



# STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1391.

13 Julie 1988

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 86 van 1988: Wet op die Bevordering van Staatkundige Ontwikkeling, 1988.

No. 1391.

13 July 1988

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 86 of 1988: Promotion of Constitutional Development Act, 1988.

Wet No. 86, 1988

WET OP DIE BEVORDERING VAN STAATKUNDIGE  
ONTWIKKELING, 1988

# WET

Om voorsiening te maak vir deelname deur alle Suid-Afrikaanse burgers aan die beplanning en voorbereiding van 'n nuwe grondwetlike bedeling; die verlening aan Swart Suid-Afrikaanse burgers van inspraak in die regeringsprosesse, in die tussentyd; die bevordering van gesonde verhoudings tussen alle Suid-Afrikaanse burgers, en die eerbiediging van die menswaardigheid, regte en vryheid van elkeen; ter bereiking van gemelde doeleindes 'n Raad in te stel; voorsiening te maak vir die samestelling, werksaamhede en funksionering van die Raad; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 6 Julie 1988.)

**D**AAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg:—

## Woordomskrywing

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—
  - (i) “Grondwet” die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet 5 No. 110 van 1983); (ii)
  - (ii) “hierdie Wet” ook die proklamasie uitgevaardig kragtens artikel 13 en die regulasies uitgevaardig kragtens artikel 14; (viii)
  - (iii) “Hoofminister” die Hoofminister van 'n selfregerende gebied verkies ooreenkomstig 'n proklamasie uitgevaardig ingevolge artikel 2 van die 10 Grondwet van die Nasionale State, 1971 (Wet No. 21 van 1971); (i)
  - (iv) “kieskollege” die stemgeregtigdes in 'n streek wat ingevolge die regulasies uitgevaardig kragtens artikel 14 vergader vir die verkiesing van 'n lid en 'n alternatiewe lid van die Raad bedoel in artikel 4 (1) (b); (iv)
  - (v) “Raad” die Raad ingestel by artikel 2; (iii) 15
  - (vi) “selfregerende gebied” 'n gebied wat ingevolge artikel 26 van die Grondwet van die Nasionale State, 1971, tot 'n selfregerende gebied verklaar is; (vii)
  - (vii) “stemgeregtigdes” die persone bedoel in artikel 12; (v)
  - (viii) “streek” een van die streke waarin die Republiek, uitgesonderd die 20 selfregerende gebiede, by proklamasie uitgevaardig kragtens artikel 13 verdeel is. (vi)

## Instelling van Raad

2. (1) Daar word hierby 'n Raad ingestel waarvan die naam deur daardie Raad bepaal word en wat die werksaamhede verrig wat ingevolge hierdie Wet aan hom 25 toegewys word.

(2) Die Raad het 'n termyn van twee jaar bereken vanaf die dag waarop sy eerste vergadering gehou word: Met dien verstande dat die Staatspresident op versoek van die Raad die termyn by kennisgewing in die *Staatskoerant* kan verleng.

## Oogmerke en werksaamhede van Raad

30

3. Ten einde sy oogmerke te bereik om—

- (a) 'n grondwetlike bedeling wat voorsiening maak vir deelname deur alle Suid-Afrikaanse burgers aan die regeringsprosesse te beplan en voor te berei, en die Regering van die Republiek daaroor te adviseer;

# ACT

To provide for participation by all South African citizens in the planning and preparation of a new constitutional dispensation; the affording to Black South African citizens of a voice in the processes of government, in the interim period; the furtherance of sound relations among all South African citizens; and the respect for the human dignity, rights and liberty of everyone; for the achievement of the said purposes to establish a Council; to provide for the constitution, functions and functioning of the Council; and to provide for incidental matters.

