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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**ELECTORAL COMMISSION**

NO. 4304

1 February 2024

**AMENDMENT TO THE REGULATIONS CONCERNING THE SUBMISSION OF LISTS OF  
CANDIDATES, 2004**

The Electoral Commission has, in terms of section 100 of the Electoral Act 73 of 1998, made the regulations set out in the Schedule.

**GENERAL EXPLANATORY NOTE**

[ ] Words or phrases in bold type square brackets indicate omissions or deletions from existing enactments; and

\_\_\_\_\_ Words or phrases underlined with a solid line indicate insertion in existing enactments

**SCHEDULE****Contents****Definitions**

1. In this Schedule, unless the context indicates otherwise:

- 1.1. “the Act” means the Electoral Act, 1998 (Act No. 73 of 1998);
- 1.2. “the Regulations” means the Regulations Concerning the Submission of Lists of Candidates, 2004, published under GN R14 in GG 25894 of 7 January 2004, as amended by GenN 1203 in GG 31451 of 26 September 2008, GN R1168 in GG 31558 of 30 October 2008, GN R969 in GG 37133 of 6 December 2013, and GN 373 in GG 42289 of 6 March 2019; and
- 1.3. any word or expression to which a meaning has been assigned in the Act or the Regulations shall have that meaning.

2. **Amendment of Regulation 1**

Regulation 1 is amended by-

- 2.1. The insertion of the following definition after the definition of ‘CNS system’:

“**national ballot**’ means the ballot for an election of the National Assembly in respect of compensatory seats from lists of candidates of parties;”

- 2.2. The substitution for the definition of ‘official website’ of the following definition:

“**official website**’ means the secure online application which hosts the candidate nominations system, and to be used for the electronic submission of the information and documents contemplated in sections 27 and 31B accessed through a pin code allocated by the chief electoral officer on the written request by a party or prospective independent candidate, as the case may be;[and]

- 2.3. The insertion of the following definitions after the definition of ‘official website’:

“**provincial ballot**’ means the ballot for an election of a provincial legislature; and

‘**regional ballot**’ means the ballot for an election of the National Assembly in a region.”

3. **Amendment of Regulation 2**

Regulation 2 is amended by-

- 3.1. The insertion in subregulation (1) of the following new paragraphs after paragraph (c):

“(d) The declaration to be signed by the duly authorised representative of the party in terms of section 27(2)(cA) must be in a form similar to Appendix 3.

(e) The voters referred to in section 27(2)(cB) must sign a form similar to Appendix 10 in the case of an election for the National Assembly and Appendix 11 in the case of an election for a provincial legislature and the party contemplated in section 27(2)(cB) must upload the completed

form and electronically submit the identity numbers of all such registered voters on the CNS system and comply with the requirements displayed on the CNS system.

*(f)* The quotas as determined in sections 27(2)(cB)(i)(aa) are set out in Table 1 of Schedule A to these Regulations.

*(g)* The quotas as determined in sections 27(2)(cB)(i)(bb) are set out in Table 2 of Schedule A to these Regulations.”

#### 4. **Insertion of Regulation 2A**

The following regulation is inserted immediately after regulation 2:

##### **“2A Nomination of independent candidates**

(1) The nomination of an independent candidate referred to in section 31A of the Act must be submitted:

*(a)* By hand in a form similar to Appendix 8 in the case of an election for the regional seats in the National Assembly or Appendix 9 in the case of an election for a provincial legislature together with the prescribed appendices to the office of the chief electoral officer situated at Election House, Riverside Office Park, 1303 Heuwel Avenue, Centurion; or

*(b)* electronically by uploading the information required in the relevant fields in Appendix 10 or Appendix 11 on the CNS system and complying with the requirements displayed on the CNS system.

(2) The voters referred to in section 31B(3)(a) must sign a form similar to Appendix 10 in the case of an election for the regional seats in the National Assembly or Appendix 11 in the case of an election for a provincial legislature and the nominator must upload the completed form and electronically submit the identity numbers of all such registered voters on the CNS system and comply with the requirements displayed on the CNS system.

(4) The undertaking and declarations by the candidate referred to in section 31B(3)(c), (d) and (e) must be in a form similar to Appendix 9”.

