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Alle Proklamasies, Goewermements- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linker-bohoek met 'n * gemerk.

GOVERNMENT NOTICE.

The following Government Notice is published for general information:—

DEPARTMENT OF NATIVE AFFAIRS.

* No. 2445.] [1 December 1954.
AMENDMENT OF THE REGULATIONS UNDER
THE REPRESENTATION OF NATIVES ACT,
1936 (ACT No. 12 OF 1936).

It is hereby notified for general information that His Excellency the Governor-General has been pleased, in terms of the provisions of section *forty-three* of the Representation of Natives Act, 1936 (Act No. 12 of 1936), to approve of the further amendment, in accordance with the accompanying Schedule, of the regulations contained in Government Notice No. 981 of 1936, as amended by Government Notices Nos. 1962 of 1937, 2070 of 1938, 1782 of 1939, 1705 of 1940, 906 of 1941, 1324 of 1942, 1985 of 1942, 704 of 1944, 1399 of 1950 and 2025 of 1952.

SCHEDULE.

AMENDMENT OF THE REGULATIONS UNDER
THE REPRESENTATION OF NATIVES ACT,
1936 (ACT No. 12 OF 1936).

1. Substitute the following regulations for regulations 61 and 62:—

"61. (1) Before the commencement of the special meeting of the Native members of any voting unit, convened in terms of paragraph (b) of sub-regulation (2) of regulation 59, the Native Commissioner shall read the proclamation to the members who have attended for the purpose of being present at the meeting and shall explain to them its exigency and purpose and the provisions of the Act and of these regulations in relation to the election and any matter relevant to the manner of voting and if the chairman of any body, constituting a voting unit, is not a Native or has not attended for the purpose of being present at the meeting, or if for any reason there is no chairman of such body, shall appoint a trustworthy Native, who is not a member of the body, to preside at the meeting. After having complied with the provisions of this sub-regulation, the Native Commissioner shall retire, and the meeting shall then commence, and shall be presided over by the chairman of the body, or, if the chairman is not a Native, or is not present at the meeting, or if for any reason there is no chairman of the body, by the person appointed by the Native Commissioner in terms of this sub-regulation, to preside. The Native Commissioner shall ensure that no person other than a Native is present at the meeting.

GOEWERMEMENTSKENNISGEWING.

Onderstaande Goewermementskennisgewing word vir algemene inligting gepubliseer:—

DEPARTEMENT VAN NATURELLESAKE.

* No. 2445.] [1 Desember 1954.
WYSIGING VAN DIE REGULASIES KRAGTENS
DIE NATURELLE-VERTEENWOORDIGINGS-
WET, 1936 (WET No. 12 VAN 1936).

Hierby word vir algemene inligting bekendgemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om, kragtens die bepalings van artikel *drie-en-veertig* van die Naturelleverteenvoordingwet, 1936 (Wet No. 12 van 1936), die verdere wysiging, ooreenkomstig bygaande Bylae, van die regulasies vervat in Goewermementskennisgewing No. 981 van 1936, soos gewysig by Goewermementskennisgewings Nos. 1962 van 1937, 2070 van 1938, 1782 van 1939, 1705 van 1940, 906 van 1941, 1324 van 1942, 1985 van 1942, 704 van 1944, 1399 van 1950 en 2025 van 1952, goed te keur.

BYLAE.

WYSIGING VAN DIE REGULASIES INGEVOLGE
DIE NATURELLE-VERTEENWOORDIGINGS-
WET, 1936 (WET No. 12 VAN 1936).

1. Vervang regulasies 61 en 62 deur die volgende regulasies:—

„61. (1) Voor die aanvang van die spesiale vergadering van die Naturellelede van enige stemeenhed, byeengeroep kragtens paragraaf (b) van subregulasie (2) van regulasie 59, moet die Naturellekommissaris die proklamasie voorlees aan die lede wat teenwoordig is met die doel om die vergadering by te woon, en moet aan hulle die noodsaaklikheid en doel daarvan en die bepalings van die Wet verduidelik asook van hierdie regulasies met hulle betrekking tot die verkiesing en enige saak wat betrekking het op die manier van stemming, en as die voorsitter van enige liggaam waaruit 'n stemeenhed bestaan, nie 'n Naturel is nie, of nie teenwoordig is met die doel om teenwoordig te wees op die vergadering nie, of as daar om enige rede nie 'n voorsitter van sodanige liggaam is nie, moet hy 'n betroubare Naturel, wat nie lid is van die liggaam nie, aanstel om voor te sit op die vergadering. Nadat die Naturellekommissaris die bepalings van hierdie subregulasie nagekom het, moet hy hom onttrek, en die vergadering neem dan 'n aanvang onder voorsitterskap van die voorsitter van die liggaam, of, as die voorsitter nie 'n Naturel is nie, of nie teenwoordig is op die vergadering nie, of as daar om enige rede geen voorsitter van die liggaam is nie, onder voorsitterskap van die persoon wat deur die Naturellekommissaris kragtens hierdie subregulasie aangestel is om voor te sit. Die Naturellekommissaris moet seker maak dat geen ander persoon as 'n Naturel teenwoordig is op die vergadering nie.