*(English text signed by the State President.)  
(Assented to 6 July 1988.)*

**B**E IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

## Definitions

1. In this Act, unless the context indicates otherwise—
- 5 (i) "Chief Minister" means the Chief Minister of a self-governing territory elected in accordance with a proclamation issued in terms of section 2 of the National States Constitution Act, 1971 (Act No. 21 of 1971); (iii)
- (ii) "Constitution" means the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983); (i)
- 10 (iii) "Council" means the Council established by section 2; (v)
- (iv) "electoral college" means the entitled voters in a region who meet in terms of the regulations made under section 14 for the election of a member and an alternate member of the Council referred to in section 4 (1) (b); (iv)
- (v) "entitled voters" means the persons referred to in section 12; (vii)
- 15 (vi) "region" means one of the regions into which the Republic, excluding the self-governing territories, has been divided by proclamation issued under section 13; (viii)
- (vii) "self-governing territory" means a territory which in terms of section 26 of the National States Constitution Act, 1971, has been declared to be a self-governing territory; (vi)
- 20 (viii) "this Act" includes the proclamation issued under section 13 and the regulations made under section 14. (ii)

## Establishment of Council

2. (1) There is hereby established a Council, the name of which shall be 25 determined by that Council, and which shall perform the functions assigned to it in terms of this Act.

(2) The Council shall have a term of two years calculated from the day on which its first meeting is held: Provided that the State President may at the request of the Council extend the term by notice in the *Gazette*.

## 30 Objects and functions of Council

3. In order to achieve its objects to—

- (a) plan and prepare a constitutional dispensation which provides for participation by all South African citizens in the processes of government and to advise the Government of the Republic thereon;

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- (b) aan Swart Suid-Afrikaanse burgers op 'n tussentydse grondslag inspraak te verleen in die regeringsprosesse; en
  - (c) gesonde verhoudings tussen alle Suid-Afrikaanse burgers te bevorder en die menswaardigheid, regte en vryheid van elkeen te eerbiedig,
- kan die Raad ondersoek instel na, en oorweging skenk aan, enige aangeleentheid 5  
wat na sy oordeel van nasionale belang is, met inbegrip van bestaande en voorgestelde wetgewing en stappe wat deur die Regering van die Republiek gedoen is of beoog word, en aanbevelings daarvoor aan die Regering van die Republiek doen.

## Samestelling van Raad

4. (1) Die Raad bestaan uit— 10
- (a) die Hoofminister van elke selfregerende gebied en 'n lid van die wetgewende vergadering van so 'n gebied deur die betrokke Hoofminister aangewys as sy gevolmagtigde alternatiewe lid;
  - (b) nege lede, en 'n gevolmagtigde alternatiewe lid vir elkeen van daardie lede, van wie elke lid en sy alternatiewe lid op die wyse voorgeskryf in die 15 regulasies wat kragtens artikel 14 uitgevaardig is, verkies word deur die kieskolle in die betrokke streek;
  - (c) die Administrateur van elke provinsie aangestel ingevolge artikel 7 (1) (a) van die Wet op Provinsiale Regering, 1986 (Wet No. 69 van 1986), en 'n lid van die uitvoerende komitee van elke provinsie deur die betrokke Admin- 20 istrateur aangewys as sy gevolmagtigde alternatiewe lid;
  - (d) die Voorsitter van elke Ministersraad aangewys ingevolge artikel 21 (2) van die Grondwet en 'n lid van elke Huis van die Parlement deur die betrokke Voorsitter aangewys as sy gevolmagtigde alternatiewe lid;
  - (e) die Minister van Staatskundige Ontwikkeling en Beplanning en 'n lid van die 25 Kabinet bedoel in artikel 20 van die Grondwet deur die Staatspresident as 'n gevolmagtigde alternatiewe lid vir daardie Minister aangewys, en hoogstens vyf ander lede van genoemde Kabinet of van 'n Ministersraad wat van tyd tot tyd deur die Staatspresident in die Raad aangestel word vir 'n bepaalde of vir 'n onbepaalde tydperk of vir 'n bepaalde doel; en 30
  - (f) hoogstens agt ander persone wat na die oordeel van die Staatspresident in staat is om 'n wesenlike bydrae tot die bevordering van die Raad se oogmerke te maak en van tyd tot tyd deur hom na oorleg met die lede en alternatiewe lede in paragrawe (a) tot (e) bedoel in die Raad aangestel word. 35
- (2) 'n Alternatiewe lid bedoel in subartikel (1) is geregtig om enige vergadering van die Raad by te woon en om aan die verrigtinge daarvan deel te neem.

