4) (a), (b) of (c) bedoel of andersins aanstel om by daardie bepaling vir kiesers wat ten gunste is van die voortsetting van die hervormingsproses wat die Staatspresident op 2 Februarie 1990 begin het en wat gerig is op 'n nuwe Grondwet deur onderhandeling, as hooftelagent te dien, en 'n ander so 'n persoon aangestel om aldaar vir kiesers wat teen bedoelde voortsetting is, as hooftelagent te dien.

(2) 'n Referendumbeampte kan ten opsigte van bedoelde gebied uit die geledere van die persone in subregulasie (1) bedoel of andersins hoogstens vier persone vir elke agt stemgebiede of 'n gedeelte van daardie getal in bedoelde gebied as telagente aanstel.

(vi) place the ballot papers, including the ballot papers referred to in subparagraph (iii) *mutatis mutandis* in accordance with the provisions of regulation 11 in one or more ballot boxes and so close and seal the ballot box or boxes;

(vii) draw up a report in a form prescribed by the chief referendum officer in which he accounts for all the ballot papers, including spoiled and unused ballot papers, received by him and of any errors coming to his attention; and

(viii) deliver or cause to be delivered to the referendum officer the ballot boxes referred to in paragraph (b) (vi) and (c) (vi), the list referred to in paragraph (a) (iii), the ballot paper accounts referred to in paragraph (c) (iv) and (vii) and the spoiled ballot papers.

(2) A referendum agent may from among the persons referred to in regulation 6 (4) (a), (b) or (c) or otherwise for the purposes of—

- (a) subregulation (1) (a) and (b), appoint not more than three persons who may attend the opening of the covering envelopes and the ballot paper envelopes; and
- (b) subregulation (1) (c), appoint not more than five persons who may attend at the verification of the ballot paper accounts.

(3) The polling officer shall take all precautions that he deems necessary in order to prevent any person present at the opening of the ballot boxes, from doing anything whereby he or any other person identifies or will be able to identify any ballot paper as being that of a particular voter.

(4) The referendum agents or persons referred to in subregulation (2) who attend when the ballot boxes are opened, shall be permitted to make a copy of the report referred to in subregulation (1) (c) (vii) before it is delivered.

Chief counting agent and counting agents

24. (1) A referendum officer may, in respect of the area for which he has been appointed, for the purposes of the determination of the result of the poll in that area, appoint a person who has been appointed as a referendum agent or one person from among the persons referred to in regulation 6 (4) (a), (b) or (c) or otherwise to serve at such determination as chief counting agent for voters who are in favour of the continuation of the reform process which the State President began on 2 February 1990 and which is aimed at a new Constitution through negotiation, and another such person to serve thereat as chief counting agent for voters who are against such continuation.

(2) A referendum agent may in respect of such area appoint from among the persons referred to in subregulation (1) or otherwise, not more than four persons as counting agents for every eight polling areas or part of such number.

(3) Die hooftelagent en die telagente in subregulasie (1) en (2) bedoel, is geregtig om by die bepaling van die uitslag van die stemming in die gebied ten opsigte waarvan hulle aangestel is, teenwoordig te wees.

Kennisgewing van plek en tyd vir bepaling van uitslag van stemming

25. Elke referendumbeampte stel elke hooftelagent in kennis van die plek waar die uitslag van die stemming in die gebied waarvoor die referendumbeampte aangestel is, bepaal sal word en van die dag en tyd waarop die bepaling sal begin.

Tel van stemme

26. (1) Nadat die bepalings van regulasie 23 nagekom is, neem die referendumbeampte die onderskeie stembusse, verslae, lyste en bedorwe stembriewe, in sy bewaring, ondersoek hy of die seëls in orde is en gee hy die hooftelagent en telagente wat aanwesig is 'n geleentheid om dieselfde te doen.

