

EXTRAORDINARY



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GENERAL NOTICE.

DEPARTMENT OF THE INTERIOR.

[22nd December, 1967.]

BILL TO AMEND THE ELECTORAL CONSOLIDATION ACT (ACT NO. 46 OF 1946), AS AMENDED.

The following Bill, the provisions of which are subject to such deletions or alterations as may be decided upon, is published for general information.

Any representations in regard to the Bill may be addressed to the Secretary for the Interior (Chief Electoral Officer), Private Bag 82, Pretoria.

ALGEMENE KENNISGEWING.

DEPARTEMENT VAN BINNELANDSE SAKE.

[22 Desember 1967.]

WETSONTWERP TOT WYSIGING VAN DIE WET TOT KONSOLIDASIE VAN DIE KIESWETTE (WET NO. 46 VAN 1946), SOOS GEWYSIG.

Die volgende Wetsontwerp, waarvan die bepalings onderworpe is aan die skappings of wysigings waartoe besluit mag word, word vir algemene inligting gepubliseer.

Enige vertoë met betrekking tot die Wetsontwerp kan aan die Sekretaris van Binnelandse Sake (Hoofverkiesingsbeampte), Privaatsak 82, Pretoria, gerig word.

GENERAL EXPLANATORY NOTE:

- [** Words in bold type in square brackets indicate omissions proposed by Minister on introduction.
- Words underlined with solid line indicate insertions proposed by Minister on introduction.

BILL

To amend sections 8, 71bis, 71quat and 71sept of the Electoral Consolidation Act, 1946, in order to make provision for a general registration of voters at intervals of not more than six years; for the issue to special voters also of ballot papers containing the usual particulars, and for other hours of duty for presiding officers for votes of special voters.

(To be introduced by the Minister of the Interior).

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 8 of Act 46 of 1946, as substituted by section 2 of Act 55 of 1952 and amended by section 1 of Act 81 of 1961 and section 4 of Act 72 of 1962.

1. Section 8 of the Electoral Consolidation Act, 1946 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) A general registration of voters shall take place throughout the Republic and the territory of South-West Africa **[as soon as may be after the first general election for the House of Assembly succeeding the date of commencement of the Electoral Laws Amendment Act, 1952,]** in 1969, as from a date fixed by proclamation in the *Gazette*, and thereafter such general registration shall take place at intervals of not more than **[five]** six years as from a date in the year concerned, similarly fixed by proclamation in the *Gazette*.”.

Amendment of section 71bis of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965.

2. Section 71bis of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Prior to the date twenty-one days before polling day the chief electoral officer shall furnish **[all presiding officers]** every presiding officer for votes of special voters with—

- (a) forms of application to vote as special voters;
- (b) either ballot papers, without the name, address and occupation of candidates, **[and]** the name of the division in which the poll is held, and the date of the polling day, which on the front thereof do not in any other respect differ from the ballot papers issued to voters in divisions in which two or more candidates have been duly nominated, and on the back thereof further differ from the ballot papers referred to in paragraph (1) of section seventy-six only by reason of the insertion on the left-hand side next to the space for the official mark of the words ‘signature of presiding officer for votes of special voters’, or, in his discretion, in respect of one or more divisions, ballot papers which differ from ballot papers referred to in the said paragraph only by reason of such insertion thereon of the said words;
- (c) envelopes marked ‘Special voter—for registration by postal authorities—post free/Speciale kieser—deur posbeampes aangeteken te word—posvry’;
- (d) smaller envelopes on which the words ‘ballot paper envelope’ and ‘stembriefkoevert’ are printed; and
- (e) a list containing, in alphabetical order, the names of the divisions in which a poll is held on the same day, and, below the name of every division, the address of the returning officer appointed for that division and the names of all the duly nominated candidates

ALGEMENE VERDUIDELIKENDE NOTA:

- I** **]** Woorde in vet druk tussen vierkantige hake dui aan skrappings deur Minister by indiening voorgestel.
- _____ Woorde met 'n volstreep daaronder, dui aan invoegings deur Minister by indiening voorgestel.