## Onbevoegdheid van lede

5. Iemand is onbevoeg om 'n lid of 'n alternatiewe lid van die Raad te wees indien hy— 40
- (a) nie 'n Suid-Afrikaanse burger is nie;
  - (b) nie binne die grense van die Republiek woonagtig is nie;
  - (c) 'n ongerehabiliteerde insolvent is;
  - (d) in sy geestesvermoë gekrenk is en deur 'n bevoegde hof aldus verklaar is; 45 of
  - (e) te eniger tyd skuldig bevind is aan 'n misdryf waarvoor hy gevonnissen is tot gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van minstens 12 maande, tensy amnestie of algehele grasia aan hom toegestaan is, of tensy hy wettig uit die gevangenis ontslaan of vrygelaat is en 'n tydperk van minstens vyf jaar verstryk het sedert die datum waarop hy tot sodanige 50 gevangenisstraf gevonnissen is.

## Ontruiming van ampte

6. (1) 'n Lid of alternatiewe lid van die Raad ontruim sy amp as hy—
- (a) onderworpe raak aan 'n onbevoegdheid vermeld in artikel 5;
  - (b) as lid of alternatiewe lid van die Raad bedank deur 'n skriftelike medede- 55 ling met dié strekking aan die Staatspresident voor te lê; of
  - (c) kragtens subartikel (2) van sy amp onthef word.

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- (b) afford to Black South African citizens on an interim basis a voice in the processes of government; and
  - (c) further sound relations among all South African citizens and respect for the human dignity, rights and liberty of everyone,
- 5 the Council may investigate and consider any matter which in its opinion is of national interest, including existing and proposed legislation and steps taken or contemplated by the Government of the Republic, and make recommendations to the Government of the Republic thereon.

**Constitution of Council**

- 10 4. (1) The Council shall consist of—
- (a) the Chief Minister of each self-governing territory and a member of the legislative assembly of such territory designated by the Chief Minister concerned as his empowered alternate member;
  - 15 (b) nine members, and an empowered alternate member for each of those members, of whom each member and his alternate member shall be elected in the manner prescribed in the regulations made under section 14 by an electoral college in the region concerned;
  - (c) the Administrator of each province appointed in terms of section 7 (1) (a) of the Provincial Government Act, 1986 (Act No. 69 of 1986), and a member of the executive committee of each province designated by the Administrator concerned as his empowered alternate member;
  - 20 (d) the Chairman of each Ministers' Council designated in terms of section 21 (2) of the Constitution and a member of each House of Parliament designated by the Chairman concerned as his empowered alternate member;
  - 25 (e) the Minister of Constitutional Development and Planning and a member of the Cabinet referred to in section 20 of the Constitution designated by the State President as an empowered alternate member for the said Minister, and not more than five other members of the said Cabinet or of any Ministers' Council as may from time to time be appointed by the State President to the Council for a definite or for an indefinite period or for a particular purpose; and
  - 30 (f) not more than eight other persons who in the opinion of the State President are able to make a substantial contribution to the furthering of the objects of the Council and are from time to time appointed by him to the Council after consultation with the members and alternate members referred to in paragraphs (a) to (e).
  - 35
- (2) An alternate member referred to in subsection (1) shall be entitled to attend any meeting of the Council and to take part in the proceedings thereof.

**40 Disqualifications of members**

5. A person shall not be qualified to be a member or an alternate member of the Council if he—
- (a) is not a South African citizen;
  - (b) does not reside within the limits of the Republic;
  - 45 (c) is an unrehabilitated insolvent;
  - (d) is of unsound mind and has been so declared by a competent court; or
  - (e) has at any time been convicted of any offence for which he has been sentenced to imprisonment without the option of a fine for a period of not less than 12 months, unless he has received a grant of amnesty or a free pardon or unless he has been lawfully discharged or released from prison and a period of not less than five years has expired since the date on which he has been sentenced to such imprisonment.
  - 50

**Vacating of offices**

- 55 6. (1) A member or an alternate member of the Council shall vacate his office if he—
- (a) becomes subject to a disqualification mentioned in section 5;
  - (b) resigns as a member or an alternate member of the Council by submitting to the State President a written communication to that effect; or
  - (c) is removed from office under subsection (2).