(2) For the purposes of this regulation and of regulation 62, the chairman, where he is a Native or the person appointed to preside by the Native Commissioner in terms of the preceding sub-regulation, shall be called the 'presiding officer'.

(3) During the course of the meeting and the poll, as prescribed in regulation 62, it shall be the duty of the presiding officer to keep general control and order over the meeting and he shall not allow during the discussion, if any, that any member be threatened, victimised or intimidated or in any manner be influenced in the exercising of his right to vote freely for the candidate of his choice.

(4) Every meeting referred to in sub-regulation (1) of this regulation shall be conducted in accordance with the rules governing the ordinary meetings of the body, except in so far as they are inconsistent with the provisions of the Act or of these regulations; provided that if the meeting is presided over by a person appointed under sub-regulation (1) that person shall not have a vote: Provided further that subject to the provisions of sub-regulation (5) of regulation 62 it shall not be necessary to keep minutes of the proceedings of such meeting.

(5) The Native Commissioner and the presiding officer and any witness or other official whom the Native Commissioner may in his discretion call in to assist him, shall maintain the strictest impartiality in the discharge of the duties prescribed in these regulations and by nothing in his speech or manner give cause for imputing or suspecting the contrary.

62. (1) At every meeting of a voting unit held in terms of regulation 61 the members present shall poll in the following manner to decide upon the candidate for whom the votes exercised by the voting unit shall be cast:—

(a) Voting shall be by ballot paper which shall be substantially as prescribed in the Schedule to these regulations (Form R.N. 17), reflecting the names of the nominated candidates, and which shall be used only for the purposes of regulations 61 and 62.

(b) The members present at the meeting shall one by one obtain a ballot paper from the presiding officer and shall take such ballot paper to a separate table or compartment to be provided and there indicate the candidate for whom he desires the voting unit should vote by secretly placing a mark below the name of that candidate. Having so marked the ballot paper he shall fold it and place it in an envelope which shall be provided by the presiding officer, and after having closed the envelope shall place it in a receptacle to be provided by the presiding officer, when the next member shall receive his ballot paper and do likewise until all ordinary members have recorded their votes. Finally the presiding officer if he is a chairman not excluded from voting under sub-regulation (4) of regulation 61, shall take his ballot paper and vote in like manner.

(c) Whenever a member of a voting unit represents to the presiding officer that he is blind or unable to read or is through some other physical disability unable to record his vote, the presiding officer shall, at the request of such member take him to an adjoining room and there, in the presence of a witness who shall be a Native official appointed for this purpose by the Native Commissioner as witness and who shall not be a member of the voting unit, and who shall be alone in the

(2) Vir die toepassing van hierdie regulasie en van regulasie 62 word die voorsitter, waar hy 'n Naturel is, of die persoon wat aangestel is deur die Naturellekommissaris kragtens die voorafgaande sub-regulasie, die „voorsittende beampte” genoem word.

(3) Gedurende die loop van die vergadering en die stemming soos voorgeskryf by regulasie 62 is dit die voorsittende beampte se plig om algemene kontrole en orde oor die vergadering te hou en hy moet nie gedurende die besprekings, as daar is, toelaat dat enige lid bedreig, geviktimiseer of geïntimideer word of op enige manier beïnvloed word by die uitoefening van sy reg om vrylik te stem vir die kandidaat van sy keuse nie.

(4) Elke vergadering vermeld in subregulasie (1) van hierdie regulasie moet gehou word ooreenkomstig die reëls wat die gewone vergadering van die liggaam beheer, behalwe vir sover dit strydig is met die bepalings van die Wet of van hierdie regulasies; met dien verstande dat indien die vergadering gehou word onder voorsitterskap van die persoon wat aangestel is kragtens subregulasie (1), sodanige persoon nie 'n stem sal hê nie; voorts met dien verstande dat, behoudens die bepalings van subregulasie (5) van regulasie 62 dit nie nodig is om notule van die verrigtings van die vergadering te hou nie.

