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7 May 2024

No. 50624

## THE PRESIDENCY

No. 4790 7 May 2024

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

Act No. 14 of 2024: Electoral Matters Amendment, Act 2024

## OFISI YA MOPORESIDENTE

No. 4790 7 Mei 2024

Mona ho tsebiswa hore Mopresidente o amohetse Molao ona o latelang, o phatlalatswang mona bakeng sa tsebiso ya setjhaba ka bophara:—

Act No. 14 ya 2024: Molao wa Phetoho ya ditaba tsa dikgetho, 2024

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**GENERAL EXPLANATORY NOTE:**

- [                    ] Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.

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*(English text signed by the President)*  
*(Assented to on 04 May 2024)*

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**ACT**

To amend the Political Party Funding Act, 2018, so as to provide for the regulation of the private and public funding of independent candidates and independent representatives and matters incidental thereto; to amend the title, long title and preamble; to insert and substitute definitions; to amend the name of the Represented Political Party Fund; to preclude the Electoral Commission from accepting donations to the Multi-Party Democracy Fund which it has reason to believe is the proceeds of crime; to empower the Commission to invest money in the Funds in any bank registered in terms of the Banks Act, 1990; to proscribe the attachment of money in the Funds by certain persons; to provide for the right of political parties, independent candidates and independent representatives to refuse donations; to provide for prohibition on donations to a member of a political party, independent representative or independent candidate other than for political purposes; to amend the provisions relating to the accounting obligations of represented and unrepresented political parties; to provide for independent representatives and independent candidates to account for income; to provide for offences by a member of a political party, independent representative or independent candidate of accepting a donation to circumvent the provision of Chapter 3 or appropriating the donation for themselves; to amend the powers of the President to make regulations on certain matters; to amend Schedule 2 in respect of the formula for the allocation of money in the Funds on a proportional and equitable basis, in respect of the upper limit of donations and the disclosure limit for donations; and to amend the Electoral Act, 1998, the Electoral Commission Act, 1996, the Electronic Communications Act, 2005, and the Financial Management of Parliament and Provincial Legislatures Act, 2009, so as to make consequential amendments resulting from the introduction of independent candidates to contest elections of the National Assembly and provincial legislatures.

**B**E IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

**Substitution of long title of Act 6 of 2018**

1. The following long title is hereby substituted for the long title of the Political Party Funding Act, 2018:

**“To provide for, and regulate, public and private funding of political parties, independent candidates and independent representatives, in particular; the establishment and management of Funds to fund represented political parties and independent representatives sufficiently; to prohibit certain donations made directly to political parties, independent candidates and independent**

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**TLHALOSO KA KAKARETSO:**

[ ] Mantswe a ka hara masakana a bontsha ho tlohelwa melaong e teng.

\_\_\_\_\_ Mantswe a sehetsweng mola a bontsha ho kenngwa melao e teng.

(English text signed by the President)  
(Assented to on 04 May 2024)

**MOLAO**

Ho fetola Molao wa Letlole la Mekga ya Dipolotiki, 2018, e le ho fana ka taolo ya ditjhelete tsa poraefete le tsa setjhaba tsa bonkgetheng ba ikemetseng le baemedi ba ikemetseng le ditaba tse amanang le hona; ho fetola sehlooho, sehlooho se selelele le ketapele; ho kenya le ho fetola ditlhaloso; ho fetola lebitso la Letlole la Mokga wa Dipolotiki o nang le Boemedi; ho thibela Khomishene ya Dikgetho ho amohela menhelo ho Letlole la Mekga ya Dipolotiki e Mengata ya Demokrasi eo e nang le lebaka la ho dumela hore ke ditjhelete tsa botlokotsebe; ho fa Khomishene matla a ho tsetela tjehelete Letloleng bankeng efe kapa efe e ngodisitsweng ho latela *Banks Act, 1990*; ho thibela batho ba itseng ho nka tjehelete ho tswa Letloleng; ho fana ka tokelo ya hore mekga ya dipolotiki; bonkgetheng ba ikemetseng le baemedi ba ikemetseng ho hana menhelo; ho fana ka thibelo ya menhelo ho setho sa mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng ntle le merero ya dipolotiki; ho fetola dipehelo tse amanang le boitlamo ba boikarabello ba mekga ya dipolotiki e emetsweng le e sa emelwang; ho fana ka hore baemedi ba ikemetseng le bonkgetheng ba ikemetseng ba ikarabelle bakeng sa lekeno; ho fana ka ditlolo tsa molao ka setho sa mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng wa ho amohela monhelo ho qoba dipehelo tsa Kgaolo ya 3 kapa ho inkela monhelo; ho fetola matla a Mopresidente a ho etsa melawana ditabeng tse itseng; ho fetola Shejulu sa 2 mabapi le mokgwa wa kabo ya tjehelete ka hara Letlole ka mokgwa wa tekano le o lekanang, mabapi le moedi o ka hodimo wa menhelo le moedi wa tsebahatso bakeng sa menhelo; le ho fetola Molao wa Dikgetho, 1998, Molao wa Khomishene ya Dikgetho, 1996, Molao wa Dikgokahano tsa Elektroniki, 2005, le Molao wa Taolo ya Ditjhelete tsa Palamente le Makgotla a Ketsamelao a Diprovence, 2009, ho etsa diphetoho tse hlahang ka lebaka la ho hlahiswa ha bonkgetheng ba ikemetseng ho kenela dikgetho tsa Seboka sa Naha le makgotla a ketsamolao a diprovence.

**H**A E SE E NTSWE MOLAO ke Palamente ya Rephaboliki ya Afrika Borwa ka mokgwa o latelang:—

**Phetolo ya sehlooho se selelele sa Molao wa 6 wa 2018**

1. Sehlooho se selelele se latelang se fetotswe bakeng sa sehlooho se selelele sa Molao wa Letlole la Mekga ya Dipolotiki, 2018:

**“Ho lokisetsa, le ho laola, ditjhelete tsa setjhaba le tsa poraefete tsa mekga ya dipolotiki, bonkgetheng ba ikemetseng le baemedi ba ikemetseng; ka ho kgetheha; ho thehwa le taolo ya Matlole ho fa mekga ya dipolotiki e nang le boemedi le baemedi ba ikemetseng ka mokgwa o lekaneng; ho thibela menhelo e itseng e lebisitsweng ho mekga ya dipolotiki ka kotloloho;**

**representatives; to regulate disclosure of donations accepted; to determine the duties of political parties, independent candidates and independent representatives in respect of funding; to provide for powers and duties of the Commission; to provide for administrative fines; to create offences and penalties; to repeal the Public Funding of Represented Political Parties Act, 1997, to provide for transitional matters; and to provide for related matters.”** 5

#### **Amendment of Preamble of Act 6 of 2018**

2. The Preamble to the Political Party Funding Act, 2018, is hereby amended by the substitution of the sixth and seventh paragraphs of the following paragraphs:

“**AND WHEREAS** section 44 of the Constitution affords Parliament legislative authority to pass legislation with regard to any matter, which would include to regulate public and private funding of political parties as well as the public and private funding of independent candidates and independent representatives; 10

**AND WHEREAS** effect is given to this by—

- establishing an additional fund to receive funding from private sources subject to certain restrictions; 15
- prohibiting certain donations being made directly to political parties, independent candidates and independent representatives; and
- providing for the disclosure of donations.”

#### **Amendment of section 1 of Act 6 of 2018**

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3. Section 1 of the Political Party Funding Act, 2018, is hereby amended—

(a) by the insertion before the definition of “chief executive officer” of the following definition:

“**‘Banks Act’** means the Banks Act, 1990 (Act No. 94 of 1990);”

(b) by the substitution for the definitions of “donation” and “donation in kind” of the following definitions: 25

“**‘donation’**—

(a) includes a donation in kind; but

(b) does not include—

- (i) a membership fee of **[the]** a political party or any levy imposed by the party on its elected representatives; or 30
- (ii) any funds provided to **[the]** a political party, or an independent representative by the National Assembly and provincial legislatures respectively in terms of sections 57(2)(c) and 116(2)(c) of the Constitution; 35

**‘donation in kind’**—

(a) includes—

- (i) any money lent to **[the]** a political party, independent representative or independent candidate other than on commercial terms; 40
- (ii) any money paid on behalf of **[the]** a political party, independent representative or independent candidate for any expenses incurred directly or indirectly by that political party, independent representative or independent candidate; 45
- (iii) the provision of assets, services or facilities for the use or benefit of a political party, independent representative or independent candidate other than on commercial terms; or
- (iv) a sponsorship provided to **[the]** a political party, independent representative or independent candidate; but

(b) does not include services rendered personally by a volunteer;” 50

**bonkgetheng ba ikemetseng le baemedi ba ikemetseng, ho laola tsebahatso ya menehelo e amohetsweng; ho tsebisa mesebetsi ya mekga ya dipolotiki, bonkgetheng ba ikemetseng le baemedi ba ikemetseng mabapi le phumantsho ya ditjhelete; ho lokisetsa bakeng sa matla le mesebetsi ya Khomishene; ho lokisetsa bakeng sa tsamaiso ya kotlo ya ditjhelete; ho theha ditlolo tsa molao le dikotlo tsa tsona; ho hlakola Molao wa Tshehetso ya Ditjhelete tsa Setjhaba ho Mekga ya Dipolotiki e nang le Boemedi, wa 1997, le ho lokisetsa bakeng sa ditaba tsa phetoho; le ho lokisetsa bakeng sa ditaba tse amanang le tsona.”.** 5

#### Phetolo ya Ketapele ya Molao wa 6 wa 2018

2. Ketapele ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe ka ho fetola ditemana tsa botshelela le tsa bosupa tsa ditemana tse latelang: 10

**LE HA** karolo ya 44 ya Molaotheo e fa Palamente taolo ya molao ya ho fetisa molao mabapi le taba efe kapa efe, e kenyeletsang ho laola ditjhelete tsa setjhaba le tsa poraefete tsa mekga ya dipolotiki hammoho le ditjhelete tsa setjhaba le tsa poraefete tsa bonkgetheng ba ikemetseng le baemedi ba ikemetseng; 15

**LE HOJA** ho phethahatswa sena ka ho—

- theha letlole la tlatsetso ho amohela ditjhelete ho tswa mehloding ya poraefete tlasa dithibelo tse itseng;
- thibela menehelo e itseng e etswang ka ho otloloha ho mekga ya dipolotiki, bonkgetheng ba ikemetseng le baemedi ba ikemetseng; le 20
- ho lokisetsa bakeng sa tsebahatso ya menehelo.”.

#### Phetolo ya karolo ya 1 ya Molao wa 6 wa 2018

3. Karolo ya 1 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe—

(a) ka ho kenngwa ha tshaloso e latelang pele ho tshaloso ya “mohlanka wa phethahatso ya ka sehloohong” tsa ditshaloso tse latelang: 25

“***Banks Act***” e hlalosa *Banks Act*, 1990 (Molao wa 94 wa 1990);”;

(b) ka phetoho ya ditshaloso tsa “monehelo” le “monehelo ka ditshebeletso kapa thepa” tsa ditshaloso tse latelang:

“**‘monehelo’**—

(a) o kenyeletsa monehelo ka ditshebeletso kapa thepa; empa 30

(b) ha o kenyeletse—

(i) tefello ya botho [**ya**] **ya** mokga wa dipolotiki kapa tefiso efe kapa efe e behilweng ke mokga ho baemedi ba yona ba kgethilweng; kapa

(ii) tjhelete efe kapa efe e fuweng mokga [**wa**] **wa** dipolotiki, kapa moemedi ya ikemetseng ke Seboka sa Naha le makgotla a ketsamolao a diprovence ka ho latellana ho latela karolo ya 57(2)(c) le 116(2)(c) ya Molaotheo; 35

**‘monehelo ka ditshebeletso kapa thepa’**—

(a) o kenyeletsa— 40

(i) tjhelete efe kapa efe e adimilweng mokga [**wa**] **wa** dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng ntle le ho latela maemo a kgwebo;

(ii) tjhelete efe kapa efe e lefuwang molemong [**wa**] **wa** mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng bakeng sa ditshebeletso dife kapa dife tse entsweng ka kotloloho kapa ka tsela e sa tobang ke mokga oo wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng; 45

(iii) phumantsho ya thepa, ditshebeletso kapa disebediswa bakeng sa ho sebediswa kapa molemong wa mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng ntle le ho ya ka dikgwebo; kapa

(iv) tshehetso ya ditjhelete e fuwang mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng; empa 55

(b) ha e kenyeletse ditshebeletso tse fuwang ke motho eo e leng moithaopi;”.