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(2) 'n Lid aangestel ingevolge artikel 4 (1) (f) kan te eniger tyd deur die Staatspresident, na oorleg met die lede en alternatiewe lede in paragrawe (a) tot (e) van artikel 4 (1) bedoel, van sy amp onthef word indien daar na die oordeel van die Staatspresident gegronde redes bestaan om dit te doen.

## Vakatures in Raad

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7. (1) 'n Toevallige vakature in die Raad word gevul—

- (a) in die geval van 'n verkose lid of alternatiewe lid bedoel in artikel 4 (1) (b), deur die verkiesing van 'n lid of alternatiewe lid, na gelang van die geval, in die betrokke streek op dieselfde wyse waarop die lid wie se amp vakant is, verkies was; en 10
- (b) in die geval van 'n aangestelde lid of alternatiewe lid bedoel in artikel 4 (1) (e) of (f), deur die aanstelling van 'n persoon ooreenkomstig die betrokke bepaling waarkragtens die lid of alternatiewe lid wie se amp vakant is, aangestel was.

(2) Geen besluit geneem deur die Raad of handeling op die gesag van die Raad 15 verrig, is ongeldig bloot vanweë 'n vakature in die Raad of die afwesigheid van 'n lid of alternatiewe lid van die Raad op die tydstip waarop die besluit geneem is nie, mits die besluit geneem is deur dié getal lede en alternatiewe lede van die Raad wat vereis word ingevolge die reëls gemaak kragtens artikel 10 (2).

## Vergoeding van lede

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8. 'n Lid en 'n alternatiewe lid van die Raad wat nie in die heeltydse diens van die Staat is nie ontvang dié besoldiging, toelaes en ander voordele, met inbegrip van pensioenvoordele, wat die Staatspresident bepaal.

## Voorsitter en medevoorsitters van Raad

9. (1) Die Staatspresident stel 'n lid van die Raad aan as voorsitter van die Raad. 25

(2) Benewens die voorsitter bedoel in subartikel (1), stel die Staatspresident minstens ses lede van die Raad, van wie minstens—

- (a) een 'n lid is van die Volksraad;
- (b) een 'n lid is van die Raad van Verteenwoordigers;
- (c) een 'n lid is van die Raad van Afgevaardigdes; 30
- (d) een 'n lid is van die Raad ingevolge artikel 4 (1) (a) ;
- (e) een 'n lid is van die Raad ingevolge artikel 4 (1) (b); en
- (f) een 'n lid is van die Raad ingevolge artikel 4 (1) (c),

aan as medevoorsitters van die Raad, wat elkeen as voorsitter van die Raad optree ooreenkomstig die reëls uitgevaardig kragtens artikel 10 (2). 35

(3) Indien die voorsitter bedoel in subartikel (1), of die medevoorsitter bedoel in subartikel (2) wat ingevolge genoemde reëls op die betrokke vergadering as voorsitter moet optree, om die een of ander rede nie in staat is om op die vergadering van die Raad voor te sit nie, sit dié lid van die Raad wat deur die Staatspresident aangewys word op daardie vergadering voor. 40

## Vergaderings van Raad

10. (1) Die eerste vergadering van die Raad word gehou op die tyd en plek deur die Staatspresident bepaal, en daarna vergader die Raad op die tye en plekke wat die Raad bepaal: Met dien verstande dat die Staatspresident 'n vergadering van die Raad kan belê wanneer hy dit wenslik ag. 45

(2) Die Raad kan reëls uitvaardig betreffende die hou van, en die prosedure op, vergaderings van die Raad en die verrigting van die Raad se werksaamhede.

(3) Die Staatspresident is geregtig om enige vergadering van die Raad by te woon en om aan die verrigtinge daarvan deel te neem.

## Komitees van Raad

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11. (1) Die Raad kan komitees aanstel wat uit lede en alternatiewe lede van die Raad of uit sodanige lede en alternatiewe lede sowel as ander persone bestaan, om hom van advies te dien oor enige aangeleentheid wat met sy werksaamhede in verband staan.

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(2) A member appointed in terms of section 4 (1) (f) may at any time be removed from office by the State President after consultation with the members and alternate members referred to in paragraphs (a) to (e) of section 4 (1) if in the opinion of the State President there are sufficient reasons for doing so.