(2) Daarna moet die referendumbeampte—

- (a) elke stembus wat ten opsigte van elke vier of meer stemgebiede ontvang is, oopmaak;
- (b) die stembriewe uit die stembusse verwyder en op so 'n wyse deurmekaarmaak dat dit onmoontlik is om te bepaal uit watter stembus 'n bepaalde stembrief geneem is;
- (c) die stembriewe met hul voorkant na bo sorteer op die grondslag van die sienswyse ten opsigte waarvan stemme by die referendum uitgebring is;
- (d) die stemme tel wat ten opsigte van elke sienswyse by die referendum uitgebring is.

(3) Die bepalings van regulasie 23 (3) is *mutatis mutandis* met betrekking tot die referendumbeampte by die tel van die stemme ingevolge hierdie regulasie van toepassing.

Stembriewe wat verwerp moet word

27. (1) Die referendumbeampte moet 'n stembrief verwerp en nie tel nie—

- (a) wat ten opsigte van meer as een sienswyse uitgebring is; of
- (b) wat nie die amptelike merk of die amptelike stempel en handtekening dra nie en ten opsigte waarvan hy gegronde rede het om te glo dat dit nie amptelik ingevolge regulasie 13 (3) (b) of 18 (4) (b) aan 'n kieser oorhandig is nie; of
- (c) wat ongemerk of weens onsekerheid kragteloos is; of
- (d) waarop 'n kieser sy naam geskryf het op so 'n wyse dat sy naam uitgeken kan word.

(2) Die referendumbeampte verwerp nie, maar tel 'n stembrief met 'n ander merk of skrif daarop as die naam van die kieser in subregulasie (1) (d) bedoel, waardeur 'n kieser sy keuse duidelik aangedui het op 'n ander wyse as deur 'n kruis.

(3) The chief counting agent and counting agents referred to in subregulations (1) and (2), shall be entitled to attend the determination of the result of the poll in the area in respect of which they have been appointed.

Notice of place and time for determination of result of poll

25. Every referendum officer shall inform every chief counting agent of the place where the result of the poll in the area for which he has been appointed, will be determined and of the day and time at which the determination will commence.

Counting of votes

26. (1) After the provisions of regulation 23 have been complied with, the referendum officer shall take charge of the various ballot boxes, accounts, lists and spoiled ballot papers, examine whether the seals are in order and give the chief counting agent and counting agents as may be in attendance, an opportunity to do the same.

(2) Thereafter the referendum officer shall—

- (a) open every ballot box received in respect of every four or more polling areas;
- (b) remove the ballot papers from the ballot boxes and mix them together in such a manner that it is impossible to determine from which ballot box a particular ballot paper has been taken;
- (c) sort the ballot papers with the front facing upwards on the basis of the views in respect of which votes were recorded at the referendum;
- (d) count the votes recorded in respect of each view at the referendum.

(3) The provisions of regulation 23 (3) shall apply *mutatis mutandis* in relation to the referendum officer at the counting of the votes in terms of this regulation.

Ballot papers to be rejected

27. (1) The referendum officer shall reject and not count any ballot paper—

- (a) recorded in respect of more than one view; or
- (b) which does not bear the official mark or official stamp and signature and in respect of which he has reasonable grounds to believe that it was not officially handed to a voter in terms of regulation 13 (3) (b) or 18 (4) (b); or
- (c) which is unmarked or void for uncertainty; or
- (d) on which a voter has written his name in such a manner that his name may be identified.

(2) The referendum officer shall not reject, but count a ballot paper on which there is a mark or writing, other than the name of the voter referred to in subregulation (1) (d), by means of which a voter has clearly indicated his choice otherwise than by a cross.

Endossering van stembriewe wat verwerp is of teen beswaar verwerp of aanvaar is

28. (1) Die referendumbeampte endosseer die woord "verwerp" of "rejected" op 'n stembrief wat hy ingevolge hierdie regulasies verwerp.

(2) Indien die referendumbeampte 'n stembrief verwerp en 'n hooftelagent teen die verwerping beswaar maak, moet die referendumbeampte die woorde "beswaar teen verwerping" of "rejection objected to" op die stembrief endosseer.

(3) Indien die referendumbeampte 'n stembrief aanvaar en 'n hooftelagent teen die aanvaarding beswaar maak, moet die referendumbeampte die woorde "beswaar teen aanvaarding" of "acceptance objected to" op die stembrief endosseer.

