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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

ELECTORAL COMMISSION VERKIESINGSKOMMISSIE

No. R. 363

17 March 1999

REGULATIONS CONCERNING THE SUBMISSION OF LISTS OF CANDIDATES

The Electoral Commission has in terms of section 100 of the Electoral Act, 1998 (Act No. 73 of 1998), read with section 27(1) of the Act, made the regulations set out in the Schedule.

SCHEDULE

Definitions

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context otherwise indicates, "the Act" means the Electoral Act, 1998 (Act No. 73 of 1998).

List of candidates

2. (1) Every registered party that intends to contest an election, must submit its list or lists of candidates as required by section 27(1) of the Act-

- (a) in the case of a national list for the National Assembly, in a form similar to Appendix 1;
- (b) in the case of a regional list for the National Assembly, in a form similar to Appendix 2;
- (c) in the case of a list for a provincial legislature, in a form similar to Appendix 3.

(2) The undertaking and declaration to be signed by the duly authorised representative of a party in terms of section 27(2) of the Act, must be in a form similar to Appendix 4.

(3) The acceptance of nomination and the undertaking to be signed by each candidate in terms of section 27(2) of the Act must be in a form similar to Appendix 5.

Deposit

3. (1) The amount to be deposited in terms of section 27(2)(e) of the Act is-

- (a) one hundred thousand rand (R100 000-00) in respect of an election of the National Assembly; and
- (b) twenty thousand rand (R20 000-00) in respect of an election of a provincial legislature.

(2) The deposit must be paid by bank guaranteed cheque in favour of the Electoral Commission.

Notification of non-compliance by chief electoral officer

4. The notification by the chief electoral officer to a party that it has not fully complied with section 27 of the Act when submitting a list of candidates, must be served on that party and must be in a form similar to Appendix 6.

Fees for certified copy of lists and accompanying documents

5. (1) The fee to be paid in terms of section 29(5) of the Act for a certified copy of, or extract from, a list of candidates or accompanying documents is One Rand (R1-00) per page.

(2) The fee to be paid in terms of section 31(2) of the Act for a certified copy of, or extract from, a list of registered parties entitled to contest an election or the final list of candidates for any party contesting an election, is One Rand (R1-00) per page.

Objection to nomination of candidate

6. (1) A person wishing to object in terms of section 30(1) of the Act to the nomination of a candidate, must do so by serving on the Commission at its office in Pretoria a notice of objection containing the following information -

- (a) the objector's full names, postal address and home or office address;
- (b) full particulars of the candidate whose nomination is objected to;
- (c) the reasons for making the objection;
- (d) details of supporting documentation accompanying the notice of objection (if any); and
- (e) proof of service of the objection on the registered party that nominated the candidate.

(2) The Commission must notify the objector and the registered party that nominated the candidate of its decision by serving on them a notice in a form similar to Appendix 7.

Appeal to Electoral Court against decisions of Commission

7. (1) An objector or registered party wishing to appeal against a decision of the Commission in terms of section 30(4) of the Act, must do so in accordance with the rules of the Electoral Court.

(2) The Electoral Court must notify the parties to an appeal and the chief electoral officer of its decision in terms of section 30(5) of the Act by transmitting the contents of the decision to them by telefax or E-mail or by hand.

Short Title

8. These regulations are called the Regulations concerning the Submission of Lists of Candidates, 1999.

APPENDIX 1

Electoral Commission

LIST OF CANDIDATES FOR THE NATIONAL ASSEMBLY (NATIONAL LIST)



Date of election in respect of which this list is submitted

Registered Party

Undertaking and declaration signed by the duly authorised representative of the registered party (Appendix 4) is attached.

Acceptance of nomination and undertaking by each candidate (Appendix 5) is attached.

Full names of candidates in fixed order of preference	Identity number	Address and Telephone number or other means of contact
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

NB: Foolscap paper on which the necessary columns have been drawn may be used if the space provided is inadequate.

APPENDIX 2

Electoral Commission

LIST OF CANDIDATES FOR THE NATIONAL ASSEMBLY (REGIONAL LIST)



Date of election in respect of which this list is submitted

Registered party

Undertaking and declaration signed by the duly authorised representative of the registered party (Appendix 4) is attached.

Acceptance of nomination and undertaking by candidate (Appendix 5) is attached.

Full names of candidates in fixed order of preference	Identity number	Ordinary place of residence and name of province	Address and Telephone number or other means of contact
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

NB: Foolscap paper on which the necessary columns have been drawn may be used if the space provided is inadequate.

APPENDIX 3

Electoral Commission

LIST OF CANDIDATES FOR PROVINCIAL LEGISLATURE (PROVINCIAL LISTS)



Province

Date of election in respect of which this list is submitted

Registered party

Undertaking and declaration signed by the duly authorised representative of the registered party (Appendix 4) is attached.

Acceptance of nomination and undertaking by candidate (Appendix 5) is attached.

Full names of candidates in fixed order of preference	Identity number	Ordinary place of residence and name of province	Address and Telephone number or other means of contact
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

NB: Foolscape paper on which the necessary columns have been drawn may be used if the space is inadequate.

APPENDIX 4

Electoral Commission



UNDERTAKING AND DECLARATION BY AUTHORISED REPRESENTATIVE OF REGISTERED PARTY -

SECTION 27 (2) OF THE ELECTORAL ACT, 1998 (ACT No. 73 OF 1998)



Registered party

I,
the undersigned, on behalf of the abovementioned party, hereby -

- (1) subscribe to and bind the party, persons holding political office in the party, and representatives and members of the party, to the Electoral Code of Conduct; and
- (2) declare that each candidate on the list is qualified to stand for election in terms of the Constitution or national or provincial legislation under Chapter 7 of the Constitution.

Place

.....
Signature of duly authorised representative of the abovementioned registered party

Date

.....
Designation



APPENDIX 5

Electoral Commission

ACCEPTANCE OF NOMINATION AND UNDERTAKING BY CANDIDATE –
SECTION 27(2) OF THE ELECTORAL ACT, 1998 (ACT No. 73 OF 1998)



Registered party

I, , Identity
number.....hereby accept my
nomination as candidate and subscribe to and undertake that I will be bound by the Electoral Code of Conduct.

Place

Date

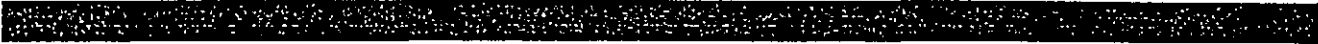
.....
Signature of candidate



APPENDIX 6

Electoral Commission

NOTIFICATION OF NON-COMPLIANCE



TO:(Name of Party)

You are hereby notified that you have submitted a list/lists of candidates for the election of the National Assembly/.....(name of province) provincial legislature to be held on(date of election) but that you have not complied with the provisions of section 27 of the Electoral Act, 1998 (Act No. 73 of 1998) in the following respect::

.....
.....
.....
.....
.....
.....

Please note that you have the opportunity to comply with section 27 of the Act by not later than (date in the election time-table).

Chief Electoral Officer

Date

APPENDIX 7

Electoral Commission

NOTICE OF COMMISSION'S DECISION WITH REGARD TO AN OBJECTION
TO THE NOMINATION OF A CANDIDATE



OBJECTION:

Objection lodged by

against candidate

nominated by the (name of party)

in respect of the election of

to be held on

served on the Commission on (date)

DECISION:

.....

.....

.....

.....

.....

.....

Designation

Date