

ELECTORAL COMMISSION**NO. 4305****1 February 2024****AMENDMENT TO THE REGULATIONS ON PARTY LIAISON COMMITTEES,
1998**

The Electoral Commission has, in terms of 23 of the Electoral Commission Act, 1996, 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 Commission Act, 1996 (Act No. 51 of 1996);
 - 1.2. “the Regulations” means the Regulations on Party Liaison Committees, 1998, published under GN R824 in GG 18978 of 19 June 1998, as amended by and Proclamation 35 in GG 45060 of 27 August 2021; and

- 1.3. any word or expression to which a meaning has been assigned in the Act and/or the Regulations shall have that meaning.

Amendment of the title of the Regulations

2. The title of the Regulations is amended by substituting it for the following title:

“Regulations on **[Party]**Political Liaison Committees, 1998”

Amendment of the preamble

3. The preamble is amended as follows:

“**[Section 5 (1) (g) of the Electoral Commission Act, 1996, describes it as a function of the Electoral Commission to establish and maintain liaison and cooperation with parties.]** The Commission is of the opinion that formal structures of **[party]**political liaison committees will facilitate **[such]** liaison and co-operation. In terms of section 23 of the Electoral Commission Act, 1996, the Electoral Commission has, therefore, made the regulations set out in the Schedule.”.

Amendment of Regulation 1

4. Regulation 1 is amended by the insertion after the definition of “the Act” of the following definition:

“**“independent candidate”** has the meaning assigned to it in section 1 of the Electoral Act, 1998 (Act No. 73 of 1998) and includes a person nominated in terms of section 16(1)(b) of the Local Government: Municipal Electoral Act, 2000 (Act No. 27 of 2000)”.

Amendment of Regulation 2

5. Regulation 2 is amended by:

- 5.1. The substitution for the heading thereof of the following heading:

“Establishment of **[party]**political liaison committees”;

5.2. The substitution for the words preceding subregulation (1) of the following words:

“The Electoral Commission establishes the following **[party]political** liaison committees:”;

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

“2.1 A **[party]political** liaison committee in the national sphere with not more than two representatives from every registered party represented in the National Assembly and not more than one representative of every member of the National Assembly who was elected as an independent candidate.”

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

“2.2 A provincial **[party]political** liaison committee for each province with-

2.2.1 not more than two representatives from every registered party represented in the legislature of the province concerned; **[and]**

2.2.2 not more than two representatives from every registered party represented in the **[party]political** liaison committee in the national sphere but not represented in the provincial party liaison committee concerned~~[.]~~; and

2.2.3 not more than one representative of every independent member of the National Assembly elected for the region corresponding with the province concerned and of every independent member of that province’s provincial legislature.”.

5.5. The substitution in subregulation (3) for the words preceding paragraph 2.3.1 of the following words:

“Municipal **[party]political** liaison committees for a **[single]** municipality **[or a group of municipalities]** with-”;

5.6. The substitution in subregulation (3) for paragraph 2.3.2 of the following paragraph:

“2.3.2 not more than two representatives from every registered party represented in the **[party]political** liaison committee in the relevant province, but not represented in the municipal **[party]political** liaison committee concerned;**[and]**”;

5.7. The substitution in subregulation (3) for paragraph 2.3.3 of the following paragraph:

“2.3.3 not more than one representative of every independent councillor represented in the municipal council [**or councils**] concerned[.]; and”;

5.8. The insertion in subregulation (3) of the following paragraph after paragraph 2.3.3:

“2.3.4 not more than one representative of every independently elected member of the National Assembly elected for the region within which that municipality falls and of every independently elected member of the provincial legislature within which that municipality falls.”.

Amendment of Regulation 3

6. Regulation 3 is amended by substituting for it of the following regulation:

“The Commission may at its own initiative co-opt any person or representative onto any specific [**party**]political liaison committee.

Amendment of Regulation 4

7. Regulation 4 is amended by substituting for it of the following regulation:

“After the date of [**promulgation of**] certification of the candidates for an election, in terms of any legislation, until the date of declaration of results of that election, any registered party which, or independent candidate who, has complied with the requirements for contesting that election shall be entitled to representation on the [**party**]political liaison committee established in respect of the legislature for which that election is promulgated.”

Amendment of Regulation 5

8. Regulation 5 is amended by substituting for it of the following regulation:

“The Commission shall designate a person as its representative for every [**party**]political liaison committee and that person shall act as convenor of and chairperson at meetings of the [**party**]political liaison committee.”

Amendment of Regulation 6

9. Regulation 6 is amended by substituting for it of the following regulation:

“**[Party]Political** liaison committees will serve as **[vehicles for consultation]** *fora* for consultation and co-operation between the Commission, **[the registered parties concerned]** candidates, represented parties and independently elected representatives, on all electoral matters, aimed at the delivery of free and fair elections.”.

Amendment of Regulation 7

10. Regulation 7 is amended by—

10.1. the substitution for the words preceding paragraph 7.1 of the following words—

“**[Parties]**Members of political liaison committees are responsible for all expenses incurred by their representatives in respect of their participation in **[party]political** liaison committees in all spheres of government.”;

10.2. the substitution for paragraph 7.1 of the following paragraph —

“7.1 Should a **[party]member of a specific political liaison committee** be unable to send a representative to attend a meeting of the national or provincial **[party]political** liaison committee because it does not have the means to pay his or her necessary travel and accommodation expenditure, the Commission may, on application, and in its sole discretion, endeavour to assist that **[party]member** by way of a contribution towards such expenses from funds voted by Parliament for this purpose or from funds that may have been made available by donors for this purpose.”

Amendment of Regulation 8

11. Regulation 8 is amended by substituting it for the following regulation:

“These Regulations shall be called the Regulations on **[Party]Political** Liaison Committees, 1998, and shall commence on 19 June 1998.”

Short title and commencement

12. These Regulations are called the Amendment to the Regulations on Political Liaison Committees, 2024, and shall come into operation on the date of publication in the *Gazette*.