- (c) by the substitution for the definition of “Funds” of the following definition:  
 “‘**Funds**’ mean the *Multi-Party Democracy Fund* and the [**Represented**]  
*Political [Party] Representatives Fund*.”;
- (d) by the insertion after the definition of “Funds” of the following definitions: 5  
 “‘**independent candidate**’ means a South African citizen contesting an  
 election and who is not nominated on a list of a party;”  
 “‘**independent representative**’ means an independent candidate with  
 representation in the national or a provincial legislature; and”.
- (e) by the substitution for the definition of “Represented Political Party Fund” of  
 the following definition: 10  
 “‘[**Represented**] **Political [Party] Representatives Fund**’ means the  
 [**Represented**] **Political [Party] Representatives Fund** established in  
 terms of section 2(1);”.

#### Amendment of section 2 of Act 6 of 2018

4. Section 2 of the Political Party Funding Act, 2018, is hereby amended— 15  
 (a) by the substitution for the heading of the section of the following heading:  
 “**Establishment of [Represented] Political [Party] Representatives  
 Fund**”; and  
 (b) by the substitution for subsection (1) of the following subsection: 20  
 “(1) A [**Represented**] **Political [Party] Representatives Fund** is  
 hereby established for the purpose of enhancing multi-party democracy  
 by providing for the funding of represented political parties and  
 independent representatives.”.

#### Amendment of section 3 of Act 6 of 2018

5. Section 3 of the Political Party Funding Act, 2018, is hereby amended— 25  
 (a) by the substitution for subsection (1) of the following subsection:  
 “(1) A Multi-Party Democracy Fund is hereby established for the  
 purpose of funding represented political parties and independent  
 representatives from private sources.”; and  
 (b) by the substitution for subsection (4) of the following subsection: 30  
 “(4) The Commission may not accept money received in terms of  
 subsection (3)(a) [**from any**]—  
 (a) from any organ of state;  
 (b) from any state owned enterprise; [**or**]  
 (c) from any foreign government or foreign government agency[.]; or 35  
 (d) which the Commission has reason to believe is the proceeds of  
 crime.”.

#### Substitution of section 4 of Act 6 of 2018

6. The following section is hereby substituted for section 4 of the Political Party  
 Funding Act, 2018: 40

##### “Investment of money in Funds

4. (1) Any money in the Funds that is not required immediately for  
 making an allocation to represented political parties or independent  
 representatives in terms of section 6 may be invested with— 45  
 (a) the Public Investment Corporation in terms of the Public Investment  
 Corporation Act, 2004 (Act No. 23 of 2004); or  
 (b) any bank registered as a bank in terms of the Banks Act.  
 (2) The Commission may, with the approval of the Minister of Finance,  
 carry forward any money standing to the credit of the Political Represent- 50  
 atives Fund at the end of the financial year to the next financial year as a  
 credit balance.  
 (3) The Commission must carry forward any money standing to the  
 credit of the Multi-Party Democracy Fund at the end of the financial year to  
 the next financial year as a credit balance.”.

- (c) ka phetoho ya tthaloso ya “Letlole” ya tthaloso e latelang:  
 “**Letlole**’ e hlalosa Letlole la Mekga ya Dipolotiki e Mengata ya Demokrasi le Letlole la [**Boemedi**] **Baemedi** ba [**Mokga**] **Dipolotiki**.”;
- (d) ka ho kengwa ka mora tthaloso ya “Letlole” ya ditthaloso tse latelang:  
 “**nkgetheng ya ikemetseng**’ e hlalosa moahi wa Afrika Borwa ya hanyetsang dikgetho le ya sa kgethwang lenaneng la mokga;”  
 “**moemedi ya ikemetseng**’ e hlalosa nkgetheng ya ikemetseng ya nang le boemedi lekgotleng la ketsamolao la naha kapa la provense; le”.
- (e) ka phetoho ya tthaloso ya “Letlole la Mokga wa Dipolotiki o nang le Boemedi” ya tthaloso e latelang:  
 “**Letlole la [Boemedi] Baemedi ba [Mokga] Dipolotiki**’ e hlalosa Letlole la [**Boemedi**] **Baemedi** ba [**Mokga**] **Dipolotiki** le thehilweng ho latela karolo ya 2(1);”.

#### Phetolo ya karolo ya 2 ya Molao wa 6 wa 2018

4. Karolo ya 2 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe— 15
- (a) ka phetoho ya sehlooho sa karolo ya sehlooho se latelang:  
 “**Ho Thehwa ha Letlole la [Boemedi] Baemedi ba [Mokga] Dipolotiki**”; le
- (b) ka phetoho karolwaneng ya (1) ya karolwana e latelang:  
 “(1) Letlole la [**Boemedi**] **Baemedi** ba [**Mokga**] **Dipolotiki** le thehilwe ka sepheo sa ho matlafatsa demokrasi ya mekga ya dipolotiki e mengata ka ho nehelana ka letlole la mekga ya dipolotiki e nang le boemedi le baemedi ba ikemetseng.”.

#### Phetolo ya karolo ya 3 ya Molao wa 6 wa 2018

5. Karolo ya 3 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe— 25
- (a) ka phetoho karolwaneng ya (1) ya karolwana e latelang:  
 “(1) Letlole la Mekga ya Dipolotiki e Mengata ya Demokerasi le thehilwe ka sepheo sa ho fana ka ditjhelete tse tswang ho mehlodi ya poraefete ho mekga ya dipolotiki e nang le boemedi le baemedi ba ikemetseng.”; le 30
- (b) ka phetoho karolwaneng ya (4) ya karolwana e latelang:  
 “(4) Komishene ha e a tshwanela ho amohela tjehelete ho latela karolwana ya (3)(a) [**ho tswa ho efe kapa efe**]—  
 (a) ho tswa ho setheo sefe kapa sefe sa mmuso;  
 (b) ho tswa kgwebong efe kapa efe ya mmuso; [kapa] 35  
 (c) ho tswa ho mmuso ofe kapa ofe wa naha e nngwe kapa ejensi ya mmuso wa naha e nngwe[.]; kapa  
 (d) eo Khomishene e nang le lebaka la ho dumela hore ke ditjhelete tsa botlokotsebe.”.

#### Phetolo ya karolo ya 4 ya Molao wa 6 wa 2018

6. Karolo e latelang e fetotswe bakeng la karolo ya 4 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018:

##### “Tsetelo ya ditjhelete tse Matloleng

4. (1) Tjhelete efe kapa efe e Matloleng e sa hlokeheng ha jwale bakeng sa ho abelwa mekga ya dipolotiki e nang le boemedi kapa baemedi ba ikemetseng ho latela karolo ya 6 e ka tsetelwa le— 45
- (a) Koporasi ya Matsete a Setjhaba ho latela Molao wa Koporasi ya Matsete a Setjhaba, 2004 (Molao wa 23 wa 2004); kapa
- (b) banka efe kapa efe e ngodisitsweng e le banka ho latela *Banks Act*. 50
- (2) Khomishene, ka tumello ya Letona la Ditjhelete, e ka fetisetsa tjehelete efe kapa efe e teng mokitlaneng wa Letlole la Mekga ya Dipolotiki e Nang le Boemedi qetellong ya selemo sa ditjhelete selemong se latelang sa ditjhelete e le tjehelete e setseng.
- (3) Khomishene e tlameha ho fetisetsa tjehelete efe kapa efe e teng mokitlaneng wa Letlole la Mekga ya Dipolotiki e Mengata ya Demokrasi qetellong ya selemo sa ditjhelete selemong se latelang sa ditjhelete e le tjehelete e setseng.”. 55

**Substitution of section 6 of Act 6 of 2018**

7. The following section is hereby substituted for section 6 of the Political Party Funding Act, 2018:

**“Allocation and payment of money to represented political [party] parties and independent representatives** 5

**6.** (1) The Commission may allocate money from the Funds to represented political parties and independent representatives only.

(2) Any allocation from the Funds must be made to a represented political party or independent representative in accordance with the prescribed formula. 10

(3) The formula prescribed in subsection (2) must be based on—  
(a) in part, an equitable allocation taking into account a weighted scale of representation for allocations to represented political parties and independent representatives; and

(b) in part, a proportional allocation taking into account— 15  
(i) in the case of a political party, the relationship that the number of a represented political party’s representatives in the National Assembly and the provincial legislatures bears to the sum of the seats in the legislature concerned; and  
(ii) in the case of an independent representative, the relationship that the independent representative’s seat bears to the sum of the seats in the National Assembly or provincial legislature concerned. 20

(4) The Commission must apply the formula prescribed in subsection (2) taking into account the number of representatives of each represented political party and each independent representative and the number of seats in the respective legislatures based on the results of the election. 25

(5) The Commission may not take into account any money carried forward in terms of section 13(1) when it determines the allocation of money to a represented political party or an independent representative. 30

(6) Any allocation of money from the Funds—  
(a) to a represented political party ends when the party ceases to be a party with representation as contemplated in subsection (1); and  
(b) to an independent representative ends when the independent representative vacates his or her seat in the National Assembly or provincial legislature concerned. 35

(7) The Commission must pay the allocated amounts to each of the represented political parties and independent representatives at prescribed intervals.”.

**Insertion of section 6A in Act 6 of 2018** 40

8. The following section is hereby inserted in the Political Party Funding Act, 2018, after section 6:

**“Money in Funds may not be attached**

**6A.** (1) Money in the Funds may not be attached by any creditor of any political party or independent representative. 45

(2) Section 179 of the Tax Administration Act, 2011 (Act No. 28 of 2011), does not apply to money held by the Commission in the Funds.”.



**Phetolo ya karolo ya 6 ya Molao wa 6 wa 2018**

7. Karolo e latelang e fetotswe bakeng la karolo ya 6 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018:

**“Kabo le tefo ya ditjhelete tsa mekga [mokga] ya dipolotiki e nang le boemedi le baemedi ba ikemetseng** 5

6. (1) Khomishene e ka aba ditjhelete tse tswang Letloleng ho mekga ya dipolotiki e nang le boemedi le baemedi ba ikemetseng feela.

(2) Kabo efe kapa efe e tswang Letloleng e tlamehile ho etsiswa mokga wa dipolotiki o nang le boemedi kapa moemedi ya ikemetseng ho latela mokgwa o hlalositsweng. 10

(3) Mokgwa o hlalositsweng karolwaneng ya (2) o tlamehile ho thehwa hodima—

(a) bonyane, kabo a lekanang e elang hloko sekala se lekantsweng sa boemedi bakeng sa dikabo ho mekga ya dipolotiki e nang le boemedi le baemedi ba ikemetseng; le 15

(b) bonyane, kabo e lekanang e elang hloko—  
 (i) tabeng ya mokga wa dipolotiki, kamano e teng pakeng tsa palo ya baemedi ba mokga wa dipolotiki o nang le boemedi Sebokeng sa Naha le makgotleng a ketsamolao a diprovence le palo yohle ya ditulo lekgotleng la ketsamolao le amehang; le 20  
 (ii) tabeng ya moemedi ya ikemetseng, kamano e teng pakeng tsa setulo sa moemedi ya ikemetseng le palo yohle ya ditulo Sebokeng sa Naha kapa lekgotleng la ketsamolao la provence le amehang. 25

(4) Khomishene e tlamehile e sebedise mokgwa o hlalositsweng karolwaneng ya (2) e ela hloko palo ya baemedi ba mokga ka mong wa dipolotiki o nang le boemedi le moemedi e mong le e mong ya ikemetseng le palo ya ditulo makgotleng a ketsamolao e thehilweng hodima dipheto tsa dikgetho. 30

(5) Khomishene ha e a tshwanela ho ela hloko tjhelete efe kapa efe e fetisitweng ho latela karolwana ya 13(1) ha e lekanya kabo ya ditjhelete ho mokga wa dipolotiki o emetsweng kapa ho moemedi ya ikemetseng.

(6) Kabo ya ditjhelete efe kapa efe e tswang Letloleng—  
 (a) e yang ho mokga wa dipolotiki o nang le boemedi e fela ha mokga o kgaotsa ho ba le boemedi jwalo ka ha ho hlalositse karolwaneng ya (1); le 35

(b) ho moemedi ya ikemetseng ho fela ha moemedi ya ikemetseng a tlohela setulo sa hae Sebokeng sa Naha kapa lekgotleng la ketsamolao la provence le amehang.

(7) Khomishene e tlamehile ho lefa ditjhelete tse abilweng ho mokga ka mong wa dipolotiki o nang le boemedi le baemedi ba ikemetseng ka mekgahlelo e behilweng.” 40

**Ho kenngwa ha karolo ya 6A Molaong wa 6 wa 2018**

8. Karolo e latelang e kenngwa Molaong wa Letlole la Mekga ya Dipolotiki, 2018, ka mora karolo ya 6: 45

**“Tjhelete e Letloleng e ke ke ya tshwarwa**

6A. (1) Tjhelete e Letloleng e ke ke ya tshwarwa ke mokolotwa ofe kapa ofe wa mokga wa dipolotiki ofe kapa ofe kapa moemedi ya ikemetseng.

