

No. R. 13

7 January 2004

REGULATIONS FOR THE REGISTRATION OF POLITICAL PARTIES

The Electoral Commission has, under the powers vested in it by section 23(1)(c) of the Electoral Commission Act, 1996 (Act No. 51 of 1996), made the regulations set out in the Schedule

SCHEDULE**Definitions****1. In these Regulations-**

- (a) any word or expression to which a meaning has been assigned in section 1 of the Electoral Commission Act, 1996 (Act No. 51 of 1996), shall have that meaning; and
- (b) unless the context otherwise indicates, "Act" means the Electoral Commission Act, 1996 (Act No. 51 of 1996) as amended.

Applications for registration

2. (1) (a) Every application referred to in section 15(1) and 15 A(1) of the Act must be submitted to the Chief Electoral Officer in a form substantially similar to Annexure 1.

(b) The notice of application referred to in section 16(1)(a) of the Act must be in a form substantially similar to Annexure 2.

(c) Anyone wishing to raise an objection against the intended registration must do so by written notice in which is set out the grounds for the objection and which must be delivered at the office of the Chief Electoral Officer in Pretoria within fourteen days after the notice has been published as required by section 16(1)(a) of the Act.

(d) The Chief Electoral Officer must reject an application –

- (i) for any of the reasons contemplated in section 16(1) of the Act; or

- (ii) if the application does not comply with the provisions of the Act or Regulations.

Deed of Foundation

3. The deed of foundation referred to in section 15 and 15A of the Act must be signed by 50 qualified voters, whose full names and identity numbers must be reflected against the signatures.

Registration fees

4. (1) The amount referred to in section 15(3)(b) of the Act shall be R500 and the amount referred to in section 15A(2)(b) of the Act shall be R200 in respect of each municipality.

- (2) The amounts referred to in subregulation (1) are not refundable.

Registration certificate

5. The registration certificate referred to in section 15(5) of the Act shall be in a form substantially similar to Annexure 3.

Notification of registration in Gazette

6. The particulars which must be published in the Gazette in terms of section 15(5) of the Act shall be the following, namely:

- (a) name and abbreviated name of the party;
- (b) symbol of the party;
- (c) that the party has been registered only in respect of a particular municipality, if that is the case;
- (d) date of registration of the party; and
- (e) a reference number.

Register of parties and registration of documents

7. (1) The Chief Electoral Officer must keep a register of parties in which is recorded all registrations, renewals of registrations, failures to renew registrations, changes of the registered names, abbreviated names, distinguishing marks or symbols of parties and cancellations of registrations.

(2) The register of parties and a copy of every document lodged with the Chief Electoral Officer for the purposes of the registration of a party, or the renewal of the registration of a party, the changes of the registered name, abbreviated name, distinguishing mark or symbol of a party or the cancellation of the registration of a party, shall be kept for inspection by the public at the office of the Chief Electoral Officer and any person may inspect the register and if requested a copy of the register to be made available free of charge during office hours.

(3) The Chief Electoral Officer must furnish a copy of a document referred to in subregulation (2) to any person applying for it after a person has paid a fee of one rand (R1,00) per page.

Effect of registration of a party

8. A party registered under these regulations shall—
- (a) be entitled to be represented on a party liaison committee as contemplated in the Regulations on Party Liaison Committees;
 - (b) have free access to any voter's roll compiled and maintained by the Commission; and
 - (c) be entitled to protection by the Commission of its name, abbreviation of its name and distinguishing mark or symbol.

Notification of change in registration particulars

9. Any change in the particulars furnished in Annexure 1 must be notified to the Chief Electoral Officer in writing within 30 days after such change by the registered contact person or the leader of the party.

Renewal of registration

10. Every registered party not represented in a legislative body, as referred to in section 15(6) of the Act shall, before the last day of January of every year after the year in which the party has been registered, renew its registration by submitting to the Chief Electoral Officer a written declaration made by an executive officer of the party, duly instructed by the party to make such declaration, to the effect that the party has not dissolved and that it is continuing to operate as a party, if that is indeed the case.

Appeal against decision of the Chief Electoral Officer to register or not to register a party

11. An appeal against the decision of the Chief Electoral Officer to register or not to register a party as contemplated in section 16 (2) of the Act shall –

- (a) be in writing and signed by an executive officer of the appealing party, duly instructed thereto by that party; and
- (b) fully set out the reasons for the appeal.

Change of party's name, distinguishing mark or symbol

12. (1) An application to change the registered name, abbreviated name, distinguishing mark or symbol in terms of section 16A(1) of the Act shall be in a form substantially similar to Annexure 4 and the notice of application referred to in section 16A(2) of the Act shall be in a form substantially similar to Annexure 5.