#### 5. **Amendment of Regulation 3**

Regulation 3 is amended by-

5.1. The substitution in subregulation (1) for paragraph *(a)* of the following paragraph:

“(a) [~~two~~three hundred thousand rand (R[~~2~~300 000-00) in respect of a party contesting an election of the National Assembly in all nine regions and for compensatory seats; **[and]**”;

5.2. The substitution in subregulation (1) for paragraph (b) of the following paragraph:

“(b) **[forty-five]** fifty thousand rand (R50 000-00) in respect of an election of a provincial legislature.”

5.3. The insertion in subregulation (1) after paragraph (a) of the following paragraph:

“(a4) two hundred and twenty-five thousand rand (R225 000-00) in respect of a party contesting an election for compensatory seats in the National Assembly and in one region: Provided that a party contemplated in this paragraph contesting an election for the National Assembly in more than one region shall deposit twenty-five thousand rand (R25 000-00) in respect of each additional region it contests; and”;

5.4. The insertion after subregulation (1) of the following subregulation:

“(1A) The amount to be deposited in terms of section 31B(3)(b) of the Act is–

(a) twenty thousand Rand (R20 000-00) in respect of each election for the National Assembly;  
and

(b) fifteen thousand Rand (R15 000-00) in respect of an election of a provincial legislature.”.

5.5. The deletion in subregulation (2) of paragraph (a).

5.6. The substitution for subregulation (3) of the following subregulation:

“(3) If a party or an independent candidate pays the deposit in the manner contemplated in subregulation (2)(b), such a party or independent candidate must **[electronically]** submit written proof of such payment to the Commission—

(a) by hand to the office of the chief electoral officer situated at Election House, Riverside Office Park, 1303 Heuwel Avenue, Centurion; or

(b) by uploading it onto the CNS system,

by no later than the date stated in the timetable for the submission of the documents contemplated in section 27(1) or 31B(3).”.

## 6. **Amendment of Regulation 4**

The following regulation is substituted for regulation 4:

“(1) The notification by the chief electoral officer to a party that it has not fully complied with section

27(2)(a), (b), [(c) or] (d) or section 27 (4) of the Act when submitting a list of candidates, must be issued to that party and must be in a form similar to Appendix 6.

- (2) The notification by the chief electoral officer to an independent candidate that he or she has not fully complied with section 31B(3)(c), (d), (e), (f) or section 31B(4) of the Act when submitting his or her nomination, must be issued to that independent candidate and must be in a form similar to Appendix 6A.”.

7. **Amendment of Regulation 5**

Regulation 5 is amended by the insertion of the following subregulations after subregulation (2):

“(3) The fee to be paid in terms of section 31D(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.

(4) The fee to be paid in terms of section 31F(2) of the Act for a certified copy of, or extract from, a list of candidates entitled to contest an election or accompanying documents is one Rand (R1-00) per page.”.

8. **Amendment of Regulation 6**

Regulation 6 is amended by-

8.1. The substitution for subregulation (1) of the following subregulation:

“(1) A person **[wishing to]** ~~objecting~~ in terms of section 30(1) or section 31E(1) of the Act to the nomination of a candidate, must do so by serving on the Commission by hand at its national office situated at Election House, Riverside Office Park, 1303 Heuwel Avenue, Centurion [in Pretoria] or by e-mail directed to [candidatesobjection@elections.org.za](mailto:candidatesobjection@elections.org.za) a notice of objection containing the following information -

- (a) the objector’s full names, postal address, home or office address, telephone or cellphone number and **[telefax number]** e-mail address;
- (b) full particulars of the candidates 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 or, in the case of an independent candidate, the independent candidate himself.”; and

8.2. The substitution for subregulation (2) of the following subregulation:

“(2) The Commission must notify the objector and the registered party that nominated the candidate, or the candidate in the case of an independent candidate, of its decision by serving on them a written notice in a form similar to Appendix 7.”.

## 9. **Amendment of Regulation 7**

Regulation 7 is amended by-

9.1. The substitution for subregulation (1) of the following subregulation:

“(1) An objector, candidate or registered party that nominated the candidate or a nominator of an independent candidate who appeals against a decision of the Commission in terms of section 30(4) or section 31E(4) of the Act, must do so in accordance with the rules of the Electoral Court.”; and

9.2. The substitution for subregulation (2) of the following subregulation

“(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) or section 31E(5) of the Act by transmitting the contents of the decision to them by **[telefax or ]**E-mail or by hand.”.