(2) Karolo ya 179 ya Molao wa Taolo ya Lekgetho, 2011 (Molao wa 28 wa 2011), ha e sebetse ho tjhelete e tshwerweng ke Khomishene Letloleng.” 50

**Amendment of section 7 of Act 6 of 2018**

9. Section 7 of the Political Party Funding Act, 2018, is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words: 5  
 “Subject to subsection (2), the money paid in terms of section 6(7) may be used by that represented political party or independent representative for any purpose compatible with [its] the functioning [as] of a political party or independent representative in a modern democracy including—”;
- (b) by the substitution in subsection (1) for paragraph (b) of the following paragraph: 10  
 “(b) bringing the political party’s or independent representative’s influence to bear on the shaping of public opinion;”;
- (c) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words: 15  
 “The money paid in terms of section 6(7) may not be used by [that] a represented political party—”; and
- (d) by the addition after subsection (2) of the following subsection: 20  
 “(3) The money paid in terms of section 6(7) may not be used by an independent representative—  
 (a) for the purpose of directly or indirectly paying any remuneration, fee, reward, perquisite or other benefit to any person who is appointed by or in the service of the State and receives remuneration for that appointment or service; 25  
 (b) to finance or contribute, whether directly or indirectly, to any matter, cause, event or occasion, in contravention of any code of ethics binding on the members of Parliament or members of a provincial legislature; 30  
 (c) directly or indirectly for the purpose of establishing any business, or acquiring or maintaining any right of financial interest whatsoever in any business, or in any immovable property, except where the right or interest in the immovable property is to be used in the performance of the duties of an independent representative; and  
 (d) for a purpose as may be prescribed: Provided that any money received from the Fund may not be used for personal use.”. 35

**Amendment of heading of Chapter 3 to Act 6 of 2018**

10. The following heading is hereby substituted for the heading of Chapter 3 of the Political Party Funding Act, 2018:

**“DIRECT FUNDING OF POLITICAL PARTIES, INDEPENDENT REPRESENTATIVES AND INDEPENDENT CANDIDATES”.** 40

**Amendment of section 8 of Act 6 of 2018**

11. Section 8 of the Political Party Funding Act, 2018, is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words: 45  
 “Political parties, independent representatives and independent candidates may not accept a donation from any of the following sources:”;
- (b) by the substitution for subsection (3) of the following subsection: 50  
 “(3) A political party, independent representative or independent candidate may not accept a donation that it knows or ought reasonably to have known, or suspected, originates from the proceeds of crime and must report that knowledge or suspicion to the Commission.”; and

**Phetolo ya karolo ya 7 ya Molao wa 6 wa 2018**

9. Karolo ya 7 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe—
- (a) ka phetoho ya karolwana ya (1) bakeng sa mantswe a tlang pele ho temana ya (a) ya mantswe a latelang:
- “Ho latela karolwana ya (2), tjehelete e lefilweng ho latela karolo ya 6(7) e ka sebediswa ke mokga oo wa dipolotiki o nang le boemedi kapa moemedi ya ikemetseng bakeng sa sepheo sefe kapa sefe se tsamaelana le [ona] tshebetso ya mokga wa dipolotiki kapa moemedi ya ikemetseng demokrasing ya sekwalelwale ho kenyeletswa—”;
- (b) ka phetoho ya karolwana ya (1) bakeng la temana ya (b) ya temana e latelang:
- “(b) ho tliisa tshusumetso e utlwahalang ya mokga wa dipolotiki kapa moemedi ya ikemetseng bakeng sa ho susumetsa maikutlo a setjhaba;”
- (c) ka phetoho ya karolwana ya (2) bakeng sa mantswe a tlang pele ho temana ya (a) ya mantswe a latelang:
- “Tjehelete e lefilweng ho latela karolo ya 6(7) e ke ke ya sebediswa ke mokga [oo] wa dipolotiki o nang le boemedi—”; le
- (d) ka kenyeletso ka mora karolwana ya (2) ya karolwana e latelang:
- “(3) Tjehelete e lefilweng ho latela karolo ya 6(7) e ke ke ya sebediswa ke moemedi ya ikemetseng—
- (a) ka sepheo sa ho lefa meputso, tefo, moputso, phaello ka kotloloho kapa ka tsela e sa tobang, kapa melemo e meng ho mang kapa mang ya hirilweng ke, kapa ya sebeletsang mmuso mme a fumana moputso ka lebaka la ho hirwa kapa ka mosebetsi oo;
- (b) ho fana ka ditjehelete kapa ho kenya letsoho, ebang ke ka kotloloho kapa ka mokgwa o sa tobang, tabeng, lebakeng, ketsahalang kapa tshebetso efe kapa efe, e kgahlanong le melawana efe kapa efe ya boitshwara e tlamang ditho tsa Palamente kapa ditho tsa lekgotla la ketsamelao;
- (c) bakeng sa sepheo sa ho theha kgwebo efe kapa efe ka kotloloho kapa ka mokgwa o sa tobang, kapa ho fumana kapa ho boloka tokelo efe kapa efe ya tswala ya ditjehelete dife kapa dife kgwebong efe kapa efe, kapa thepa efe kapa efe e tsepameng, ntle le moo tokelo kapa tswala ya thepa e tsepameng e tla sebediswa ho phethahatsa mesebetsi ya moemedi ya ikemetseng; le
- (d) bakeng sa sepheo jwalo ka ha se hlalositse: Ha feela tjehelete efe kapa efe e fumanweng ho tswa Letloleng e ke ke ya sebediswa bakeng sa tshbediso ya motho ka mong.”.

**Phetolo ya sehlooho sa Kgaolo ya 3 ho Molao wa 6 wa 2018**

10. Sehlooho se latelang se fetotswe bakeng la sehlooho sa Kgaolo ya 3 sa Molao wa Letlole la Mekga ya Dipolotiki, 2018:

**“HO FANA KA DITJHELETE HO MEKGA YA DIPOLOTIKI, BAEMEDI BA IKEMETSENG LE BONKGETHENG BA IKEMETSENG KA KOTLO-LOHO”.**

**Phetolo ya karolo ya 8 ya Molao wa 6 wa 2018**

11. Karolo ya 8 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe—
- (a) ka phetoho ya karolwana ya (1) bakeng sa mantswe a tlang pele ho temana ya (a) ya mantswe a latelang:
- “Mekga ya dipolotiki, baemedi ba ikemetseng le bonkgetheng ba ikemetseng ha ba tshwanela ho amohela monehelo ho tswa mehloding e latelang;”;
- (b) ka phetoho karolwaneng ya (3) ya karolwana e latelang:
- “(3) Mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng ha ba tshwanela ho amohela monehelo oo ba o tsebang kapa oo bonyane ba tshwanetseng hore e be ba o tseba, kapa o ba o belaelang, hore o fumanwe ka botlokotsebe, mme ba tlamehile ho tlaeha tsebo kapa pelaelo eo ho Khomishene.”; le

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- (c) by the substitution for subsection (4) of the following subsection:
- “(4) Subject to subsection (5), nothing in subsection (1)(b) prevents a political party, independent representative or independent candidate from accepting donations from foreign entities for the purpose of—
- (a) training or skills development of a member of a political party or independent representative or independent candidate; or 5
- (b) policy development by a political party, independent representative or independent candidate.”.

**Insertion of section 8A in Act 6 of 2018**

12. The following section is hereby inserted after section 8 of the Political Party Funding Act, 2018: 10

**“Right to refuse donation or allocation**

**8A.** Political parties, independent candidates and independent representatives may, for any reason, refuse to accept a donation from any person or an allocation from the Multi-Party Democracy Fund.”. 15

**Amendment of section 9 of Act 6 of 2018**

13. Section 9 of the Funding Act, 2018, is hereby amended—
- (a) by the substitution for the heading of the section of the following heading: 20
- “Disclosure of donations to political [party] parties, independent candidates and independent representatives”;**
- (b) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:
- “A political party, independent representative or independent candidate must disclose to the Commission all donations received—”; and
- (c) by the substitution for subsection (2) of the following subsection: 25
- “(2) A juristic person or entity that makes a donation to a political party, independent representative or independent candidate above the threshold prescribed in terms of subsection (1)(a) must disclose that donation to the Commission in the prescribed form and manner.”.

**Amendment of section 10 of Act 6 of 2018** 30

14. Section 10 of the Political Party Funding Act, 2018, is hereby amended—
- (a) by the substitution for the heading of the section of the following heading: 35
- “Prohibition on donation to member of political party, independent representative and independent candidate”;** and
- (b) by the substitution for subsection (1) of the following subsection:
- “(1) No person or entity may deliver a donation to a member of a political party, an independent representative or independent candidate other than for [party] political purposes.”.

**Substitution of heading of Chapter 4 to Act 6 of 2018**

15. The following heading is hereby substituted for the heading of Chapter 4 of the Political Party Funding Act, 2018: 40
- “DUTIES OF POLITICAL PARTIES, INDEPENDENT REPRESENTATIVES AND INDEPENDENT CANDIDATES”.**

- (c) ka phetoho karolwaneng ya (4) ya karolwana e latelang:  
 “(4) Ho latela karolwana ya (5), ha ho letho ho karolwana ya (1)(b) le thibelang mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng ho amohela menhelo e tswang ditheong tsa dinaha tse ding ka sepheo sa— 5  
 (a) thupello kapa ntshetsopele ya tsebo ya setho sa mokga wa dipolotiki kapa moemedi ya ikemetseng kapa nkgetheng ya ikemetseng; kapa  
 (b) ntshetsopele ya pholisi ke mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng.”.

**Ho kenngwa ha karolo ya 8A Molaong wa 6 wa 2018** 10

12. Karolo e latelang e kentswe ka mora karolo ya 8 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018:

**“Tokelo ya ho hana monehelo kapa kabo**

**8A.** Mekga ya dipolotiki, baemedi ba ikemetseng le bonkgetheng ba ikemetseng, ka lebaka lefe kapa lefe, ba ka hana ho amohela monehelo o tswang ho motho ofe kapa ofe kapa kabo e tswang Letloleng la Mekga ya Dipolotiki e Mengata ya Demokrasi.” 15

**Phetolo ya karolo ya 9 ya Molao wa 6 wa 2018**

13. Karolo ya 9 ya Molao wa Letlole, 2018, e fetotswe—  
 (a) ka phetoho ya sehlooho sa karolo ya sehlooho se latelang: 20  
 “**Tsebahatso ya menhelo ho mekga [mokga] ya dipolotiki, bonkgetheng ba ikemetseng le baemedi ba ikemetseng**”;  
 (b) ka phetoho ya karolwana ya (1) bakeng sa mantswe a tlang pele ho temana ya  
 (a) ya mantswe a latelang: 25  
 “mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng ba tlameha ho senolela Khomishene menhelo yohle eo ba e fumaneng—”; le  
 (c) ka phetoho karolwaneng ya (2) ya karolwana e latelang: 30  
 “(2) Motho kapa ditheo tse nang le tokelo ya molao tse fanang ka monehelo mokgatlong wa dipolotiki, ho moemedi ya ikemetseng kapa ho nkgetheng ya ikemetseng ka hodimo ho moedi o laetsweng ho latela karolwana ya (1) (a) o tlameha ho senolela Khomishene ka monehelo oo ka mokgwa le ka tsela e laetsweng.”.

**Phetolo ya karolo ya 10 ya Molao wa 6 wa 2018**

14. Karolo ya 10 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe— 35  
 (a) ka phetoho ya sehlooho sa karolo ya sehlooho se latelang:  
 “**Thibelo ya monehelo ho setho sa mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng**”; le  
 (b) ka phetoho karolwaneng ya (1) ya karolwana e latelang: 40  
 “(1) Ha ho motho kapa setheo se ka fanang ka monehelo ho setho sa mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng ntle le bakeng sa merero ya **[mokga]** dipolotiki.”.

**Phetolo ya sehlooho sa Kgaolo ya 4 ho Molao wa 6 wa 2018**

15. Sehlooho se latelang se fetotswe bakeng la sehlooho sa Kgaolo ya 4 sa Molao wa Letlole la Mekga ya Dipolotiki, 2018: 45  
**MESEBETSI YA MEKGA YA DIPOLOTIKI, BAEMEDI BA IKEMETSENG LE BONKGETHENG BA IKEMETSENG**”.

