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GOVERNMENT NOTICE

INDEPENDENT ELECTORAL COMMISSION

No. R. 217

16 February 2004

ELECTORAL COMMISSION

ELECTION REGULATIONS

The Electoral Commission, under the powers vested in it by section 100 of the Electoral Act, 1998 (Act No. 73 of 1998), has made the regulations set out in the Schedule:

SCHEDULE

Definitions

1. In these regulations "the Regulations" means the Election Regulations, 2004, published in Notice No. R. 12 in Government Gazette No. 25894 of 7 January, 2004.

Amendment of regulation 9 of the Regulations

2. Regulation 9 of the Regulations is hereby amended by the insertion after subregulation (9) of regulation 9 of the following subregulation:

"(10) (a) Where a person referred to in regulation 6(b) and in regulation 9(1) is a member of the South African security services deployed on a South African National Defence Force peace keeping or other mission outside the Republic and it is impractical for that person to apply for a special vote to a special voting officer at a South African embassy, high commission or consulate, that person may so apply to a special voting officer, appointed for this purpose by the Chief Electoral Officer elsewhere other than at an embassy, high commission or consulate.

(b) In such a case the provisions of subregulations (1) to (8) of this regulation, adjusted as may contextually be necessary, apply."

Amendment of regulation 12 of the Regulations

3. Regulation 12 of the Regulations is hereby amended by the substitution of subregulation (7) of regulation 12 by the following subregulation:

"(7) The Chief Electoral Officer must, upon receipt of the packages, keep them in safe custody until the close of voting stations on the voting day of the election when -

- (a) the packages are opened in the presence of party agents being present;
- (b) the written applications scrutinized in conjunction with the voters' roll;
- (c) the votes that are accepted as regularly cast, counted per province according to the province in which the voter is registered on the voters' roll; and
- (d) the total number of votes counted for each party for each province added to the total numbers of votes counted elsewhere for that party for that province."

Insertion of regulation 37A in the Regulations

4. The Regulations are hereby amended by the insertion in Chapter 8 before regulation 38 of the following regulation:

“Undertaking by Officers

37A The undertaking to be signed by an officer in terms of section 82(4) of the Act, must be in a form substantially similar to Appendix 11."

Insertion of Appendix 11 in the Regulations

5. The Regulations are hereby amended by the insertion after Appendix 10 of the following Appendix:

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Appendix 11

ELECTORAL COMMISSION
UNDERTAKING BY ELECTION OFFICERS
(Section 82(4) of the Electoral Act, 1998)



I, _____ (name),
Identity number _____, to be or
having been appointed as an officer in the election of the National Assembly
and provincial legislatures to take place on _____, 20____.

(date) hereby undertake to be bound by the Code for Election Officers compiled and issued by the Commission and that I will maintain the confidentiality of any electoral information that may become available to me.

Signed at _____ on this _____ day of _____ 20__.

Signature _____ Witness _____ "

Short title

6. These Regulations are called the **First Amendment to the Election Regulations, 2004.**