WETSONTWERP

Tot wysiging van artikels 8, 71bis, 71quat en 71sept van die Wet tot Konsolidasie van die Kieswette, 1946, om voorsiening te maak vir 'n algemene registrasie van kiesers by tussenpose van hoogstens ses jaar; vir die uitreiking aan spesiale kiesers ook van stembriewe wat die gewone besonderhede bevat, en vir ander diensure vir voorsittende beamptes vir stemme van spesiale kiesers.

(Deur die Minister van Binnelandse Sake ingedien te word).

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 8 van die Wet tot Konsolidasie van die Kieswette, 1946 (hieronder die Hoofwet genoem), word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) **So spoedig doenlik na die eerste algemene verkiesing vir die Volksraad wat volg op die inwerkingtreding van die Wysigingswet op die Kieswette, 1952,** In 1969 vind 'n algemene registrasie van kiesers plaas dwarsdeur die Republiek en die gebied Suidwes-Afrika vanaf 'n datum wat by proklamasie in die *Staatskoerant* vasgestel word, en daarna vind so 'n algemene registrasie plaas by tussenpose van hoogstens **vyf** ses jaar, vanaf 'n datum in die betrokke jaar wat insgelyks by proklamasie in die *Staatskoerant* vasgestel word.”

Wysiging van artikel 8 van Wet 46 van 1946, soos vervang deur artikel 2 van Wet 55 van 1952 en gewysig deur artikel 1 van Wet 81 van 1961 en artikel 4 van Wet 72 van 1962.
2. Artikel 71bis van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Voor die datum een-en-twintig dae voor die stembag voorsien die hoofverkiesingsbeampte **alle voorsittende beamptes** iedere voorsittende beampte vir stemme van spesiale kiesers van—

Wysiging van artikel 71bis van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965.

 - (a) vorms van aansoek om as spesiale kiesers te stem;
 - (b) of stembriewe, sonder die naam, adres en beroep van kandidate, **[en]** die naam van die afdeling waarin 'n stemming gehou word, en die datum van die stembag, wat op die voorkant in geen ander opsig verskil nie van die stembriewe wat uitgereik word aan kiesers in afdelings waar daar twee of meer kandidate behoorlik genomineer is, en op die agterkant daarvan **[verskil]** van die stembriewe bedoel in paragraaf (1) van artikel 76 slegs verder verskil in die opsig dat aan die linkerkant langs die ruimte vir die offisiële merk die woorde „naamtekening van voorsittende beampte vir stemme van spesiale kiesers” ingevoeg word, of, na sy goeddunke, ten opsigte van een of meer afdelings, stembriewe wat verskil van stembriewe bedoel in genoemde paragraaf slegs in die opsig dat genoemde woorde aldus ingevoeg word;
 - (c) koeverte gemerk „Spesiale kieser—deur posbeamptes aangeteken te word—posvry/Special voter—for registration by postal authorities—post free”;
 - (d) kleiner koeverte waarop die woorde „stembriefkovert” en „ballot paper envelope” gedruk is; en
 - (e) 'n lys bevattende in alfabetiese volgorde die name van die afdelings waarin op dieselfde dag 'n stemming plaasvind, en, onder die naam van elke afdeling, die adres van die kiesbeampte vir daardie afdeling aangestel, en die name van al die behoorlik genomineerde

at the election in that division, arranged in alphabetical order, and their addresses and occupations.”.

Amendment of section 71*quat* of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965.

3. Section 71*quat* of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

- “(1) (a) Any presiding officer for votes of special voters shall at all times during—
- (i) his ordinary hours of duty;
 - (ii) such other hours during such period as the chief electoral officer or the electoral officer concerned may determine,
- take the necessary steps to enable voters who are entitled thereto to vote forthwith as special voters.
- (b) When the chief electoral officer or an electoral officer has made a determination in terms of paragraph (a) (ii), he shall notify the presiding officer for votes of special voters concerned and the authorized white representatives of every political party simultaneously thereof.”.