(5) Die Naturellekommissaris en die voorsittende beampte en enige getuie of ander amptenaar wat die Naturellekommissaris na goëddunke mag inroep om hom te help, moet die strengste onpartydigheid handhaaf in die uitvoering van die pligte in hierdie regulasies voorgeskryf en moet nie deur sy spraak of houding aanleiding gee tot die vermoede of toeskrywing van die teenoorgestelde nie.

62. (1) Op elke vergadering van 'n stemeenheid gehou kragtens regulasie 61 moet die lede wat teenwoordig is op die volgende wyse stem om die kandidaat aan te wys ten gunste van wie die stemme wat die betrokke stemeenheid kan uitbring, uitgeoefen moet word:—

(a) Stemming moet geskied by wyse van stembrieffies wesenlik in die vorm wat in die Bylae van hierdie regulasies (vorm R.N. 17) voorgeskryf is, waarop die name van die genomineerde persone verskyn en wat alleenlik vir die toepassing van regulasies 61 en 62 gebruik moet word.

(b) Die lede teenwoordig op die vergadering moet een vir een 'n stembriefie by die voorsittende beampte verkry en daarna die stembriefie na 'n afsonderlike tafel of afskorting, wat verskaf moet word, neem en daar die kandidaat aandui vir wie hy wens dat die stemeenheid moet stem, deur in die geheim 'n merk te maak onder die naam van daardie kandidaat. Nadat hy die stembriefie aldus gemerk het, moet hy dit opvou en in 'n kovert plaas wat aan hom verskaf moet word deur die voorsittende beampte, en nadat hy die kovert toegelak het moet hy dit plaas in 'n houer wat vir die doel deur die voorsittende beampte verskaf moet word, daarna moet die volgende lid sy stembriefie ontvang en dieselfde doen totdat alle gewone lede hulle stemme uitgebring het. Ten slotte moet die voorsittende beampte, as hy 'n voorsitter is wat nie uitgesluit word van stemming kragtens subregulasie (4) van regulasie 61 nie sy stembriefie neem en op dieselfde manier stem.

(c) Wanneer 'n lid van die stemeenheid die voorsittende beampte meedeel dat hy blind is of nie kan lees nie of deur enige ander liggaamlike gebrek verhinder word om sy stem uit te bring, moet die voorsittende beampte, op versoek van sodanige lid hom na 'n aangrensende kamer neem en daar, in die teenwoordigheid van 'n getuie wat 'n Naturelleamptenaar moet wees wat vir dié doel om as getuie op te tree aangestel is deur die Naturellekommissaris en wat nie 'n lid van die stemeenheid moet wees nie, en wat alleen in die kamer moet wees, tesame

room, together with the presiding officer and the member, record the vote on the instructions of such member on the ballot paper given to such member and thereafter return to the meeting and place it in the receptacle in the manner prescribed in paragraph (b).

(d) Each member shall vote without delay and shall thereupon return to his seat.

(e) Except in the case of a member referred to in paragraph (c) the presiding officer shall exercise strict care not to give any member any assistance or explanation beyond—

(i) directing him to the place where he shall mark his ballot paper;

(ii) instructing him as to the manner in which he shall fold the ballot paper and place it in its envelope and the receptacle after he has marked it.

(2) Upon completion of the poll the presiding officer shall cause the Native Commissioner to be informed accordingly, and the meeting convened in terms of paragraph (b) of sub-regulation (2) of regulation 59 shall thereupon be regarded as having terminated but subject to the provisions of sub-regulation (5) of this regulation. The Native Commissioner, accompanied by two witnesses, one of whom shall be a Native, shall thereupon join the presiding officer and members and after having satisfied himself in the presence of the said witnesses that the number of envelopes in the receptacle corresponds with the number of members entitled to vote, shall take possession of the said envelopes and open them in such fashion that only the witnesses and himself and not any member or other person can note the contents of the ballot papers and count the number of votes cast for each candidate.

(3) The candidate who has received the majority of votes shall be the person in whose favour that voting unit has decided to exercise its vote.

(4) The Native Commissioner and the two witnesses shall on no account divulge the number of votes cast for each candidate. The Native Commissioner shall merely announce the name of the candidate who has received the majority of votes [or in the event of a tie of votes as described in sub-regulation (5), the name of the candidate in whose favour the lot has fallen] and that the voting unit has therefore decided to exercise its vote in favour of that candidate.

(5) If two or more candidates receive an equal number of votes, and no candidate receives a greater number of votes, the meeting shall re-commence under the chairmanship of the presiding officer and the presiding officer shall decide by lot which candidate shall be excluded. The presiding officer, whose decision in the matter shall be final shall keep a record of the proceedings and advise the Native Commissioner of the result of the lot.