Aankondiging van uitslag van stemming deur referendumbeampte

29. (1) So gou doenlik nadat die stemme wat ten opsigte van elke sienswyse uitgebring is, getel is, kondig die referendumbeampte die uitslag daarvan aan deur dit binne en buite die plek waar die stemme getel is, uit te lees.

(2) Sodra die referendumbeampte die uitslag van die stemming ten opsigte van die gebied waarvoor hy aangestel is, aangekondig het, stuur hy onverwyld 'n opgawe op die vorm deur die hoofreferendumbeampte voorgeskryf, aan die hoofreferendumbeampte waarin die aantal stemme ten opsigte van elkeen van die sienswyses uitgebring en die aantal verworpe stemme aangegee word.

Publikasie van uitslag van referendum

30. Sodra die hoofreferendumbeampte die opgawes in regulasie 29 bedoel, ontvang het, laat hy ten opsigte van elke gebied waarvoor 'n referendumbeampte aangestel is, die aantal stemme ten opsigte van elkeen van die sienswyses uitgebring en die aantal verworpe stemme in die *Staatskoerant* publiseer.

Verseëling van stukke

31. (1) Die stembeampte maak geen verseëelde pakket van teenblaaie van gebruikte stembriewe oop nie, maar stuur so 'n pakket so gou doenlik na ontvangs daarvan aan die hoofreferendumbeampte.

(2) Die referendumbeampte maak onmiddellik na die aankondiging van die uitslag van die stemming in die gebied waarvoor hy aangestel is afsonderlike verseëelde pakkette van die getelde en verworpe stembriewe en behou sodanige stukke vir een jaar vanaf die stembdag en laat dit daarna, tensy 'n hof anders gelas, vernietig.

(3) Die hoofreferendumbeampte behou alle teenblaaie, vir 'n tydperk van een jaar vanaf die stembdag en laat dit daarna, tensy 'n hof anders gelas, vernietig.

(4) Die referendumbeampte behou alle getelde stembriewe, bedorwe stembriewe en stembriefverslae en -lyste vir 'n tydperk van een jaar vanaf die stembdag en laat dit daarna, tensy 'n hof anders gelas, vernietig.

(5) Die stembeampte is verantwoordelik vir die veilige bewaring van alle ander stukke wat in verband met die referendum gebruik is en behou sodanige stukke vir een jaar vanaf die stembdag en daarna laat hy dit, tensy 'n hof anders gelas, vernietig.

Endorsement of ballot papers rejected, or rejected or accepted against objection

28. (1) The referendum officer shall endorse the word "rejected" or "verwerp" on a ballot paper rejected by him in terms of these regulations.

(2) If the referendum officer rejects a ballot paper and a chief counting agent objects to the rejection, the referendum officer shall endorse the words "rejection objected to" or "beswaar teen verwerping" on the ballot paper.

(3) If the referendum officer accepts any ballot paper and a chief counting officer objects against the acceptance, the referendum officer shall endorse the words "acceptance objected to" or "beswaar teen aanvaarding".

Announcement of result of poll by referendum officer

29. (1) As soon as possible after the votes recorded in respect of each view have been counted, the referendum officer shall announce the result thereof by reading it out in and outside the place where the votes were counted.

(2) As soon as the referendum officer has announced the result of the poll in respect of the area for which he has been appointed, he shall forthwith send a return to the chief referendum officer in a form prescribed by the chief referendum officer, indicating the number of votes recorded in respect of each of the views and the number of votes rejected.

Publication of result of referendum

30. As soon as the chief referendum officer has received the returns referred to in regulation 29, he shall in respect of every area for which a referendum officer has been appointed, publish in the *Gazette* the number of votes recorded in respect of each of the views and the number of votes rejected.

Sealing of papers

31. (1) The polling officer shall not open any sealed packet of counterfoils of used ballot papers, but shall transmit such a packet as soon as possible after receipt thereof to the chief referendum officer.