## 10. **Appendices and Schedules**

10.1. The attached Schedule A is inserted immediately before Appendix 1.

10.2. Appendices 1, 2, 3 and 4 are hereby substituted by the attached Appendices 1, 2, 3 and 4.

10.3. Appendix 5 is deleted.

10.4. The attached Appendix 6A is inserted after the existing Appendix 6.

10.5. The attached Appendixes 8, 9, 10 and 11 are inserted immediately after the existing Appendix 7.

## **Short title and commencement**

These Regulations are called the Amendment to the Regulations Concerning the Submission of Candidates, 2024, and shall come into operation on the date of publication in the *Gazette*.

**SCHEDULE A****TABLE 1**

<b>QUOTA TO CONTEST SEATS FOR THE NATIONAL ASSEMBLY ELECTIONS 2024</b>	
<b>REGION</b>	<b>NUMBER OF SIGNAUTRES</b>
Eastern Cape	11 656
Free State	11 340
Gauteng	13 890
Kwa-Zulu Natal	13 040
Limpopo	11 329
Mpumalanga	11 924
Northern Cape	10 271
North West	10 652
Western Cape	13 201

**TABLE 2**

<b>QUOTA TO CONTEST A PROVINDICAL LEGISLATURE SEAT</b>	
<b>PROVINCE</b>	<b>NUMBER OF SIGNAUTRES</b>
Eastern Cape	4 627
Free State	4 285
Gauteng	8 756
Kwa-Zulu Natal	6 663
Limpopo	4 356
Mpumalanga	5 886
Northern Cape	1 919
North West	4 212
Western Cape	7 176

**APPENDIX 1****Electoral Commission****NOMINATION OF CANDIDATES FOR THE NATIONAL ASSEMBLY  
(NATIONAL LIST) IN TERMS OF THE ELECTORAL ACT, 1998****Election Date:** \_\_\_\_\_**Region:** \_\_\_\_\_**Name of Registered Party:** \_\_\_\_\_

I, \_\_\_\_\_ (Name of Authorised Party Representative)

**ID Number**

--	--	--	--	--	--	--	--	--	--	--	--	--	--

Hereby:

1. Undertake to bind the party, its candidates/persons holding political or executive office in the party, its representatives, members and supporters to the Electoral Code of Conduct;
2. Declare I have confirmed that each candidate on the list is qualified to stand for election in terms of section 47 and/or section 106 of the Constitution of South Africa or national or provincial legislation or any applicable legislation;
3. Attach proof that I have been duly authorized to make the nomination and undertaking on behalf of the party and to deal with matters in connection therewith; and
4. Submit herewith proof of payment made in favour of the Electoral Commission as prescribed deposit for contesting the election.
5. Give notice of intention to contest the Election for National Assembly.
6. Declare that I am aware that it is a criminal offence to make a false statement when a statement is required to be made in terms of the Electoral Act, 1998 punishable by a fine or imprisonment not exceeding five years.

**Place****Signature****Date****Contact # (1)****Contact # (2)****Email Address:** \_\_\_\_\_**Address:** \_\_\_\_\_

**Important:** No person may make a false statement or furnish false particulars in any document prescribed by these regulations. It is a criminal offence to do so.



LIST OF CANDIDATES FOR THE NATIONAL ASSEMBLY (NATIONAL LIST) IN TERMS OF THE ELECTORAL ACT, 1998 (ACT NO. 73 OF 1998)

Name of Party		National										Full Name(s)	Surname
Order #	Identity Number												
1.													
2.													
3.													
4.													
5.													
6.													
7.													
8.													
9.													
10.													
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**APPENDIX 2****Electoral Commission****NOMINATION OF CANDIDATES FOR THE NATIONAL ASSEMBLY  
(REGIONAL LIST) IN TERMS OF THE ELECTORAL ACT, 1998****Election Date:**

\_\_\_\_\_

**Region:**

\_\_\_\_\_

**Name of Registered Party:**

\_\_\_\_\_

**I,**

\_\_\_\_\_

(Name of Authorised Party  
Representative)**ID Number**

--	--	--	--	--	--	--	--	--	--	--	--	--	--

Hereby:

7. Undertake to bind the party, its candidates/persons holding political or executive office in the party, its representatives, members and supporters to the Electoral Code of Conduct;
8. Declare I have confirmed that each candidate on the list is qualified to stand for election in terms of section 47 and/or section 106 of the Constitution of South Africa or national or provincial legislation or any applicable legislation;
9. Attach proof that I have been duly authorized to make the nomination and undertaking on behalf of the party and to deal with matters in connection therewith; and
10. Submit herewith proof of payment made in favour of the Electoral Commission as prescribed deposit for contesting the election.
11. Give notice of intention to contest the Election for National Assembly (Regional List).
12. Declare that I am aware that it is a criminal offence to make a false statement when a statement is required to be made in terms of the Electoral Act, 1998 punishable by a fine or imprisonment not exceeding five years.

**Place****Signature****Date****Contact # (1)****Contact # (2)**

\_\_\_\_\_

**Email Address:****Address:**
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Important:** No person may make a false statement or furnish false particulars in any document prescribed by these regulations. It is a criminal offence to do so.

LIST OF CANDIDATES FOR THE NATIONAL ASSEMBLY (REGIONAL LIST) IN TERMS OF THE ELECTORAL ACT, 1998 (ACT NO. 73 OF 1998)

Name of Party

Region

Order #	Identity Number										Full Name(s)	Surname
1.												
2.												
3.												
4.												
5.												
6.												
7.												
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## LIST OF CANDIDATES FOR THE PROVINCIAL LEGISLATURE (PROVINCIAL LIST) IN TERMS OF THE ELECTORAL ACT, 1998 (ACT NO. 73 OF 1998)

Name of Party		Province										Full Name(s)		Surname	
Order #	Identity Number														
1.															
2.															
3.															
4.															
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6.															
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## Appendix 4

### Electoral Commission



ACCEPTANCE OF NOMINATION BY CANDIDATE ON A PARTY LIST -

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

Election Date

Election Type

National	Regional	Provincial
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Region/ Province

Name of Registered Party

I, \_\_\_\_\_,

(Full names and Surname of Candidate)

ID Number

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- ☐ Hereby, accept my nomination as a candidate, in terms of s27 of the Electoral Act and subscribe to and undertake that I will be bound by the Electoral Code of Conduct; and
- ☐ Declare that I am qualified to be elected as a member of the National Assembly or a Provincial Legislature in terms of section 47 and section 106 of the Constitution.
- ☐ Declare that I am aware that it is a criminal offence to make a false statement when a statement is required to be made in terms of the Electoral Act, 1998 punishable by a fine or imprisonment not exceeding five years.

Date

Candidate Signature

Appendix 6A

Electoral Commission  
NOTIFICATION OF NON COMPLIANCE



Candidate Nominator:

Contact Number:

Region:

Contact Number:

Email Address:

You are hereby notified that you have submitted a list/lists of the candidates for the **NATIONAL AND/OR PROVINCIAL ELECTIONS** to be held on \_\_\_\_\_, but you have not complied with the provisions as set out in section 31B of the Electoral Act, 1998 (Act. No 23 of 1998) in the following respect:

Candidate Non Compliance			
ID Number	Surname	First Name	Candidate Photo

Please note that you have the opportunity to comply with the relevant section not later than: \_\_\_\_\_, should you fail to comply within the specified date and time, above candidates will be disqualified.

\_\_\_\_\_  
Signature of duly authorised representative of the Commission

\_\_\_\_\_  
Date

## APPENDIX 8

**Electoral Commission****NOMINATION OF INDEPENDENT CANDIDATE [REGIONAL] IN TERMS OF 31(A) AND ACCEPTANCE  
OF NOMINATION IN TERMS OF 31(B) OF THE ELECTORAL ACT**

Election Date: \_\_\_\_\_

Region: \_\_\_\_\_

**Details of Independent Candidate**Name \_\_\_\_\_ ID Number 

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Contact Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Date: \_\_\_\_\_ Signature of Candidate: \_\_\_\_\_

**Details of Nominator**Name \_\_\_\_\_ ID Number 

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Contact Number \_\_\_\_\_ Email Address: \_\_\_\_\_

I, \_\_\_\_\_ (Nominator) hereby nominate \_\_\_\_\_

(Candidate) at \_\_\_\_\_ on \_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_