**Substitution of section 11 of Act 6 of 2018**

16. The following section is hereby substituted for section 11 of the Political Party Funding Act, 2018:

**“Political party, independent representative and independent candidate to furnish information to Commission** 5

11. In order for the Commission to monitor compliance with this Act, a political party, independent representative and independent candidate must, at the prescribed times, furnish the Commission with any information and documentation that is prescribed, or required in terms of a direction issued under section 15.”. 10

**Amendment of section 12 of Act 6 of 2018**

17. Section 12 of the Political Party Funding Act, 2018, is hereby amended—

- (a) by the substitution in subsection (1) for paragraph (d) of the following paragraph: 15  
“(d) if it is represented in the National Assembly or a provincial legislature, appoint an auditor registered and practising as such in terms of the Auditing Professions Act, 2005 (Act No. 26 of 2005), to audit its books and financial statements.”;
- (b) by the deletion in subsection (2) of the word “and” at the end of paragraph (c);
- (c) by the insertion in paragraph (d) of subsection (2) after subparagraph (i) of the word “and”; 20
- (d) by the deletion in paragraph (d) of subsection (2) of subparagraph (iii);
- (e) by the insertion in subsection (2) of the following paragraphs: 25  
“(e) if the political party is represented in the National Assembly or a provincial legislature, submit those statements and the books and records of account to an auditor appointed in terms of subsection (1)(d); and
- (f) if the political party is not represented in the National Assembly or a provincial legislature, submit those statements and the books and records of account together with a prescribed confirmation letter from its bank and affidavit confirming the correctness of their contents to the Commission in the prescribed form and within the prescribed period.”; 30
- (f) by the substitution in subsection (3) for the words preceding paragraph (a) of the following words: 35  
“On receipt of the statements, books and records contemplated in subsection (2)[(d)(iii)](e), the auditor must perform an audit of the financial statements and express an opinion on those statements—”;
- (g) by the substitution for subsection (4) of the following subsection: 40  
“(4) The accounting officer of a political party represented in the National Assembly or a provincial legislature must submit the auditor’s opinion and audited financial statements to the Commission within the prescribed period.”;
- (h) by the insertion after subsection (4) of the following subsection: 45  
“(4A) Where a political party that previously was not represented in the National Assembly or a provincial legislature, becomes represented after an election of the legislature concerned—
- (a) its accounting officer must submit the statements and the books and records of account contemplated in subsection (2)(c) and (d) for the previous two financial years to an auditor appointed in terms of subsection (1)(d); 50

**Phetolo ya karolo ya 11 ya Molao wa 6 wa 2018**

16. Karolo e latelang e fetotswe bakeng la karolo ya 11 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018:

**“Mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng ho fana ka tlhahisoleseding ho Khomishene** 5

11. Hore Komishene e tle e kgone ho lekola boikamahanyo le Molao ona, mokga wa dipolotiki, moemedi ya ikemetseng le nkgetheng ya ikemetseng ba tlameha, ka dinako tse hlahositsweng, ho nehelana ka tlhahisoleseding le ditokomane dife kapa dife tse hlahositsweng Khomisheneng, kapa tse hlokalalang ho latela taelo e ntshitsweng ka tlasa karolo ya 15.” 10

**Phetolo ya karolo ya 12 ya Molao wa 6 wa 2018**

17. Karolo ya 12 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe—

- (a) ka phetoho ya karolwana ya (1) bakeng la temana ya (d) ya temana e latelang:  
“(d) haeba e emetswe Sebokeng sa Naha kapa lekgotleng la ketsamolao la provense, ho hira mohlalobi wa dibuka tsa ditjhelete ya ngodisitsweng a sebitsa mosebetsi oo ho latela Molao wa Diprofeshene tsa ho Hlahloba Dibuka tsa Ditjhelete, 2005 (Molao wa 26 wa 2005), ho hlahloba dibuka tsa yona le ditatementsa tsa ditjhelete.”; 15
- (b) ka ho hlakolwa ha karolwana ya (2) ya lentswe “le” qetellong ya temana ya (c); 20
- (c) ka ho kenngwa ha temana ya (d) ya karolwana ya (2) ka mora temana ya (i) ya lentswe “le”;
- (d) ka ho hlakolwa ha temana ya (d) ya karolwana ya (2) ya temana ya (iii);
- (e) ka ho kenngwa ha karolwana ya (2) ya ditemana tse latelang: 25  
“(e) ha mokga wa dipolotiki o emetswe Sebokeng sa Naha kapa lekgotleng la ketsamolao la provense, o nehelane ka ditatementsa tse le dibuka le direkoto tsa akhaonto ho mohlalobi wa dibuka tsa ditjhelete ya hirilweng ho latela karolwana ya (1) (d); mme  
 (f) ha mokga wa dipolotiki o sa emelwa Sebokeng sa Naha kapa lekgotleng la ketsamolao la provense, o nehelane ka ditatementsa tse le dibuka le direkoto tsa akhaonto mmoho le lengolo la netefatso le behilweng le tswang bankeng ya yona le affidaviti e netefatsang ho nepahala ha dintlha tsa tsona ho Khomishene ka mokgwa o behilweng le nakong e behilweng.”. 30 35
- (f) ka phetoho ya karolwana ya (3) bakeng sa mantswe a tlang pele ho temana ya (a) ya mantswe a latelang:  
“Ha a amohela ditatementsa, dibuka le direkoto tse hlahositsweng karolwaneng ya (2) [(d) (iii)] (e), mohlalobi wa dibuka tsa ditjhelete o lokela ho etsa tlhahlobo ya ditatementsa tsa ditjhelete le ho hlahisa maikutlo mabapi le ditatementsa tse—”; 40
- (g) ka phetoho ya karolwana ya (4) ya karolwana e latelang:  
“(4) Mohlanka ya ikarabellang wa mokga wa dipolotiki o emetsweng Sebokeng sa Naha kapa lekgotleng la ketsamolao la provense o lokela ho nehelana ka maikutlo a mohlalobi wa dibuka tsa ditjhelete le ditatementsa tsa ditjhelete tse hlahlobilweng ho Khomishene nakong e behilweng.”; 45
- (h) ka ho kenngwa ha karolwana ya (4) ya karolwana e latelang:  
“(4A) Moo mokga wa dipolotiki oo pele o neng o se na boemedi Sebokeng sa Naha kapa lekgotleng la ketsamolao la provense, o bang le boemedi ka mora dikgetho tsa lekgotla la ketsamolao le amehang—  
 (a) mohlanka ya ikarabellang o tlameha ho nehelana ka ditatementsa le dibuka le direkoto tsa akhaonto tse hlahositsweng ho karolwana ya (2) (c) le (d) bakeng sa dilemo tse pedi tse fetileng tsa ditjhelete ho mohlalobi wa dibuka tsa ditjhelete ya hirilweng ho latela karolwana ya (1) (d); 50 55

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- (b) the auditor must perform an audit of the financial statements and express an opinion on those statements in compliance with subsection (3); and
- (c) its accounting officer must submit the auditor's opinion and audited financial statements to the Commission within the prescribed period."; and 5
- (i) by the substitution for subsection (5) of the following subsection:
  - "(5) The Auditor-General may at any reasonable time audit any represented political party's books, records of account and financial statements relating to money allocated to the party from the Political Representatives Fund." 10

**Insertion of section 12A in Act 6 of 2018**

18. The following section is hereby inserted after section 12 of the Political Party Funding Act, 2018:

**"Independent representative and independent candidate to account for income 15**

**12A. (1) An independent representative must—**

- (a) deposit all donations received into an account with a bank registered as a bank in terms of the Banks Act, in the independent representative's name; 20
- (b) separate from his or her personal account keep an account with a bank registered as a bank in terms of the Banks Act, into which all money allocated to him or her from the Funds must be deposited;
- (c) appoint an auditor registered and practising as such in terms of the Auditing Professions Act, 2005 (Act No. 26 of 2005), to audit his or her books and financial statements; 25
- (d) keep separate books and records of account, in the prescribed manner, in respect of money allocated from the Funds and all transactions involving that money; and
- (e) within the prescribed period— 30
  - (i) prepare a financial statement showing all money received by the independent representative from the Funds during the previous financial year, the application of that money and the purposes for which the money has been applied;
  - (ii) prepare a statement, in the prescribed form, showing all donations received during that financial year; and 35
  - (iii) submit those statements and the books and records of account to an auditor appointed in terms of paragraph (c).
- (2) On receipt of the statements, books and records contemplated in subsection (1)(e)(iii), the auditor must perform an audit of the financial statements and express an opinion on those statements— 40
  - (a) indicating whether the donations received by the independent representative comply with section 8(1);
  - (b) listing the donations required to be disclosed in terms of section 9(1);
  - (c) listing the donations under the threshold prescribed in section 9(1); 45
  - (d) indicating whether the transactions in the financial statements related to the money allocated from the Funds are in accordance with this Act;
  - (e) indicating whether any income was received by the independent representative other than provided for in terms of this Act; and
  - (f) indicating whether any money lent to the independent representative is on commercial terms. 50



- (b) mohlalobi wa dibuka tsa ditjhelete o lokela ho etsa tlhahlobo ya ditateme tsa ditjhelete le ho hlahisa maikutlo mabapi le ditateme tseo ho latela karolwana ya (3); mme
- (c) mohlanka ya ikarabellang o tlameha ho nehelana ka maikutlo a mohlalobi wa dibuka tsa ditjhelete le ditateme tsa ditjhelete tse hlahlobilweng ho Khomishene nakong e behilweng.”; le 5
- (i) ka phetoho karolwaneng ya (5) ya karolwana e latelang:  
 “(5) Mohlahlobi-Kakaretso wa dibuka tsa ditjhelete ka nako efe kapa efe e utlwalang a ka hlahloba dibuka tsa mokga ofe kapa ofe wa dipolotiki o nang le boemedi, direkoto tsa akhaonto le ditateme tsa ditjhelete tse amanang le tjehelete e abetsweng mokga oo ho tswa Letloleng la Baemedi ba Dipolotiki.”. 10

### Ho kenngwa ha karolo ya 12A Molaong wa 6 wa 2018

18. Karolo e latelang e kentswe bakeng la karolo ya 12 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018: 15

#### “Moemedi ya ikemetseng le nkgetheng ya ikemetseng ba ikarabella bakeng sa lekeno

##### 12A. (1) Moemedi ya ikemetseng o tlameha—

- (a) ho kenya menhelo yohle e amohetsweng akhaonteng ya banka e ngodisitsweng e le banka ho latela *Banks Act*, lebitsong la moemedi ya ikemetseng; 20
- (b) ka thoko ho akhaonte ya hae ya botho a boloke akhaonte le banka e ngodisitsweng e le banka ho latela *Banks Act*, moo tjehelete yohle a e abetsweng ho tswa Letloleng e lokelang ho kenngwa teng; 25
- (c) ho hira mohlalobi wa dibuka tsa ditjhelete ya ngodisitsweng le ya sebetsang mosebetsi oo ho latela Molao wa Diprofeshene tsa ho Hlahloba Dibuka tsa Ditjhelete, 2005 (Molao wa 26 wa 2005), ho hlahloba dibuka tsa hae le ditateme tsa ditjhelete; 25
- (d) ho boloka ka thoko dibuka le direkoto tsa akhaonto, ka mokgwa o behilweng, mabapi le tjehelete e abilweng ho tswa Letloleng le ditransekshene tsohle tse amang tjehelete eo; mme 30
- (e) ka nako e behilweng— 30
- (i) a lokise setateme tsa ditjhelete se bontshang tjehelete yohle e fumanweng ke moemedi ya ikemetseng ho tswa Letloleng selemong se fetileng sa ditjhelete, tshebediso ya tjehelete eo le merero eo tjehelete e sebeditsweng ho yona; 35
- (ii) a lokise setateme, ka mokgwa o behilweng, se bontshang menhelo yohle e amohetsweng selemong seo sa ditjhelete; le 40
- (iii) ho nehelana ka ditateme tseo le dibuka le direkoto tsa akhaonto ho mohlalobi wa dibuka tsa ditjhelete ya hirilweng ho latela temana ya (c). 40
- (2) Ha a amohela ditateme, dibuka le direkoto tse hlahositsweng karolwaneng ya (1)(e)(iii), mohlalobi wa dibuka tsa ditjhelete o lokela ho etsa tlhahlobo ya ditateme tsa ditjhelete le ho hlahisa maikutlo mabapi le ditateme tseo— 45
- (a) a bontsha hore na menhelo e fumanweng ke moemedi ya ikemetseng di tsamaelana le karolo ya 8(1);
- (b) a etse lenane la menhelo e lokelang ho senolwa ho latela karolo ya 9(1);
- (c) a etse lenane la menhelo e ka tlase ho moedi o hlahositsweng karolong ya 9(1); 50
- (d) a bontsha hore na ditransekshene tse ditateme tsa ditjhelete tse amanang le tjehelete e abetsweng ho tswa Letloleng di ikamahanya le Molao ona;
- (e) ho bontsha hore na moemedi ya ikemetseng o amohetse tjehelete efe kapa efe ntle le e boletsweng Molaong ona; le 55
- (f) ho bontsha hore na tjehelete efe kapa efe e adinngweng moemedi ya ikemetseng ke bakeng sa kgwebo.