(6) The Native Commissioner shall thereupon take custody of the marked ballot papers of the members and all unused ballot papers and cause the members to complete form R.N. 15 which is the ballot paper for the voting unit, in his presence and in the presence of the two witnesses mentioned in sub-regulation (2), and shall place the completed form R.N. 15 together with the aforementioned marked ballot papers, in the appropriate envelope and in the presence of the said persons, close and seal the envelope."

2. Regulation 63 is hereby repealed.

met die voorsittende beampte en die lid, die stem van die lid uitbring op die stembriefie wat aan die lid gegee is, volgens die instruksie van die lid en daarna terugkeer na die vergadering en dit in die houer plaas volgens die voorskrifte van paragraaf (b).

(d) Elke lid moet sonder versuim stem en daarna na sy sitplek terugkeer.

(e) Met die uitsondering van 'n lid vermeld in paragraaf (c) moet die voorsitter versigtig wees om geen hulp of verduideliking te gee aan enige lid nie behalwe—

(i) om hom die plek aan te wys waar hy sy stembriefie moet merk;

(ii) hom instruksies te gee aangaande die wyse waarop hy die stembriefie moet vou en in die koevert en die houer moet plaas nadat hy dit gemerk het.

(2) Na afloop van die stemming moet die voorsittende beampte die Naturellekommissaris dienooreenkomstig laat verwittig, en die vergadering wat byeengeroep is kragtens paragraaf (b) van sub-regulasie (2) van regulasie 59 word dan, behoudens die bepalings van subregulasie (5) van hierdie regulasie, beskou as afgeloop. Die Naturellekommissaris, vergesel van twee getuies, waarvan een 'n Naturel moet wees, moet daarop by die voorsittende beampte en lede aansluit, en nadat hy homself in die teenwoordigheid van die twee getuies tevrede gestel het dat die getal koeverte in die houer ooreenstem met die getal lede wat mag stem, moet hy besit neem van die koeverte en hulle oopmaak op so 'n wyse dat alleen hy en die getuies en geen lid of ander persoon die inhoud van die stembriefies kan sien nie en die getal stemme tel wat op elke kandidaat uitgebring is.

(3) Die kandidaat wat die meeste stemme ontvang het, is die persoon ten gunste van wie die stemeenheid besluit het om sy stem uit te bring.

(4) Die Naturellekommissaris en die twee getuies moet onder geen omstandighede die getal stemme wat op elke kandidaat uitgebring is, bekend maak nie. Die Naturellekommissaris moet slegs die naam van die kandidaat wat die meeste stemme ontvang het, bekendmaak [of in die geval van 'n staking van stemme soos beskryf in subregulasie (5), die naam van die kandidaat in wie se guns die loot was], en dat die stemeenheid derhalwe beslis het dat sy stem ten gunste van daardie kandidaat uitgebring moet word.

(5) As twee of meer kandidate eweveel stemme ontvang, en geen kandidaat meer stemme ontvang nie, moet die vergadering hervat word onder voorsitterskap van die voorsittende beampte, en die voorsittende beampte moet deur loting bepaal watter kandidaat uitgesluit moet word. Die voorsittende beampte, wie se beslissing in die saak finaal is, moet 'n verslag van die verrichtings hou en die Naturellekommissaris in kennis stel van die uitslag van die loting.

(6) Die Naturellekommissaris moet dan die gemerkte stembriefies van die lede en alle ongebruikte stembriefies in bewaring neem en die lede vorm R.N. 15, wat die stembriefie vir die stemeenheid is, laat invul in sy teenwoordigheid en in die teenwoordigheid van die twee getuies genoem in subregulasie (2), en moet die ingevulde vorm R.N. 15, tesame met voornoemde gemerkte stembriefies, in die voorgeskrewe koevert plaas en in die teenwoordigheid van genoemde persone toemaak en seël."

2. Regulasie 63 word hierby herroep.

BALLOT PAPER

FORM R.N. 17.

FOR USE BY MEMBERS OF VOTING UNITS IN TERMS OF REGULATIONS
61 AND 62.

Representation of Natives Act, 1936.

(Act No. 12 of 1936.)

Electoral area

Name and description of voting unit

Name.	Name.	Name.

STEMBRIEFIE

VORM R.N. 17.

VIR LEDE VAN STEMEENHEDE Kragtens Regulasies 61 en 62.

Naturelle-verteenwoordigingswet, 1936.

(Wet No. 12 van 1936.)

Kiesgebied

Naam en omskrywing van stemeenheid

Naam.	Naam.	Naam.



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