To contest the above-mentioned elections as an independent Candidate

The candidate

1. Has accepted his/her nomination as independent candidate by signature appended above;
2. Undertakes to be bound by the Electoral Code of Conduct,
3. Declares that he/she is not disqualified from standing for election in terms of the Constitution or any applicable legislations,
4. Give notice of intention to contest the Election in terms of Regional Seat \_\_\_\_\_ [Region]
5. Submits the following:
  - a. a copy of the page of the candidate's identity document on which the candidate's photo, name and identity number appears;
  - b. An A5 sized head and shoulders picture of candidate
  - c. Proof of payment made in favour of the Electoral Commission as prescribed deposit for contesting the election
  - d. A separate Appendix 8 Nomination Form must be submitted for each Region that is contested.

\_\_\_\_\_  
 Date: \_\_\_\_\_ Signature of Nominator \_\_\_\_\_



## APPENDIX 9

**Electoral Commission****NOMINATION OF INDEPENDENT CANDIDATE [PROVINCIAL] IN TERMS OF 31(A) AND ACCEPTANCE  
OF NOMINATION IN TERMS OF 31(B) OF THE ELECTORAL ACT**

Election Date: \_\_\_\_\_

Province: \_\_\_\_\_

**Details of Independent Candidate**Name \_\_\_\_\_ ID Number 

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Contact Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Date: \_\_\_\_\_ Signature of Candidate: \_\_\_\_\_

**Details of Nominator**Name \_\_\_\_\_ ID Number 

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Contact Number \_\_\_\_\_ Email Address: \_\_\_\_\_

I, \_\_\_\_\_ (Nominator) hereby nominate \_\_\_\_\_

(Candidate) at \_\_\_\_\_ on \_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_

To contest the above-mentioned elections as an independent Candidate

The candidate

1. Has accepted his/her nomination as independent candidate by signature appended above;
2. Undertakes to be bound by the Electoral Code of Conduct;
3. Declares that he/she is not disqualified from standing for election in terms of the Constitution or any applicable legislations;
4. Give notice of intention to contest the Election in terms of Provincial Seat \_\_\_\_\_ [Province]
5. Submits the following:
  - a. a copy of the page of the candidate's identity document on which the candidate's photo, name and identity number appears;
  - b. An A5 sized head and shoulders picture of candidate
  - c. Proof of payment made in favour of the Electoral Commission as prescribed deposit for contesting the election

\_\_\_\_\_ Signature of  
Date: \_\_\_\_\_ Nominator \_\_\_\_\_



## APPENDIX 10

## Electoral Commission

## LIST OF SIGNATORIES TO CONTEST NATIONAL ASSEMBLY REGIONAL SEATS - SECTION 27 (2) (cB) (i) AND 31(B)(3)(a)(i)

[

 Unrepresented Party ☐ Independent ☐

Name of Party/Independent: \_\_\_\_\_

Notice is hereby of the intention to contest for the regional seat(s) in the National Assembly for the following Region
 \_\_\_\_\_

I confirm that the signatures collected below are for registered voters only in support of the region indicated above

For each Region, please submit a separate Appendix 10 form.

**NATIONAL AND PROVINCIAL ELECTIONS 2024**  
We the undersigned support the nomination of \_\_\_\_\_ (Party/Independent) for National Assembly for the region

Identity Number										Full Name(s)	Surname	Signature
1												
2												
3												
4												
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## APPENDIX 11

**Electoral Commission****LIST OF SIGNATORIES TO CONTEST PROVINCIAL LEGISLATURE - SECTION 27 (2) (cB) (ii) AND 31(B)(3)(a)(iii)**

Unrepresented Party ☐ Independent ☐

Name of Party/Independent: \_\_\_\_\_

Notice is hereby given of the Intention to contest the Provincial Legislature Seats in

Province \_\_\_\_\_

I confirm that the signatures collected are for voters registered in \_\_\_\_\_ (Province)

NATIONAL AND PROVINCIAL ELECTIONS 2024

We the undersigned support the nomination of \_\_\_\_\_ (Party/Independent) for \_\_\_\_\_ (Province)

Identity Number	Full Name(s)										Surname	Signature
	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.		
1.												
2.												
3.												
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