- (3) The independent representative must submit the auditor's opinion and audited financial statements to the Commission within the prescribed period.
- (4) An independent candidate must—
- (a) deposit all donations received by him or her into an account, separate from his or her personal account with a bank registered as a bank in terms of the Banks Act, in the candidate's name; 5
- (b) prepare a statement, in the prescribed manner, showing—
- (i) all donations received by the candidate during the previous two financial years before his or her nomination of whatever form and into whatever account and after his or her nomination; 10
- (ii) any money lent to the independent candidate as well as the terms and conditions of such loan; and
- (c) submit those statements and the books and records of account together with a prescribed confirmation letter from its bank and an affidavit confirming the correctness of their contents to the Commission in the prescribed form and within the prescribed period. 15
- (5) Where an independent representative first becomes a member of the National Assembly or a provincial legislature— 20
- (a) the independent representative must submit the statement contemplated in subsection (4)(b) to an auditor appointed in terms of subsection (1)(c);
- (b) the auditor must perform an audit of the financial statements and express an opinion on those statements— 25
- (i) indicating whether the donations received by the independent representative after his or her nomination comply with section 8(1);
- (ii) listing the donations received after his or her nomination required to be disclosed in terms of section 9(1); 30
- (iii) listing the donations received after his or her nomination under the threshold prescribed in section 9(1); and
- (iv) indicating whether any money lent to the independent representative is on commercial terms.
- (c) the independent representative must submit the auditor's opinion and audited financial statements to the Commission within the prescribed period. 35
- (6) The Auditor-General may at any reasonable time audit any independent representative's books, records of account and financial statements relating to money allocated to the independent representative from the Political Representatives Fund." 40

#### Amendment of section 13 of Act 6 of 2018

19. Section 13 of the Political Party Funding Act, 2018, is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection: 45
- “(1) Any money allocated from the Funds to a represented political party or independent representative that is unspent at the end of the financial year must be shown as a credit balance carried forward to the next financial year in the—
- (a) account contemplated in section 12(1)(b) or section 12A(1)(b); and
- (b) books and records of account contemplated in section 12(2)(c) or section 12A(1)(d).”; 50
- (b) by the substitution for subsection (2) of the following subsection:
- “(2) If Parliament or a provincial legislature is dissolved in terms of section 50 or section 109 of the Constitution respectively, or when the terms of these legislatures expire, a represented political party or independent representative to whom money has been allocated from the 55

- (3) Moemedi ya ikemetseng o tlameha ho nehelana ka maikutlo a mohlalobi wa dibuka tsa ditjhelete le ditateme tsa ditjhelete tse hlahlobilweng ho Khomishene nakong e behilweng.
- (4) Nkgetheng ya ikemetseng o tlameha—
- (a) ho kenya menhelo yohle eo a e amohetseng akhaonteng e arohaneng le akhaonte ya hae ya botho bankeng e ngodisitsweng e le banka ho latela *Banks Act*, lebitsong la nkgetheng; 5
- (b) a lokise setateme, ka mokgwa o behilweng, se bontshang;
- (i) menhelo yohle e amohetsweng ke nkgetheng nakong ya dilemo tse pedi tse fetileng tsa ditjhelete, pele ho kgetho ya hae ya mofuta ofe kapa ofe le akhaonteng efe kapa efe le ka mora ho kgethwa ha hae; 10
- (ii) tjhelete efe kapa efe e adimilweng nkgetheng ya ikemetseng hammoho le dipehelo le maemo a kadimo eo; le
- (c) ho nehelana ka ditateme tseo le dibuka le direkoto tsa akhaonto mmoho le lengolo la netefatso le behilweng le tswang bankeng ya hae le afidaviti e netefatsang ho nepahala ha dintlha tsa tsona ho Khomishene ka mokgwa o behilweng le nakong e behilweng. 15
- (5) Moo moemedi ya ikemetseng e bang setho sa Seboka sa Naha kapa lekgotla la ketsamolao la provense— 20
- (a) moemedi ya ikemetseng o lokela ho nehelana ka setateme se hlahositsweng karolwaneng ya (4) (b) ho mohlalobi wa dibuka tsa ditjhelete ya hirilweng ho latela karolwana ya (1) (c);
- (b) mohlalobi wa dibuka tsa ditjhelete o lokela ho etsa tlhahlobo ya ditateme tsa ditjhelete le ho hlahisa maikutlo mabapi le ditateme tseo— 25
- (i) a bontsha hore na menhelo e fumanweng ke moemedi ya ikemetseng ka mora kgetho ya hae di tsamaelana le karolo ya 8(1);
- (ii) a etse lenane la menhelo e amohetsweng ka mora kgetho ya hae e lokelang ho senolwa ho latela karolo ya 9(1); 30
- (iii) a etse lenane la menhelo e amohetsweng ka mora kgetho ya hae e ka tlase ho moedi o hlahositsweng karolong ya 9(1); le
- (iv) ho bontsha hore na tjhelete efe kapa efe e adinngweng moemedi ya ikemetseng ke bakeng la kgwebo. 35
- (c) moemedi ya ikemetseng o tlameha ho nehelana ka maikutlo a mohlalobi wa dibuka tsa ditjhelete le ditateme tsa ditjhelete tse hlahlobilweng ho Khomishene nakong e behilweng.
- (6) Mohlahlobi-Kakaretso wa dibuka tsa ditjhelete ka nako efe kapa efe e utlwalang a ka hlahloba dibuka tsa moemedi ofe kapa ofe ya ikemetseng, direkoto tsa akhaonto le ditateme tsa ditjhelete tse amanang le tjhelete e abetsweng moemedi ya ikemetseng ho tswa Letloleng la Baemedi ba Dipolotiki.”. 40

#### Phetolo ya karolo ya 13 ya Molao wa 6 wa 2018

19. Karolo ya 13 ya Molao wa Letlale la Mekga ya Dipolotiki, 2018, e fetotswe— 45
- (a) ka phetoho karolwaneng ya (1) ya karolwana e latelang:
- “(1) Tjhelete efe kapa efe e abetsweng ho tswa Letloleng ho mokga wa dipolotiki o nang le boemedi kapa moemedi ya ikemetseng e sa sebediswang qetellong ya selemo sa ditjhelete e tlameha ho bontshwa e le tjhelete e setseng e fetisetswang selemong se latelang sa ditjhelete ho— 50
- (a) akhaonto e hlahositsweng karolong ya 12(1)(b) kapa karolo 12A(1)(b); le
- (b) dibuka le direkoto tsa akhaonto e hlahositsweng karolong ya 12(2)(c) kapa karolo ya 12A(1)(d).”; 55
- (b) ka phetoho karolwaneng ya (2) ya karolwana e latelang:
- “(2) Haeba Palamente kapa lekgotla la ketsamelao la provense le qhalwa ho latela karolo ya 50 kapa karolo ya 109 ya Molaotheo ka tatelano, kapa ha nako ya makgotla ana a ketsamelao e fela, mokga wa dipolotiki o nang le boemedi kapa moemedi ya ikemetseng ya abetsweng 60

Funds and that fails to obtain representation in any legislature in the next election must—

- (a) within 21 days after that election—
- (i) close [its] the books and records in respect of those Funds; and
  - (ii) repay to the Commission the unspent balance of the money allocated to that political party or independent representative;
- (b) within three months after that election, submit an audited financial statement of the books and records contemplated in paragraph (a)(i) to the Commission.”; and
- (c) by the addition after subsection (2) of the following subsection:
- “(3) If a vacancy occurs or a member of a political party or an independent representative resigns from Parliament or a provincial legislature, a represented political party or independent representative to whom money has been allocated from the Funds, must—
- (a) within 21 days after that vacancy or resignation occurs—
- (i) close the books and records in respect of those Funds; and
  - (ii) repay to the Commission the unspent balance of the money allocated to that political party or independent representative; and
- (b) within three months after resignation or after the vacancy occurs, submit an audited financial statement of the books and records contemplated in paragraph (a)(i) to the Commission.”.

#### Amendment of section 14 of Act 6 of 2018

20. Section 14 of the Political Party Funding Act, 2018, is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:
- “(1) The Commission must monitor compliance by political parties, independent representatives and independent candidates with this Act by, subject to subsection (2), evaluating the information and documentation provided by [political parties] any person in terms of this Act.”; and
- (b) by the substitution for subsection (4) of the following subsection:
- “(4) If a complaint relating to the income or expenditure of a political party, independent representative or independent candidate is lodged with the Commission, it must, if the chief executive officer is of the view that there is *prima facie* substance to the complaint, investigate the complaint.”.

#### Amendment of section 15 of Act 6 of 2018

21. Section 15 of the Political Party Funding Act, 2018, is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:
- “(1) The Commission may issue a direction to a political party, independent representative or independent candidate in the prescribed manner in order to avoid imposing a sanction—
- (a) after affording that party, independent representative or independent candidate an opportunity to make representations; and
- (b) if it is of the opinion that the party, independent representative or independent candidate fails to comply with this Act.”; and
- (b) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:
- “The direction contemplated in subsection (1) must indicate which of the following sanctions that the Commission may impose if the political party, independent representative or independent candidate fails to comply with that direction.”.

- tjhelete ho tswa Letloleng mme a hloleha ho fumana boemedi lekgotleng lefe kapa lefe la ketsamolao dikgethong tse latelang o tlameha—
- (a) matsatsing a 21 ka mora dikgetho tseo—
- (i) ba kwale dibuka le direktoto tse mabapi le Matlole ao; le
- (ii) ho busetsa tjhelete e setseng e sa sebediswang e abetsweng mokga oo wa dipolotiki kapa moemedi ya ikemetseng ho Khomishene; 5
- (b) nakong ya dikgwedi tse tharo ka mora dikgetho tseo, ba nehelane ka setatementsa sa ditjhelete se hlahlobilweng sa dibuka le direktoto tse hlahositsweng temaneng ya (a) (i) ho Khomishene.”; le 10
- (c) ka kenyeletso ka mora karolwana ya (2) ya karolwana e latelang:  
 “(3) Haeba sekgeo se hlaha kapa setho sa mokga wa dipolotiki kapa moemedi ya ikemetseng a itokolla Palamenteng kapa lekgotleng la ketsamolao la provense, mokga wa dipolotiki o nang le boemedi kapa moemedi ya ikemetseng ya abetsweng tjhelete ho tswa Letloleng o tlameha— 15
- (a) matsatsing a 21 ka mora hore sekgeo kapa ho itokolla hoo ho hlahe—
- (i) ba kwale dibuka le direktoto tse mabapi le Matlole ao; le
- (ii) ho busetsa tjhelete e setseng e sa sebediswang e abetsweng mokga oo wa dipolotiki kapa moemedi ya ikemetseng ho Khomishene; mme 20
- (b) nakong ya dikgwedi tse tharo ka mora ho itokolla mosebetsing kapa ka mora hore sekgeo se be teng, ba nehelane ka setatementsa sa ditjhelete se hlahlobilweng sa dibuka le direktoto tse hlahositsweng temaneng ya (a) (i) ho Khomishene.”. 25

#### Phetolo ya karolo ya 14 ya Molao wa 6 wa 2018

20. Karolo ya 14 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe—
- (a) ka phetoho karolwaneng ya (1) ya karolwana e latelang:  
 “(1) Khomishene e tlameha ho lekola boikamahanyo ba mekga ya dipolotiki, baemedi ba ikemetseng le bonkgetheng ba ikemetseng ka Molao ona, ho latela karolwana ya (2), ka ho lekola tlhahisoleseding le ditokomane tse nehetsweng ke [mekga ya dipolotiki] motho ofe kapa ofe ho latela Molao ona.”; le 30
- (b) ka phetoho karolwaneng ya (4) ya karolwana e latelang:  
 “(4) Haeba tletlebo e amanang le lekeno kapa ditjeo tsa mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng e iswa Khomisheneng, e tlameha, haeba Mohlanka wa Phethahatso ya ka Sehloohong a na le mohopolo wa hore tletlebo eo e a tshwareha, ho fuputsa tletlebo eo.”. 35 40

#### Phetolo ya karolo ya 15 ya Molao wa 6 wa 2018

21. Karolo ya 15 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe—
- (a) ka phetoho karolwaneng ya (1) ya karolwana e latelang:  
 “(1) Khomishene e ka fana ka taelo ho mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng ka mokgwa o hlahositsweng hore e kgone ho qoba ho fana ka kotlo— 45
- (a) ka mora ho fa mokga oo, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng monyetla wa ho fana ka ditlhaloso; le
- (b) haeba e na le maikutlo a hore mokga, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng o hloleha ho ikamahanya le Molao ona.”; le 50
- (b) ka phetoho ya karolwana ya (2) bakeng sa mantswe a tlang pele ho temana ya (a) ya mantswe a latelang:  
 “Taelo e hlahositsweng karolwaneng ya (1) e tlameha ho bontsha hore ke efe ya dikotlo tse latelang eo Khomishene e ka fanang ka yona haeba mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng a hloleha ho ikamahanya le taelo eo.”. 55

**Amendment of section 16 of Act 6 of 2018**

22. Section 16 of the Political Party Funding Act, 2018, is hereby amended by the substitution in subsection (1) for paragraphs (a) and (b) of the following paragraphs:

- “(a) may suspend the payment of money to a represented political party or independent representative envisaged in section 6(7) if it is satisfied on reasonable grounds that the represented political party or independent representative has failed to comply with this Act; and 5
- (b) must terminate the suspension contemplated in paragraph (a) if the Commission is satisfied that the suspension is no longer justified in the light of the represented political party’s or independent representative’s subsequent conduct.”. 10

**Amendment of section 17 of Act 6 of 2018**

23. Section 17 of the Political Party Funding Act, 2018, is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words: 15  
 “A political party, independent representative or independent candidate is liable to pay to the Commission any money that is—”;
- (b) by the substitution in subsection (1) for paragraph (a) of the following paragraph:  
 “(a) accepted in contravention of sections 8, 9(1), [or] 10 or 10A; or”; 20
- (c) by the substitution in subsection (2) for paragraph (b) of the following paragraph:  
 “(b) setting off the liability against any amount to be allocated to a represented political party or independent representative from the Funds.”; and 25
- (d) by the substitution for subsection (4) of the following subsection:  
 “(4) A represented political party or independent representative contemplated in subsection (1) may not share in any allocation of the paid back or recovered money.”. 30

**Amendment of section 19 of Act 6 of 2018**

24. Section 19 of the Political Party Funding Act, 2018, is hereby amended—

- (a) by the substitution in subsection (1) for paragraphs (a) and (b) of the following paragraphs:  
 “(a) sections 8, 9(1)[,] or 9(2) [or 10]; or  
 (b) sections 12(1), 12(2), 12(4) [or], 12(5), 12A(1), 12A(3), 12A(4), 12A(5)(a), 12A(5)(c) or 13(2).”; and 35
- (b) by the addition after subsection (2) of the following subsections:  
 “(3) Any person who makes a donation to a political party, a member of a political party, an independent candidate or an independent representative in the expectation that the party, member, independent representative or candidate concerned will influence the awarding of a tender, licence, approval, consent or permission, or the relaxation of a condition or restriction in relation thereto, in the said person’s favour, commits an offence and may be sentenced to a fine as prescribed or to imprisonment for a period not exceeding five years or both. 40  
 (4) Any person who makes a donation— 45  
 (a) to a member of a political party, instead of the political party concerned; or  
 (b) to an independent representative or independent candidate, to circumvent the provisions of Chapter 3, commits an offence and may be sentenced to a prescribed fine or to imprisonment for a period not exceeding five years or both. 50  
 (5) Any member of a political party who— 55  
 (a) accepts a donation instead of his or her political party to circumvent the provisions of Chapter 3; or  
 (b) appropriates for himself or herself a donation intended to be made to his or her political party, commits an offence and may be sentenced to a fine as prescribed or to imprisonment for a period not exceeding five years or both.”. 60

**Phetolo ya karolo ya 16 ya Molao wa 6 wa 2018**

22. Karolo ya 16 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe ka ho fetola karolwana ya (1) bakeng sa ditemana tsa (a) le (b) tsa ditemana tse latelang:

- “(a) e ka emisa tefo ya tjelete ho mokga wa dipolotiki o nang le boemedi kapa ho moemedi ya ikemetseng e hlalositsweng karolong ya 6(7) haeba e kgotsofetse ka mabaka a utlwahalang a hore mokga wa dipolotiki o nang le boemedi kapa moemedi ya ikemetseng o hlolehile ho ikamahanya le Molao ona; mme (b) e tlameha ho kgaotsa kemiso e hlalositsweng temaneng ya (a) haeba Khomishene e kgotsofetse hore kemiso ha e sa lokile ka lebaka la boitshwaro ba mokga wa dipolotiki o nang le boemedi kapa baemedi ba ikemetseng.”

**Phetolo ya karolo ya 17 ya Molao wa 6 wa 2018**

23. Karolo ya 17 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe—

- (a) ka phetoho ya karolwana ya (1) bakeng sa mantswe a tlang pele ho temana ya (a) ya mantswe a latelang:  
 “Mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng o ikarabella ho lefa Khomishene tjelete efe kapa efe—”;
- (b) ka phetoho ya karolwana ya (1) bakeng la temana ya (a) ya temana e latelang:  
 “(a) e amohetsweng kgahlanong le dikarolo tsa 8, 9(1), [kapa] 10 kapa 10A; kapa”;
- (c) ka phetoho ya karolwana ya (2) bakeng la temana ya (b) ya temana e latelang:  
 “(b) ho tlosa sekoloto kgahlanong le tjelete efe kapa efe e lokelang ho abelwa mokga wa dipolotiki o nang le boemedi kapa moemedi ya ikemetseng ho tswa ho Letlole.”;
- (d) ka phetoho karolwaneng ya (4) ya karolwana e latelang:  
 “(4) Mokga wa dipolotiki o nang le boemedi kapa moemedi ya ikemetseng ya hlalositsweng karolwaneng ya (1) a ke ke a ba le seabo kabong efe kapa efe ya tjelete e amohilweng kapa e kgutlisitsweng.”

**Phetolo ya karolo ya 19 ya Molao wa 6 wa 2018**

24. Karolo ya 19 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe—

- (a) ka phetoho ya karolwana ya (1) bakeng la ditemana tsa (a) le (b) ya ditemana tse latelang:  
 “(a) dikarolo tsa 8, 9(1)[,] kapa 9(2) [kapa 10]; kapa (b) dikarolo tsa 12(1), 12(2), 12(4) [kapa], 12(5), 12A(1), 12A(3), 12A(4), 12A(5)(a), 12A(5)(c) kapa 13(2).”;
- (b) ka kenyeletso ka mora karolwana ya (2) ya dikarolwana e latelang:  
 “(3) Motho ofe kapa ofe ya etsang monehelo ho mokga wa dipolotiki, setho sa mokga wa dipolotiki, nkgetheng ya ikemetseng kapa moemedi ya ikemetseng ka tebello ya hore mokga, setho, moemedi ya ikemetseng kapa nkgetheng ya amehang o tla susumetsa ho fuwa ha thendara, laense, kananelo kapa tumello, kapa phokotso ya boemo kapa thibelo e amanang le hona, molemong wa motho eo, o etsa tlolo ya molao mme a ka ahlolelwa tefiso e behilweng kapa ho kwallwa tjhankaneng nako e sa feteng dilemo tse hlano kapa ka bobedi ba tsona.  
 (4) Motho ofe kapa ofe ya etsang monehelo—  
 (a) ho setho sa mokga wa dipolotiki, sebakeng sa mokga wa dipolotiki o amehang; kapa  
 (b) ho moemedi ya ikemetseng kapa nkgetheng ya ikemetseng, ho qoba dipehelo tsa Kgaolo ya 3, o etsa tlolo ya molao mme a ka ahlolelwa tefiso e behilweng kapa ho ya teronkong nako e sa feteng dilemo tse hlano kapa ka bobedi ba tsona.  
 (5) Setho sefe kapa sefe sa mokga wa dipolotiki se—  
 (a) amohelang monehelo sebakeng sa mokga wa sona wa dipolotiki ho qoba dipehelo tsa Kgaolo ya 3; kapa  
 (b) se inkela monehelo o neng o reretswe ho fuwa mokga wa sona wa dipolotiki,  
 se etsa tlolo ya molao mme se ka ahlolelwa tefiso e behilweng kapa ho ya teronkong nako e sa feteng dilemo tse hlano kapa ka bobedi ba tsona.”

**Amendment of section 22 of Act 6 of 2018**

25. Section 22 of the Political Party Funding Act, 2018, is hereby amended—

- (a) by the substitution in paragraph (a) of subsection (1) for subparagraphs (ii) and (iii) of the following subparagraphs:
- “(ii) the allocations made from the Funds to the represented political parties and independent representatives; 5
- (iii) the amounts spent by each represented political party and independent representative in connection with the purpose under the prescribed categories and;”; and
- (b) by the substitution in subsection (1) for paragraph (b) of the following paragraph: 10
- “(b) report on all donations made to political parties, independent representatives and independent candidates in that year; and”.

**Substitution of section 23 of Act 6 of 2018**

26. The following section is hereby substituted for section 23 of the Political Party Funding Act, 2018: 15

**“Funding of represented political parties and independent representatives by legislature”**

23. (1) Parliament or a provincial legislature may not fund represented political parties or independent representatives other than through sections 57(2) and section 116(2) of the Constitution, section 34 of the Financial Management of Parliament and Provincial Legislatures Act, 2009 (Act No. 10 of 2009) and this Act. 20

(2) The accounting officer of a legislature as defined in section 1 of the Financial Management of Parliament and Provincial Legislatures Act, 2009 [(Act No. 10 of 2009)], must annually in the prescribed form and manner disclose any funding of represented political parties or independent representatives under section 57(2) and 116(2) of the Constitution respectively, to the Commission.”. 25

**Amendment of section 24 of Act 6 of 2018**

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27. Section 24 of the Political Party Funding Act, 2018, is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:
- “(1) (a) The President, acting on a resolution of the National Assembly, may by proclamation in the *Gazette* make regulations in respect of matters contemplated in sections 6(2), 7(2)(e), 7(3)(d), 8(2), 8(5) and 9(1)(a). 35
- (b) When making regulations for matters contemplated in section 8(2) and (5), the President must take the following factors into account:
- (i) The amount of money previously appropriated by Acts of Parliament for the Political Representatives Fund within the previous five financial years; 40
- (ii) the effects of inflation on the value of money over time; and
- (iii) the costs associated with participating as a political party, independent representative or independent candidate in elections and the democratic process in South Africa.”; and 45
- (b) by the addition after subsection (4) of the following subsection:
- “(5) Each regulation in Schedule 2 is a transitional regulation and shall become inoperative on the date that a regulation replacing the said regulation made by the President in terms of subsection (1) becomes effective.” 50



**Phetolo ya karolo ya 22 ya Molao wa 6 wa 2018**

25. Karolo ya 22 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe—
- (a) ka phetolo temaneng ya (a) ya karolwana ya (1) bakeng la ditemana (ii) le (iii) ya ditemana tse latelang:
- “(ii) dikabo tse entsweng ho tswa Letloleng ho mekga ya dipolotiki e nang le boemedi le baemedi ba ikemetseng; 5
- (iii) ditjhelete tse sebedisitsweng ke mokga o mong le o mong wa dipolotiki o nang le boemedi le moemedi ya ikemetseng mabapi le sepheo tlasa mekgahlelo e behilweng le;” le
- (b) ka phetoho ya karolwana ya (1) bakeng la temana ya (b) ya temana e latelang: 10
- “(b) ho tlaleha menehelo yohle e fuweng mekga ya dipolotiki, baemedi ba ikemetseng le bonkgetheng ba ikemetseng selemong seo; le”.

**Phetolo ya karolo ya 23 ya Molao wa 6 wa 2018**

26. Karolo e latelang e fetotswe bakeng la karolo ya 23 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018: 15

**“Letlole la mekga ya dipolotiki e nang le boemedi le baemedi ba ikemetseng ke lekgotla la ketsamelao**

23. (1) Palamente kapa lekgotla la ketsamelao la provense le ke ke la fana ka tjhelete ho mekga ya dipolotiki e nang le boemedi kapa baemedi ba ikemetseng ntle le ho latela karolo ya 57(2) le karolo ya 116(2) tsa Molaotheo, karolo ya 34 ya Molao wa Taolo ya Ditjhelete tsa Palamente le Makgotla a Ketsamelao, 2009 (Molao wa 10 wa 2009) le Molao ona. 20
- (2) Mohlanka ya ikarabellang wa lekgotla la ketsamelao jwalo ka ha ho hlahositswe karolong ya 1 ya Molao wa Taolo ya Ditjhelete tsa Palamente le Makgotla a Ketsamelao a diprovence, 2009 [(Molao wa 10 wa 2009)], o tlameha ho senolela Khomishene ka tsela le mokgwa o behilweng tjhelete efe kapa efe ya mekga ya dipolotiki e nang le boemedi kapa baemedi ba ikemetseng ho latela karolo ya 57(2) le 116(2) tsa Molaotheo ka tatellano, selemo le selemo.”. 25 30

**Phetolo ya karolo ya 24 ya Molao wa 6 wa 2018**

27. Karolo ya 24 ya Molao wa Letlole la Mekga ya Dipolotiki, 2018, e fetotswe—
- (a) ka phetoho karolwaneng ya (1) ya karolwana e latelang:
- “(1) (a) Mopresidente, a ikamahanya le qeto ya Seboka sa Naha, ka phatlalatso Koranteng ya Mmuso a ka etsa melawana e mabapi le ditaba tse hlahositsweng dikarolong tsa 6(2), 7(2)(e), 7(3)(d), 8(2), 45 8(5) le 9(1)(a). 35
- (b) Ha a etsa melawana bakeng sa ditaba tse hlahositsweng karolong ya 8(2) le (5), Mopresidente o lokela ho ela hloko dintlha tse latelang:
- (i) Tjhelete e neng e abuwe pejana ke Melao ya Palamente bakeng sa Letlole la Baemedi ba Dipolotiki nakong ya dilemo tse hlano tse fetileng tsa ditjhelete; 40
- (ii) diphetho tsa infleishene ho boleng ba tjhelete ha nako e ntse e tsamaya; le
- (iii) ditjeho tse amanang le ho nka karolo jwalo ka mokga wa dipolotiki, moemedi ya ikemetseng kapa nkgetheng ya ikemetseng dikgethong le tsamaisong ya demokrasi Afrika Borwa.”; le 45
- (b) ka kenyeletso ka mora karolwana ya (4) ya karolwana e latelang:
- “(5) Molawana o mong le o mong o Shejuleng sa 2 ke molao wa nakwana mme o tla be o sa sebetse ka letsatsi leo molawana o nkang sebaka sa molawana o boletsweng o entsweng ke Mopresidente ho latela karolwana ya (1) o qala ho sebetse.”. 50

**Substitution of short title of Act 6 of 2018**

28. The following short title is hereby substituted for the short title and commencement of the Political Party Funding Act, 2018:

“(1) This Act is called the Political **[Party]** Funding Act, 2018, and subject to subsection (2), comes into operation on a date determined by the President by **[Proclamation]** proclamation in the *Gazette*. 5

(2) Section 6(7) only comes into effect in respect of the Multi-Party Democracy Fund on a prescribed date.”.