(2) The notice of application must be published in the Gazette on a date thirty days before the application is submitted to the Chief Electoral Officer.

Cancellation of registration of party

13. The notification referred to in section 17(1)(b) of the Act shall be in the form of a declaration by an executive officer of the party, duly instructed thereto by the party, to the effect that the party has dissolved or intends to dissolve on a date specified in the declaration.

Inquiry by the Commission

14. In any inquiry in terms of section 17(1) of the Act, the Commission may-

- (a) investigate the factual basis of the issue;
- (b) afford interested parties an opportunity to make written or oral submissions;
- (c) call for written or oral submissions from other persons or parties;
- (d) conduct a hearing; or
- (e) take any one or more or all of the above actions.

Offences and penalties

15. Any person who makes a false statement or furnishes false particulars in any application or other document required by these regulations shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

Repeal of Regulations

16. The Regulations for the Registration of Political Parties, 2000, published in Government Notice No. R. 712 of 13 July, 2000 are hereby repealed.

Short title

17. These regulations are called the **Regulations for the Registration of Political Parties, 2004**.

ANNEXURE 1

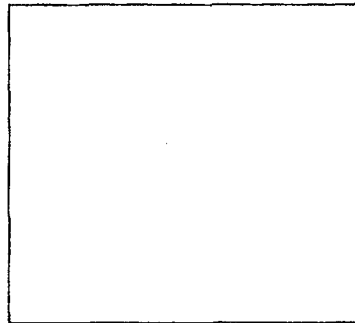
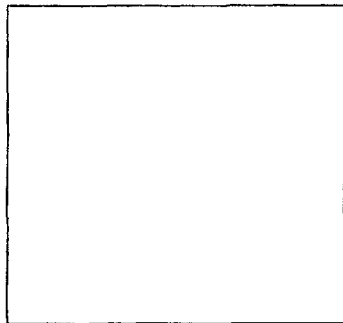
ELECTORAL COMMISSION

**APPLICATION FOR REGISTRATION BY A PARTY IN TERMS OF SECTION 15 OR
15A OF THE ELECTORAL COMMISSION ACT, 1996 (ACT NO. 51 OF 1996)**

1. Name of the party.....
(Name may not consist of more than 60 letters)

2. Abbreviated name, if any, of the party
(The abbreviated name may not consist of more than eight letters)

3. (a) Distinguishing mark or symbol of the party (two identical samples are required):



(b) A5 size logo for ballot paper printing purposes must be submitted together with this application.

4. Business address of party:

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

00009150

5. The party's deed of foundation and its constitution are attached.

Date of submission



Time



NB: Areas shaded in grey

For IEC use only

6. *We are applying in terms of section 15 A of the Act for registration in respect of the following municipality/municipalities

.....

.....

.....

7. Name and address of leader of the party

.....

.....

8. Names and addresses of members constituting the executive body of the party:

	Name	Address	Designation
(i)			
(ii)			
(iii)			
(iv)			

(*delete if not applicable)

(v)			
(vi)			
(vii)			
(viii)			
(ix)			
(x)			

9. Particulars of the contact person of the party:

Name

Address.....

.....

Telephone number (.....)

Cell number (.....).....

Fax number (.....).....

E-mail

Reference Number:



NB: Areas shaded in grey are for IEC official use only

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DECLARATION

10. I, the undersigned, in my capacity as on behalf of the party, duly instructed by the party to take charge of the registration –

- (a) declare that the information furnished above is true and correct in every respect;
- (b) solemnly commit and subject the party, its office bearers, officials and candidates (if any) to any electoral code of conduct prescribed by law; and
- (c) declare that the party will function primarily as a political party.

.....
(Signature)

Date

Designation

Address.....

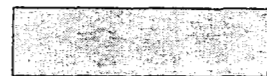
.....

Telephone No. (.....).....

Cell No. (.....).....

Fax No. (.....).....

Reference Number:



NB: Areas shaded in grey are for IEC official use only

ANNEXURE 2

ELECTORAL COMMISSION

NOTICE OF APPLICATION FOR REGISTRATION OF A PARTY IN TERMS OF
SECTION 16(1)(a) OF THE ELECTORAL COMMISSION ACT, 1996
(ACT No. 51 OF 1996)

1. Notice is hereby given that the
(name of party) is applying for registration in terms of the Electoral Commission Act, 1996 (Act No. 51 of 1996).

2. Date on which the application will be or has been submitted to the Chief Electoral Officer:.....

3. The abbreviation of the name of the party is:.....
There is no abbreviation of the name of the party.
(Delete that which is not applicable).

4. The distinguishing mark or symbol of the party is printed underneath.

5. Anyone wishing to raise an objection against the intended registration must do so by written notice in which are set out the grounds for the objections and which must be delivered at the office of the Chief Electoral Officer within fourteen days after the publication of this notice.