(2) The referendum officer shall immediately after the announcement of the result of the poll in the area for which he has been appointed, make separate sealed packets of the counted and rejected ballot papers and retain such papers for a period of one year from polling day and shall thereafter, unless a court otherwise directs, cause them to be destroyed.

(3) The chief referendum officer shall retain all counterfoils for a period of one year as from polling day, and shall thereafter, unless a court otherwise directs, cause them to be destroyed.

(4) The referendum officer shall retain all counted ballot papers, spoiled ballot papers and ballot paper accounts and ballot paper lists, for a period of one year as from the polling day and shall thereafter, unless a court otherwise directs, cause them to be destroyed.

(5) The polling officer shall be responsible for the safekeeping of all other documents used in connection with the referendum and shall retain such documents for a period of one year as from polling day and shall thereafter, unless a court otherwise directs, cause them to be destroyed.

Insae in stukke

32. (1) Niemand word toegelaat om insae te verkry in enige verwerpe stembriewe in die bewaring van die referendumbeampte nie, behalwe op bevel van 'n hof, wat deur die hof verleen kan word as hy deur beëdigde getuienis oortuig is dat die insae of voorlegging van bedoelde stembriewe nodig is ten einde 'n vervolging weens 'n misdryf in verband met stembriewe in te stel of voort te sit, en so 'n bevel tot insae of voorlegging van stembriewe kan onderworpe gestel word aan die voorwaardes betreffende persone, tyd, plek en wyse van insae of voorlegging wat die hof na goeddunke mag oplê.

(2) Behoudens die bepalings van subregulasie (7) mag niemand behalwe op bevel van 'n hof, die verseëlde pakket van teenblaaie in die bewaring van die hoofreferendumbeampte oopmaak nadat dit eenmaal verseël is nie, of toegelaat word om insae te verkry in getelde stembriewe in die bewaring van die referendumbeampte nie, en so 'n bevel kan onderworpe gestel word aan die voorwaardes betreffende persone, tyd, plek en wyse van oopmaak of insae wat die hof na goeddunke mag oplê: Met dien verstande dat by die verleen en tenuitvoerlegging van so 'n bevel, sorg gedra word dat die wyse waarop 'n bepaalde kieser gestem het nie ontdek word nie, totdat bewys is dat hy gestem het en sy stem deur 'n bevoegde hof ongeldig verklaar is.

(3) Indien 'n bevel verleen is tot voorlegging deur die hoofreferendumbeampte of referendumbeampte van stukke in sy besit wat op die referendum betrekking het, is die voorlegging deur die hoofreferendumbeampte of referendumbeampte, na gelang van die geval, van die betrokke stuk op die wyse wat by die bevel of by 'n reël van die hof voorgeskryf word, afdoende bewys dat die stuk op die referendum betrekking het, en 'n endossement wat verskyn op 'n pak stembriewe deur die hoofreferendumbeampte of referendumbeampte voorgelê, is bewys dat die stembriewe is wat hul volgens die endossement heet te wees.

(4) Die voorlegging uit behoorlike bewaring van 'n stembrief wat by die referendum heet gebruik te gewees het, en van 'n teenblad met dieselfde gedrukte nommer gemerk en met 'n nommer daarop in skrif gemerk, is *prima facie*-bewys dat die persoon wat met daardie stembrief gestem het, die persoon was wat dieselfde nommer as die geskrewe nommer op die teenblad, op sy identiteitsdokument as identiteitsnommer het.

(5) 'n Bevoegdheid by hierdie regulasie aan 'n hof verleen, kan deur enige regter van die hof *in camera* uitgeoefen word.

(6) In hierdie regulasie en regulasie 31 beteken "hof" die afdeling van die Hooggeregshof van Suid-Afrika wat regsbevoegdheid het om die aangeleentheid aan te hoor.

Inspection of papers

32. (1) No person shall be permitted to inspect any rejected ballot papers in the custody of the referendum officer, except by the order of a court, which may be granted by the court if he is satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, and any such order for inspection or production of ballot papers may be made subject to such conditions as to persons, time, place and mode of inspection or production which the court may think expedient.