**5 Vacancies on Council**

7. (1) A casual vacancy on the Council shall be filled—
- (a) in the case of an elected member or an alternate member referred to in section 4 (1) (b), by the election of a member or an alternate member, as the case may be, in the region concerned in the same manner in which the member or alternate member whose office is vacant, was elected; and
  - (b) in the case of an appointed member or alternate member referred to in section 4 (1) (e) or (f), by the appointment of a person in accordance with the relevant provision under which the member or alternate member whose office is vacant, was appointed.
- 15 (2) No decision taken by the Council or act performed on the authority of the Council shall be invalid merely by reason of a vacancy on the Council or the absence of a member or an alternate member of the Council at the time on which the decision was taken provided the decision was taken by such number of members and alternate members of the Council as may be required in terms of the rules made under section 20 10 (2).

**Remuneration of members**

8. A member or an alternate member of the Council who is not in the full-time employment of the State shall receive such remuneration, allowances and other benefits, including pension benefits, as may be determined by the State President.

**25 Chairman and co-chairmen of Council**

9. (1) The State President shall appoint a member of the Council as chairman of the Council.
- (2) In addition to the chairman referred to in subsection (1), the State President shall appoint at least six members of the Council, of whom at least—
- 30 (a) one shall be a member of the House of Assembly;
  - (b) one shall be a member of the House of Representatives;
  - (c) one shall be a member of the House of Delegates;
  - (d) one shall be a member of the Council in terms of section 4 (1) (a);
  - (e) one shall be a member of the Council in terms of section 4 (1) (b); and
  - 35 (f) one shall be a member of the Council in terms of section 4 (1) (c),
- as co-chairmen of the Council, each of whom shall act as chairman of the Council in accordance with the rules made under section 10 (2).
- (3) If the chairman referred to in subsection (1), or the co-chairman referred to in subsection (2) who in terms of the said rules shall act as chairman at the meeting 40 concerned, for any reason is unable to preside at a meeting of the Council, such member of the Council as may be designated by the State President shall preside at that meeting.

**Meetings of Council**

10. (1) The first meeting of the Council shall be held at the time and place 45 determined by the State President, and thereafter the Council shall meet at such times and places as may be determined by the Council: Provided that the State President may call a meeting of the Council whenever he deems it desirable.
- (2) The Council may make rules relating to the conduct of, and procedure at, meetings of the Council and the performance of the Council's functions.
- 50 (3) The State President shall be entitled to attend any meeting of the Council and to take part in the proceedings thereof.

**Committees of Council**

11. (1) The Council may appoint committees consisting of members and alternate members of the Council or of such members and alternate members as well as other 55 persons, to advise it on any matter connected with its functions.

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(2) 'n Lid van 'n komitee wat nie in die heeltidse diens van die Staat is nie en nie 'n lid of alternatiewe lid van die Raad is nie, ontvang dié toelaes wat die Staatspresident bepaal.

## Stemgeregtigdes

## 12. Elke Swart persoon wat— 5

- (a) 'n lid is van 'n plaaslike owerheid soos omskryf in artikel 1 van die Wet op Swart Plaaslike Owerhede, 1982 (Wet No. 102 van 1982);
- (b) 'n lid is van 'n plaaslike bestuursliggaam beoog in artikel 30 (2) van die Swart Administrasie Wet, 1927 (Wet No. 38 van 1927), saamgelees met Proklamasie No. R.293 van 1962; en 10
- (c) 'n lid is van 'n landelike raad ingestel ingevolge artikel 12A van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985);

is, by nakoming van en behoudens die bepalings van hierdie Wet, geregtig om te stem by die verkiesing van 'n lid en 'n alternatiewe lid van die Raad bedoel in artikel 4 (1) (b) in die streek waarin die gebied van die plaaslike owerheid, plaaslike 15 bestuursliggaam of landelike raad waarvan hy 'n lid is, geleë is.

## Verkiesingsproklamasie

13. (1) Vir die doeleindes van die verkiesing van die lede en alternatiewe lede bedoel in artikel 4 (1) (b), kan die Staatspresident by proklamasie in die *Staatskoerant* die Republiek, uitgesonderd die selfregerende gebiede, in streke verdeel 20 sodat daar in elke streek, op die wyse voorgeskryf in die regulasies uitgevaardig kragtens artikel 14, 'n lid en 'n alternatiewe lid van die Raad verkies kan word deur die kieskollege in die betrokke streek.