Amendment of section 71*sept* of Act 46 of 1946, as inserted by section 17 of Act 84 of 1965.

4. Section 71*sept* of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

- “(1) After both copies of an application to vote as a special voter have been delivered to him, the presiding officer for votes of special voters shall, after reference to the list referred to in paragraph (e) of subsection (1) of section *seventy-one bis* and in so far as the particulars concerned may be incomplete, forthwith enter—
- (a) on the front of any ballot paper referred to in paragraph (b) of that subsection (on which there are as many spaces for the purpose as there are candidates nominated in the division in which the applicant has reason to believe that he is registered as a voter) the names, arranged in alphabetical order, of all the duly nominated candidates, with their addresses and occupations;
 - (b) on the counterfoil of the same ballot paper, the name of the division concerned and the registered number of the voter, or, if the voter is unable to furnish that number, his surname and initials;
 - (c) on the back of the same ballot paper, the name of the division concerned; and
 - (d) on the front of the envelope referred to in paragraph (c) of the said subsection, the full address of the returning officer concerned,
- and place his stamp of office in the space intended for the official mark, and his signature and the date of polling day (if it is wanting) in the spaces provided therefor.”.

Short title.

5. This Act shall be called the Electoral Laws Amendment Act, 1968.

kandidate by die verkiesing in daardie afdeling, in alfabetiese volgorde gerangskik, met hul adresse en beroepe.”.

3. Artikel 71^{quat} van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

- „(1) (a) ’n Voorsittende beampte vir stemme van spesiale kiesers moet te alle tye gedurende—
- (i) sy gewone diensure;
 - (ii) die ander ure gedurende die tydperk wat die hoofverkiesingsbeampte of die betrokke verkiesingsbeampte bepaal, die nodige stappe doen om kiesers wat daarop geregtig is, in staat te stel om onverwyld as spesiale kiesers hul stemme uit te bring.
- (b) Wanneer die hoofverkiesingsbeampte of ’n verkiesingsbeampte ’n bepaling ingevolge paragraaf (a) (ii) gedoen het, stel hy die betrokke voorsittende beampte vir stemme van spesiale kiesers en die gemagtigde blanke verteenwoordigers van elke politieke party gelyktydig daarvan in kennis.”.

Wysiging van artikel 71^{quat} van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965.

4. Artikel 71^{sept} van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

- „(1) Nadat albei afskrifte van ’n aansoek om as ’n spesiale kieser te stem aan hom oorhandig is, vul die voorsittende beampte vir stemme van spesiale kiesers, na raadpleging van die lys bedoel in paragraaf (e) van subartikel (1) van artikel 71^{bis} en vir sover die betrokke besonderhede onvolledig is, onverwyld—
- (a) op die voorkant van ’n stembrief bedoel in paragraaf (b) van daardie subartikel (waarop daar soveel ruimtes vir die doel is as wat daar kandidate genomineer is in die afdeling waarin die aansoeker rede het om te glo dat hy as kieser geregistreer is) die name, in alfabetiese orde gerangskik, in van al die behoorlik genomineerde kandidate, met hul adresse en beroepe;
 - (b) op die teenblad van dieselfde stembrief die naam in van die betrokke afdeling en die geregistreerde nommer van die kieser, of, as die kieser nie in staat is om daardie nommer te verstrek nie, sy van en voorletters;
 - (c) op die agterkant van dieselfde stembrief die naam in van die betrokke afdeling; en
 - (d) op die voorkant van die koevert bedoel in paragraaf (c) van genoemde subartikel, die volledige adres in van die betrokke kiesbeampte, en plaas hy sy ampstempel in die ruimte bedoel vir die offisiële merk en sy naamtekening en die datum van die stembag (indien dit ontbreek) in die ruimtes daarvoor aangedui.”.

Wysiging van artikel 71^{sept} van Wet 46 van 1946, soos ingevoeg deur artikel 17 van Wet 84 van 1965.

5. Hierdie Wet heet die Wysigingswet op die Kieswette, 1968. Kort titel.

INHOUD.

WETSONTWERP.

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