(2) Subject to the provisions of subregulation (7), no person may, except by order of the court, open the sealed packet of counterfoils in the custody of the chief referendum officer after it has once been sealed up, or be allowed to inspect any counted ballot papers in the custody of the chief referendum officer, and any such order may be made subject to such conditions as to persons, time, place and mode of opening or inspection as the court may think expedient: Provided that in the making and execution of any such order, care shall be taken that the mode in which any particular voter has voted shall not be discovered until he has been proved to have voted and his vote has been declared by a competent court to be invalid.

(3) If an order is made for the production by the chief referendum officer or referendum officer of any document in his possession relating to the referendum, the production by him of the document concerned, in such manner as may be directed by such order or by rule of court, shall be conclusive evidence that such document relates to the referendum, and any endorsement appearing on any packet of ballot papers produced by the chief referendum officer or referendum officer shall be evidence of such papers being what they are stated to be by the endorsement.

(4) The production from proper custody of a ballot paper purporting to have been used at the referendum, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be *prima facie* evidence that the person who voted by such ballot paper was the person who has as identity number on his identity document the same number written on such counterfoil.

(5) A power conferred on a court by this regulation may be exercised by any judge of the court *in camera*.

(6) In this regulation and regulation 31 "court" means the division of the Supreme Court of South Africa which has jurisdiction to hear the matter.

(7) Die hoofreferendumbeampte kan, ondanks die bepalings van subregulasie (2), binne 'n tydperk van 30 dae na die stembdag enige verseëde pakket van teenblaai van gebruikte stembriewe in die aanwesigheid van referendumagente wat aanwesig is, oopmaak en die identiteitsnommers wat daarop aangeteken is, ondersoek ten einde te bepaal of meer as een stembrief aan enige kieser uitgereik is en moet daarna weer die betrokke pakket verseël.

DEEL VII

MISDRYWE EN STRAWWE

Belemmering van verrigtinge en beamptes met betrekking tot kiesers wat as spesiale kiesers hul stemme uitbring

33. Iemand wat teenwoordig is wanneer 'n spesiale kieser voor 'n voorsittende beampte verskyn ten einde as 'n spesiale kieser te stem en wat—

- (a) enige bevel van die voorsittende beampte verontagsaam;
- (b) 'n mededeling aan so 'n kieser in verband met sy stem doen;
- (c) enige hulp aan so 'n kieser verleen of hom met so 'n kieser in verband met sy stem bemoei;
- (d) enigiets doen waardeur hy met daardie kieser se stem bekend kan raak;
- (e) opsetlik die voorsittende beampte verhinder om sy bevoegdhede of pligte ingevolge hierdie regulasies uit te oefen of te verrig,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande.

Pligsversuim

34. 'n Referendumbeampte, stembeampte, voorsittende beampte, stemopnemer of telbeampte wat opsetlik versuim om enige van die pligte te verrig wat hy ingevolge die bepalings van hierdie regulasies of die voorskrifte deur die hoofreferendumbeampte daarkragtens uitgereik, moet verrig, is, sonder om afbreuk te doen aan enige ander bepaling van hierdie regulasies, aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande.

Valse verklaring

35. Iemand wat ingevolge regulasie 13 (1) 'n valse verklaring aflê of ingevolge regulasie 13 (3) of 18 (4) valslik verklaar dat hy geregtig is om by die referendum te stem wetende dat dit vals is, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande.

(7) The chief referendum officer may, notwithstanding the provisions of subregulation (2), within a period of 30 days after polling day open any sealed packed of counterfoils of used ballot papers in the presence of referendum agents in attendance and examine the identity numbers entered on it in order to determine whether more than one ballot paper has been issued to any voter and shall thereafter again seal the packet.

PART VII

OFFENCES AND PENALTIES

Obstruction of proceedings and officers in relation to voters who record their votes as special voters

33. Any person present when a special voter appears before a presiding officer for the purpose of voting as a special voter who—

- (a) disregards any direction of the presiding officer;
- (b) makes a communication to such a voter in connection with his vote;
- (c) assists such a voter or interferes with any such voter in connection with his vote;
- (d) does anything whereby he may become acquainted with such voter's vote;
- (e) wilfully prevents the presiding officer from exercising or performing his powers or duties in terms of these regulations,

shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months.