**Amendment of Schedule 2 of Act 6 of 2018**

29. Schedule 2 to the Political Party Funding Act, 2018, is hereby amended— 10  
(a) by the substitution in regulation 1 for the definition of “allocated moneys” of the following definition:

“**‘allocated moneys’**” means moneys allocated from the Funds to a represented political party or independent representative during a particular financial year;” 15

(b) by the substitution in regulation 2 for subregulation (2) of the following subregulation:

“(2) The allocations from the Funds to be made and paid to each of the represented political parties and independent representatives concerned are calculated by— 20

(a) allocating **[two thirds]** 90 per cent of the total amount of funding determined in terms of subregulation (1) in respect of each of the Funds proportionally in accordance with regulation 3; and

(b) allocating **[one third]** 10 per cent of the total amount of funding determined in terms of subregulation (1) in respect of each of the Funds equitably in accordance with regulation 4.”; 25

(c) by the substitution for regulation 3 of the following regulation:

**“Proportional allocation**

The proportional allocation is determined by dividing each of the amounts contemplated in regulation 2(2)(a) proportionally among the represented political parties and independent representatives in accordance with the number of seats awarded to each party and independent representative in the National Assembly and the provincial legislatures jointly.”; 30

(d) by the substitution in regulation 4 for paragraph (b) of the following paragraph: 35

“(b) the allocation to a particular legislature in terms of paragraph (a) must be divided equally among the represented political parties and independent representative in each of those legislatures.”;

(e) by the substitution in regulation 5 for subregulations (1) and (2) of the following subregulations: 40

“(1) All allocations to which a represented political party or independent representative is entitled as determined in terms of regulations 3 and 4, must be paid to the represented political party or independent representative in question in four equal instalments, each within three months of the previous payment. The first instalment must be paid within four weeks of the beginning of the financial year in question. 45

(2) In the event of an election being called in terms of section 49(2) or 108(2) of the Constitution in respect of a particular legislature, any outstanding instalments still to be paid in terms of subregulation (1) to the represented political parties and independent representative in that legislature during the period of 21 days referred to in section 13(2)(a) of the Act, must be suspended. The instalments so suspended must be distributed within two weeks after the date of election to the political parties and independent representative that gain representation in the 55

**Phetolo ya Sehlooho se kgutshwane sa Molao wa 6 wa 2018**

28. Sehlooho se kgutshwane se latelang se fetotswe bakeng sa sehlooho se kgutshwane le qaleho ya Molao wa Letlole la Mekga ya Dipolotiki, 2018:

“(1) Molao ona o bitswa Molao wa Letlole la Dipolotiki [**Mokga**], 2018 mme ho latela karolwana ya (2), o tla kena tshebetso ka letsatsi le behilweng ke Mopresidente ka [**Phatlalatso**] ka phatlalatso Koranteng ya Mmuso. 5

(2) Karolo ya 6(7) e qala ho sebetsa feela mabapi le Letlole la Mekga ya Dipolotiki e Mengata ya Demokrasi ka letsatsi le behilweng.”

**Phetolo ya Shejule sa 2 sa Molao wa 6 wa 2018**

29. Shejule sa 2 sa Molao wa Letlole la Mekga ya Dipolotiki, 2018, se fetotswe— 10

(a) ka phetoho molawaneng wa 1 bakeng sa tthaloso ya “ditjhelete tse abilweng” ya tthaloso e latelang:

“**‘ditjhelete tse abilweng’**” e hlalosa ditjhelete tse abilweng ho tswa Letloleng ho mekga ya dipolotiki e nang le boemedi kapa baemedi ba ikemetseng nakong e itseng ya selemo sa ditjhelete;” 15

(b) ka phetoho molawaneng wa 2 bakeng sa molawana wa (2) ya molawana o latelang:

“(2) Dikabo tse tswang Matloleng tse lokelang ho etswa le ho lefshwa ho e mong le e mong wa mekga ya dipolotiki e nang le boemedi le baemedi ba ikemetseng ba amehang di balwa ho ya ka— 20

(a) ho aba [**bobedi ho tse tharo**] diperesente tse 90 tsa tjhelete e akaretsang ya ditjhelete tse fihlellwang ho latela molawana wa (1) mabapi le Letlole ka leng ka tekano ho latela molawana wa 3; le

(b) ho aba [**bonngwe borarong**] diperesente tse 10 tsa tjhelete e akaretsang ya ditjhelete tse fihlellwang ho latela molawana wa (1) mabapi le Letlole ka leng ka tekano ho latela molawana wa 4.”; 25

(c) ka phetoho bakeng sa molawana wa 3 ya molawana o latelang:

**“Kabo e lekanang**

Kabo e lekanang e fihlellwa ka ho arola e nngwe le e nngwe ya ditjhelete tse hlalositse molawaneng wa 2(2)(a) ka tekano pakeng tsa mekga ya dipolotiki e nang le boemedi le baemedi ba ikemetseng ho latela palo ya ditulo tse fuweng mokga ka mong le baemedi ba ikemetseng Sebokeng sa Naha le makgotleng a ketsamolao a diprovense ka kopanelo.”; 30

(d) ka phetoho molawaneng wa 4 bakeng la temana ya (b) ya temana e latelang:

“(b) kabo ho lekgotla le itseng la ketsamolao ho latela temana ya (a); e tlameha ho arolwa ka ho lekana pakeng tsa mekga ya dipolotiki e nang le boemedi le moemedi ya ikemetseng lekgotleng le leng le leng la ketsamolao.”; 35

(e) ka phetoho molawaneng wa 5 bakeng sa melawana ya (1) le (2) ya melawana e latelang: 40

“(1) Dikabo kaofela tseo mokga wa dipolotiki o nang le boemedi kapa moemedi ya ikemetseng a nang le tokelo ya ho di fumana jwalo ka ho fihlelletswe ho latela melawana ya 3 le 4, di lokelwa ho lefshwa ho mekga ya dipolotiki e nang le boemedi kapa moemedi ya ikemetseng ya amehang ka dipeelo tse nne tse lekanang, e nngwe le e nngwe ya tsona e be nakong ya dikgwedi tse tharo tsa tefo e fetileng. Peelo ya pele e lokela ho lefshwa nakong ya dibeke tse nne ho tloha qalong ya selemo sa ditjhelete se amehang. 45

(2) Nakong eo ka yona dikgetho di tshwarwang ho latela karolo ya 49(2) kapa 108(2) ya Molaotheo le lekgotla le itseng la ketsamolao, dipeelo dife kapa dife tse salletseng morao tse lokelang ho lefshwa ho latela molawana wa (1) ho mekga ya dipolotiki e nang le boemedi le moemedi ya ikemetseng lekgotleng leo la ketsamolao nakong ya matsatsi a 21 a boletsweng karolong ya 13(2)(a) ya Molao ona, di lokela ho emiswa. Dipeelo tse emisitsweng di lokela ho romelwa nakong ya dibeke tse pedi ka mora letsatsi la dikgetho ho mekga ya dipolotiki le baemedi ba ikemetseng ba fumanang boemedi lekgotleng la ketsamolao 55

- legislature concerned as a result of the election in accordance with the provisions of regulations 3 and 4, as the case may be.”;
- (f) by the addition in regulation 6 after subregulation (2) of the following subregulations:
- “(3) An independent representative must provide the Commission with particulars of the independent representative’s banking account contemplated in section 12A(1)(b) of the Act, within two weeks of such a banking account being opened. 5
- (4) Any payments to be made to an independent representative in terms of these regulations must be paid into the independent representative’s banking account contemplated in section 12A(1)(b) of the Act.” 10
- (g) by the substitution for regulation 7 of the following regulation:
- “Upper limit of donations**
7. (1) The President may, from time to time after a National Assembly resolution and by notice in the *Gazette*, determine the amount contemplated in section 8(2) of the Act. 15
- (2) In determining the amount referred to in subregulation (1), the President may consider the following:
- (a) The actual fiscal contribution to public funding for political purposes;
- (b) inflation; and 20
- (c) the actual costs of running a party and running elections, as submitted by parties.”;
- (h) by the substitution for regulation 9 of the following regulation:
- “Disclosure limit**
9. The President must, from time to time after a National Assembly resolution and by notice in the *Gazette*, determine the threshold referred to in section 9(1)(a) of the Act.”; 25
- (i) by the substitution in regulation 10 for the words preceding paragraph (a) of the following words:
- “The separate books and records of account required by [section] sections 12(2)(c) and 12A(1)(d) of the Act must be kept according to generally recognised accepted accounting practices, and must include the following:”; 30
- (j) by the substitution in subregulation (1) of regulation 11 for the words preceding paragraph (a) of the following words: 35
- “Financial statements prepared in relation to the Funds must show the amounts spent during a financial year in question by each represented political party and independent representative that received allocations in accordance with these regulations in connection with purposes classifiable under the following descriptive categories:”; and 40
- (k) by the substitution in regulation 11 for subregulation (2) of the following subregulation:
- “(2) The information required for the purposes of subregulation (1) must be furnished to the Commission by the accounting officer of a political party referred to in section 12(1)(c) of the Act and by an independent representative within three months after the end of the financial year in question.”. 45

**Amendment of section 1 of Act 73 of 1998, as amended by section 1 of Act 18 of 2013, section 7 of Act 4 of 2001 and section 1 of Act 1 of 2023**

30. Section 1 of the Electoral Act, 1998, is hereby amended by the substitution for the definition of “serve” of the following definition:

“‘serve’ means to send by registered post, electronic mail, telegram, telex, telefax or to deliver by hand;”.