ANNEXURE 3

ELECTORAL COMMISSION

CERTIFICATE OF REGISTRATION AS A PARTY IN TERMS OF THE ELECTORAL COMMISSION ACT, 1996 (ACT No. 51 of 1996)

It is hereby certified that the party of which the details are furnished below, has been registered as a party in terms of section 15 of the Electoral Commission Act, 1996 (Act No. 51 of 1996).

OR

It is hereby certified that the party of which the details are furnished below, has been registered as a party in terms of section 15A of the Electoral Commission Act, 1996 (Act No. 51 of 1996) in respect of the following municipality(ies) only:

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

(Chief Electoral Officer)

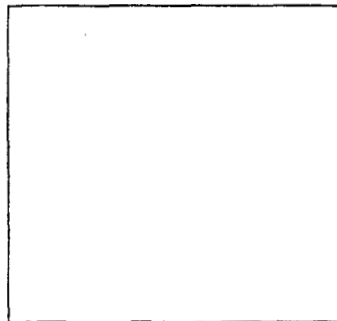
Date:

PARTICULARS OF PARTY

Name:

Abbreviated name:

Distinguishing mark or symbol:



Business address.....Reference Number:

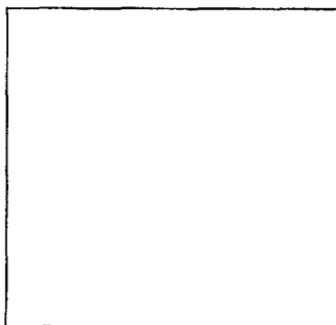


ANNEXURE 4

ELECTORAL COMMISSION

APPLICATION BY A PARTY IN TERMS OF SECTION 16A OF THE ELECTORAL COMMISSION ACT, 1996 (ACT NO. 51 OF 1996)

We, the
(registered name of party) whose registered abbreviated name is
and whose registered distinguishing mark or symbol is -

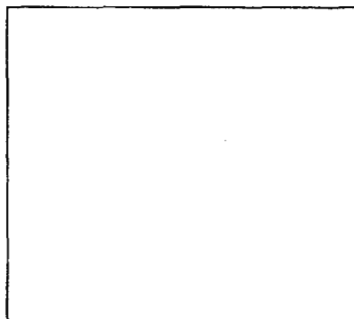
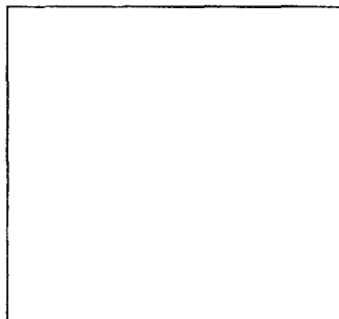


hereby apply in terms of section 16A of the Electoral Commission Act, 1996, to change our registered name/abbreviated name/distinguishing mark or symbol to the following:

Name of the party.....
(Name may not consist of more than 60 letters)

Abbreviated namey.....
(The abbreviated name may not consist of more than eight letters)

Distinguishing mark or symbol (two identical samples are required):



00000000

Attached is proof of publication in the Gazette of the prescribed notice of application

.....

Signature of person submitting the application on behalf of the party

Date

DECLARATION

I,.....,the undersigned, declare that I have been duly authorised by a resolution of theof the applying party to bring this application. A certified copy of the resolution dated..... is attached.

.....

(Signature)

ID no

Date

Designation

Address

.....

.....

Telephone No. (.....).....

Cell No. (.....).....

Fax No. (.....).....

ANNEXURE 5

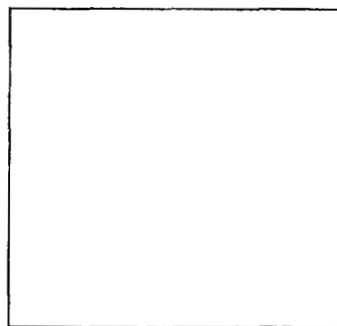
ELECTORAL COMMISSION

**NOTICE OF APPLICATION FOR THE CHANGE OF A PARTY'S NAME ,
ABBREVIATED NAME, OR DISTINGUISHING MARK OR SYMBOL IN TERMS OF
SECTION 16A OF THE ELECTORAL COMMISSION ACT, 2003**

Notice is hereby given that the.....

(name of party) intends applying to the Chief Electoral Officer for the change of -

1. its registered name to
-
2. its registered abbreviated name to
3. its registered mark or symbol to:



Anyone wishing to raise an objection against the application must do so by delivering to the office of the Chief Electoral Officer, within thirty days after the publication of this notice, a written objection, setting out fully the grounds for the objection.

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