Neglect of duty

34. A referendum officer, polling officer, presiding officer, polling clerk or counting officer who wilfully fails to perform any of the duties which he is required to perform in terms of the provisions of these regulations or the instructions issued under them by the chief referendum officer shall, without prejudice to any other provision of these regulations, be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months.

False statement

35. Any person who in terms of regulation 13 (1) makes a false statement or who falsely declares in terms of regulation 13 (3) or 18 (4) that he is entitled to vote at the referendum knowing it to be false, shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months.

DEEL VIII**ALGEMEEN****Voorskrifte en vorms**

36. Die hoofreferendumbeampste kan voorskrifte uitreik wat nie met die bepalings van hierdie regulasies onbestaanbaar is nie, vir die meer doeltreffende uitvoering van daardie bepalings, en kan die vorm voorskryf van 'n stuk wat vir dié doel gebruik moet word en wat nie by daardie bepalings voorgeskryf word nie.

Kort titel

37. Hierdie regulasies heet die **Referendumregulasies, 1992.**

PART VIII**GENERAL****Instructions and forms**

36. The chief referendum officer may issue instructions, which are not inconsistent with the provisions of these regulations, for the better carrying out of such provisions, and may prescribe the form of any document to be used for that purpose which is not prescribed by such provisions.

Short title

37. These regulations shall be called the **Referendum Regulations, 1992.**

BELANGRIKE AANKONDIGING**Sluitingstye**

- (1) AANSOEKE OM DRANKLISENSIES
- (2) AANSOEKE OM VERPLASINGS VAN LISENSIES

Hiermee word bekendgemaak dat kennisgewings vir aanname die Vrydag, twee kalenderweke voor datum van publikasie, ingedien moet word.

Die sluitingstyd is stiptelik **15:00** op die volgende dae:

- ▷ **19 Desember 1991**, vir die uitgawe van Vrydag **3 Januarie 1992.**
- ▷ **24 Januarie 1992**, vir die uitgawe van Vrydag **7 Februarie 1992.**
- ▷ **21 Februarie 1992**, vir die uitgawe van Vrydag **6 Maart 1992.**
- ▷ **20 Maart 1992**, vir die uitgawe van Vrydag **3 April 1992.**
- ▷ **23 April 1992**, vir die uitgawe van Vrydag **8 Mei 1992.**
- ▷ **21 Mei 1992**, vir die uitgawe van Vrydag **5 Junie 1992.**

L.W.: Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word.

Gegewens word presies weergegee soos verstrek op Vorm 2 en Vorm 28 van voornemende aansoeker.

IMPORTANT ANNOUNCEMENT**Closing Times**

- (1) APPLICATIONS FOR LIQUOR LICENCES
- (2) APPLICATIONS FOR REMOVAL OF LICENCES

Notice is hereby given that notices are to be submitted for acceptance on the Friday, two calendar weeks before date of publication.

The closing time is **15:00** sharp on the following days:

- ▷ **19 December 1991**, for the issue of Friday **3 January 1992.**
- ▷ **24 January 1992**, for the issue of Friday **7 February 1992.**
- ▷ **21 February 1992**, for the issue of Friday **6 March 1992.**
- ▷ **20 March 1992**, for the issue of Friday **3 April 1992.**
- ▷ **23 April 1992**, for the issue of Friday **8 May 1992.**
- ▷ **21 May 1992**, for the issue of Friday **5 June 1992.**

Note: Late notices will be placed in the subsequent issue.

Information will be reflected exactly as furnished on Form 2 and Form 28 of prospective applicant.

INHOUD			CONTENTS		
No.		Bladsy No.	No.		Page No.
	GOEWERMENSKENNISGEWING			GOVERNMENT NOTICE	
	Binnelandse Sake, Departement van			Home Affairs, Department of	
	<i>Goewermenskennisgewing</i>			<i>Government Notice</i>	
R. 742	Wet op Referendums (108/1983): Regulasies	1	R. 742	Referendums Act (108/1983): Regulations	1
		13805			13805