(2) Die Staatspresident kan 'n proklamasie uitgevaardig kragtens subartikel (1) by 'n verdere proklamasie in die *Staatskoerant* wysig. 25

## Verkiesingsregulasies

14. (1) Die Staatspresident kan met betrekking tot 'n verkiesing beoog in artikel 13 of artikel 7 (1) (a), na gelang van die geval, regulasies uitvaardig betreffende—

- (a) die byeenroeping van die kieskollege in 'n streek;
- (b) die aanstelling en pligte van kiesbeamptes en voorsittende beamptes; 30
- (c) die kworum van 'n kieskollege;
- (d) die wyse waarop 'n lid en 'n alternatiewe lid van die Raad deur 'n kieskollege verkies moet word, met inbegrip van die nominasie van kandidate, die wyse van stemming, die vorm van stembriewe, die tel van stemme, die prosedure in die geval van 'n staking van stemme, en die 35 uitvaardiging van reëls wat in verband met die verkiesing gevolg moet word;

(e) die ontbinding van 'n kieskollege na afhandeling van die verkiesing, en in die algemeen, enige aangeleentheid wat hy nodig of dienstig ag ten einde die verkiesing behoorlik te reël. 40

(2) 'n Regulasie beoog in subartikel (1) kan ten opsigte van 'n oortreding daarvan of 'n versuim om daaraan te voldoen 'n straf voorskryf wat 'n boete van R10 000 of gevangenisstraf vir 'n tydperk van drie jaar nie te bowe gaan nie.

## Kort titel en inwerkingtreding

15. Hierdie Wet heet die Wet op die Bevordering van Staatkundige Ontwikkeling, 45 1988, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

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(2) A member of a committee who is not in the full-time employment of the State and who is not a member or an alternate member of the Council, shall receive such allowances as may be determined by the State President.

**Entitled voters**

5 12. Every Black person who—

- (a) is a member of a local authority as defined in section 1 of the Black Local Authorities Act, 1982 (Act No. 102 of 1982);
  - (b) is a member of a local government body contemplated in section 30 (2) of the Black Administration Act, 1927 (Act No. 38 of 1927), read with Proclamation No. R.293 of 1962; and
  - 10 (c) is a member of a rural council established in terms of section 12A of the Regional Services Councils Act, 1985 (Act No. 109 of 1985),
- shall, on compliance with and subject to the provisions of this Act, be entitled to vote at the election of a member and an alternate member of the Council referred to in
- 15 section 4 (1) (b) in the region in which the area of the local authority, local government body or rural council of which he is a member, is situated.

**Election proclamation**

13. (1) For the purposes of the election of members and alternate members referred to in section 4 (1) (b), the State President may by proclamation in the

20 *Gazette* divide the Republic, excluding the self-governing territories, into regions so that there may be elected in each region, in the manner prescribed in the regulations made under section 14, a member and an alternate member of the Council by the electoral college in the region concerned.

(2) The State President may amend any proclamation issued under subsection (1)

25 by a further proclamation in the *Gazette*.

**Election regulations**

14. (1) The State President may, in relation to the election contemplated in section 13 or section 7 (1) (a), as the case may be, make regulations relating to—
- (a) the convocation of the electoral college in a region;
  - 30 (b) the appointment and duties of returning officers and presiding officers;
  - (c) the quorum of an electoral college;
  - (d) the manner in which a member and an alternate member of the Council shall be elected by an electoral college, including the nomination of candidates, the manner of voting, the form of ballot papers, the counting of
  - 35 votes, the procedure in the case of an equality of votes, and the making of rules which shall be followed in connection with the election;
  - (e) the dissolution of an electoral college after conclusion of the election, and generally, any matter which he may deem necessary or expedient in order to regulate the election properly.
- 40 (2) A regulation contemplated in subsection (1) may in respect of any contravention thereof or failure to comply therewith prescribe a penalty not exceeding a fine of R10 000 or imprisonment for a period not exceeding three years.

**Short title and commencement**

15. This Act shall be called the Promotion of Constitutional Development Act, 45 1988, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