- le amehang ka lebaka la dikgetho ho latela diphelelo tsa melawana ya 3 le 4, kapa ka moo ho ka bang ka teng.”;
- (f) ka kenyeletso molawaneng wa 6 ka mora molawana wa (2) ya melawana e latelang:
- “(3) Moemedi ya ikemetseng o tlameha ho fa Khomishene dintlha tsa akhaonte ya banka ya moemedi ya ikemetseng e hlahositsweng karolong ya 12A(1)(b) ya Molao, nakong ya dibeke tse pedi tsa ho bulwa ha akhaonte ya banka.
- (4) Ditefo dife kapa dife tse lokelang ho etswa ho moemedi ya ikemetseng ho latela melawana ena di lokela ho lefshwa akhaonteng ya banka ya moemedi ya ikemetseng e hlahositsweng karolong ya 12A(1)(b) ya Molao.”;
- (g) ka phetoho bakeng sa molawana wa 7 ya molawana o latelang:
- “Moedi o hodimo wa menehelo**
- 7.** (1) Mopresidente, nako le nako ka mora qeto ya Seboka sa Naha le ka tsebiso Koranteng ya Mmuso, a ka etsa qeto ya tjehelete e hlahositsweng karolong ya 8(2) ya Molao. 15
- (2) Ha a etsa qeto ya tjehelete e boletsweng molawaneng wa (1), Mopresidente a ka nahana ka tse latelang:
- (a) Tlatsetso ya sebele ya lekgetho ho ditjehelete tsa setjhaba bakeng sa merero ya dipolotiki; 20
- (b) infleishene; le
- (c) ditjeho tsa nnete tsa ho tsamaisa mokga le ho tsamaisa dikgetho, jwalo ka ha di rometswe ke mekga.”;
- (h) ka phetoho bakeng sa molawana wa 9 ya molawana o latelang: 25
- “Moedi wa tsebahatso**
- 9.** Mopresidente, nako le nako ka mora qeto ya Seboka sa Naha le ka tsebiso Koranteng ya Mmuso, o lokela ho beha moedi o boletsweng karolong ya 9 (1) (a) ya Molao.”;
- (i) ka phetoho molawaneng wa 10 bakeng sa mantswe a tlang pele ho temana ya (a) ya mantswe a latelang: 30
- “Dibuka le direkoto tse arohaneng tsa akhaonto tse hlokwang ke [karolo] dikarolo tsa 12(2)(c) le 12A(1)(d) tsa Molao di lokela ho bolokwa ho ya ka mekgwa e amohetsweng e tsejwang ya kakaretso ya tlhahlobo ya dibuka, mme e lokela ho kenyeletsa tse latelang.”; 35
- (j) ka phetoho molawaneng wa (1) ya molawana wa 11 bakeng sa mantswe a tlang pele ho temana ya (a) ya mantswe a latelang:
- “Ditatemente tsa ditjehelete tse hlophisitsweng mabapi le Matlole di lokela ho bontsha ditjehelete tse sebedisitsweng nakong ya selemo sa ditjehelete se amehang ke mokga o mong le o mong wa dipolotiki o nang le boemedi le moemedi ya ikemetseng ba amohetseng dikabo ho latela melawana e amanang le maikemisetso a ka hlophuwang tlasa mekgahlelo e latelang e hlahosang.”; le 40
- (k) ka phetoho molawaneng wa 11 bakeng sa molawana wa (2) ya molawana o latelang: 45
- “(2) Tlhahisoleseding e hlokehang bakeng sa maikemisetso a molawana wa (1) e lokela ho fuwa Khomishene ke mohlanka ya ikarabellang wa mokga wa dipolotiki o boletsweng karolong ya 12(1)(c) ya Molao ona le ke moemedi ya ikemetseng nakong ya dikgwedi tse tharo ka mora ho fela ha selemo sa ditjehelete se amehang.”. 50

**Wysiging van artikel 1 van Wet 73 van 1998, soos gewysig deur artikel 1 van Wet 18 van 2013, artikel 7 van Wet 4 van 2001 en artikel 1 van Wet 1 van 2023**

30. Artikel 1 van die Kieswet, 1998, word hierby gewysig deur die omskrywing van “deur die volgende omskrywing te vervang:

“**‘beteken’** om per geregistreerde pos, elektroniese pos, telegram, teleks of telefaks te stuur of om per hand af te lewer.”;

**Amendment of section 24A of Act 73 of 1998, as inserted by section 7 of Act 34 of 2003 and as amended by section 9 of Act 4 of 2021**

31. The following section is hereby substituted for section 24A of the Electoral Act, 1998:

**“Voting in voting district where voter not registered”** 5

**24A.** A voter who is unable, on voting day, to cast his or her vote at the voting station in the voting district where he or she is registered may, in the prescribed manner, notify the chief electoral officer by no later than the relevant date stated in the election timetable of his or her intention to cast a vote in another specified voting district within the Republic on voting day: 10  
 Provided that such voter may only vote in the election for the regional seats in the National Assembly in terms of Schedule 1A and for the provincial legislature if [his or her name appears on a segment of the voters’ roll for the province in which] that specified voting district is situated in a province within which the voter is registered.” 15

**Amendment of section 33 of Act 73 of 1998, as amended by section 2 of Act 40 of 2003, section 9 of Act 34 of 2003, section 6 of Act 18 of 2013 and section 13 of Act 4 of 2021**

32. Section 33 of the Electoral Act, 1998, is hereby amended by the substitution for subsection (5) of the following subsection: 20

“(5) **[For the purposes of Schedule 1A, votes cast in accordance with subsections (3) and (4) shall be counted as votes cast nationally]** Persons contemplated in subsections (3), (4) or (4A) may only cast a vote for the election of the compensatory seats for the National Assembly in terms of Schedule 1A.”

**Amendment of section 1 of Act 51 of 1996, as amended by section 1 of Act 117 of 1998, section 1 of Act 4 of 2021 and section 6 of Act 22 of 2014** 25

33. Section 1 of the Electoral Commission Act, 1996, is hereby amended—

(a) by the insertion after the definition of “Electoral Court” of the following definition:

“**‘independent candidate’** means a South African citizen contesting an election and who is not nominated on a list of a party;” and 30

(b) by the insertion after the definition of “Independent Commission” of the following definition:

“**‘independent representative’** means an independent candidate with representation in the national or a provincial legislature;” 35

**Amendment of section 5 of Act 51 of 1996, as amended by section 94 of Act 117 of 1998 and section 1 of Act 1 of 2019**

34. Section 5 of the Electoral Commission Act, 1996, is hereby amended by the substitution in subsection (1) for paragraph (g) for the following paragraph:

“(g) establish and maintain liaison and co-operation with parties and independent representatives and independent candidates;” 40

**Amendment of section 6 of Act 51 of 1996, as amended by section 1 of Act 1 of 2019**

35. Section 6 of the Electoral Commission Act, 1996, is hereby amended by the substitution in subsection (2) for paragraphs (b) and (d) of the following paragraphs, respectively: 45

“(b) does not at that stage have a high **[partypolitical]** political profile;

(d) has been nominated by a committee of the National Assembly, proportionally composed of members of all parties and independent representatives

**Wysiging van artikel 24A van Wet 73 van 1998, soos ingevoeg by artikel 7 van Wet 34 van 2003 soos gewysig deur artikel 9 van Wet 4 van 2021**

31. Artikel 24A van die Kieswet, 1998, word hierby deur die volgende artikel vervang:

**“Stemming in stembedstrik waar kieser nie geregistreer is nie** 5

24A. 'n Kieser wat nie op stembedag sy of haar stem by die stembedlokaal in die stembedstrik waar hy of sy geregistreer is, kan uitbring nie, mag op die voorgeskrewe wyse die hoofverkiegingsbeamppte teen nie later nie as die tersaaklike datum in die verkiesingstydrooster gestel, in kennis stel van sy of haar voorneme om op stembedag 'n stem in 'n ander gespesifiseerde 10 stembedstrik binne die Republiek uit te bring: Met dien verstande dat sodanige kieser slegs in die verkiesing vir die streeksetels in die Nasionale Vergadering ingevolge Bylae 1A en vir die provinsiale wetgewer mag stem indien [sy of haar naam op 'n segment van die kieserslys verskyn vir die 15 provinsie waarin] daardie gespesifiseerde stembedstrik geleë is in 'n provinsie waarin die kieser geregistreer is.”.

**Wysiging van artikel 33 van Wet 73 van 1998, soos gewysig deur artikel 2 van Wet 40 van 2003, artikel 9 van Wet 34 van 2003, artikel 6 van Wet 18 van 2013 en artikel 13 van Wet 4 van 2021**

32. Artikel 33 van die Kieswet, 1998, word hierby gewysig deur subartikel (5) deur die volgende subartikel te vervang:

“(5) [By die toepassing van Bylae 1A, word stemme wat ingevolge subartikels (3) en (4) uitbring is, getel as stemme wat nasionaal 25 uitbring is] Persone in subartikels (3), (4) of (4A) beoog mag slegs 'n stem uitbring vir die verkiesing van die teenwigtsetels vir die Nasionale Vergadering ingevolge Bylae 1A.”.

**Wysiging van artikel 1 van Wet 51 van 1996, soos gewysig deur artikel 1 van Wet 117 van 1998, artikel 1 van Wet 4 van 2021 en artikel 6 van Wet 22 van 2014**

33. Artikel 1 van die Wet op die Verkiesingskommissie, 1996, word hierby gewysig—  
(a) deur die volgende omskrywing na die omskrywing van “metropolitaanse 30 munisipaliteit” in te voeg:

“‘onafhanklike kandidaat’ 'n Suid-Afrikaanse burger wat aan 'n verkiesing deelneem en wat nie op 'n party se lys benoem is nie;”;

(b) deur die volgende omskrywing na die omskrywing van “Onafhanklike 35 Kommissie” in te voeg:

“‘onafhanklike verteenwoordiger’ 'n onafhanklike verteenwoordiger met verteenwoordiging in die nasionale of provinsiale wetgewer;”.

**Wysiging van artikel 5 van Wet 51 van 1996, soos gewysig deur artikel 94 van Wet 117 van 1998 en artikel 1 van Wet 1 van 2019**

34. Artikel 5 van die Wet op die Verkiesingskommissie, 1996, word hierby gewysig 40 deur in subartikel (1) paragraaf (g) deur die volgende paragraaf te vervang:

“(g) instelling en instandhouding van skakeling en samewerking met partye en onafhanklike verteenwoordigers en onafhanklike kandidate;”.

**Wysiging van artikel 6 van Wet 51 van 1996, soos gewysig deur artikel 1 van Wet 1 van 2019** 45

35. Artikel 6 van die Wet op die Verkiesingskommissie, 1996, word hierby gewysig 50 deur in subartikel (2) paragrawe (b) en (d) deur die volgende paragrawe te vervang:

“(b) nie op daardie tydstip 'n hoë [partypolitieke] politieke profiel het nie;

(d) genomineer is deur 'n komitee van die Nasionale Vergadering wat proporsioneel uit lede van al die partye en onafhanklike verteenwoordigers 50 wat in daardie Vergadering verteenwoordig is, saamgestel is, van 'n lys van

represented in that Assembly, from a list of recommended candidates submitted to the committee by the panel referred to in subsection (3).”.

**Amendment of section 1 of Act 36 of 2005, as amended by section 1 of Act 1 of 2014 and section 1 of Act 37 of 2007**

36. Section 1 of the Electronic Communications Act, 2005, is hereby amended— 5
- (a) by the substitution for the definition of “election period” of the following definition: 10
- “**‘election period’** means the period commencing with the date on which the election day is proclaimed and ending on the day immediately following upon the day on which candidates of any of the political parties or independent representatives are declared elected;”;
- (b) by the insertion after the definition of “ICT Charter” of the following definitions: 15
- “**‘independent candidate’** means a South African citizen contesting an election and who is not nominated on a list of a party;” and
- “**‘independent representative’** means an independent candidate with representation in the national or a provincial legislature;”;
- (c) by the substitution for the definition of “party election broadcast” of the following definition: 20
- “**‘[party] election broadcast’** means a direct address or message broadcast free of charge on a broadcasting service and which is intended or calculated to advance the interests of any particular political party or independent candidate;”;
- (d) by the reordering of the definition of “election broadcast” after the definition of “election”; and 25
- (e) by the substitution for the definition of “political advertisement” of the following definition: 30
- “**‘political advertisement’** means an advertisement broadcast on a broadcasting service which is intended or calculated to advance the interests of any particular political party or independent candidate, for which advertisement the relevant broadcasting service licensee has received or is to receive, directly or indirectly, any money or other consideration;”.

**Substitution of section 52 of Act 36 of 2005**

37. The following section is hereby substituted for section 52 of the Electronic Communications Act, 2005: 35

**“Prohibition on granting of broadcasting service licence to party-political entities, independent candidates and independent representatives**

52. No broadcasting service licence may be granted to— 40
- (a) any party, movement, organisation, body or alliance which is of a party-political nature; or
- (b) to any independent candidate or to any independent representative.”.

**Substitution of section 56 of Act 36 of 2005**

38. The following section is hereby substituted for section 56 of the Electronic Communications Act; 2005: 45

**“Prohibition on broadcasting of [party] election broadcasts and political advertisements except in certain circumstances**

- “[A party] An election broadcast and a political advertisement must not be broadcast on any broadcasting service except during an election period and then only if, and to the extent authorised by the provisions of sections 57 and 58.”. 50



aanbevole kandidate wat aan die komitee deur die paneel bedoel in subartikel (3) voorgelê is.”.

**Wysiging van artikel 1 van Wet 36 van 2005, soos gewysig deur artikel 1 van Wet 1 van 2014 en artikel 1 van Wet 37 van 2007**

36. Artikel 1 van die Wet op Elektroniese Kommunikasie, 2005, word hierby 5 gewysig—

- (a) deur die omskrywing van “verkiesingstydperk” deur die volgende omskrywing te vervang:  
 “**‘verkiesingstydperk’** die tydperk wat begin op die datum waarop die verkiesingsdag geproklameer word en eindig op die dag wat onmiddellik 10 volg op die dag waarop kandidate van enige van die politieke partye of onafhanklike verteenwoordigers verkose verklaar word;”;
- (b) deur die volgende omskrywings na die omskrywing van “OKOSA-wet” in te voeg:  
 “**‘onafhanklike kandidaat’** ’n Suid-Afrikaanse burger wat aan ’n 15 verkiesing deelneem en wat nie op ’n party se lys benoem is nie;” en **‘onafhanklike verteenwoordiger’** ’n onafhanklike kandidaat met verteenwoordiging in die nasionale of ’n provinsiale wetgewer;”;
- (c) deur die omskrywing van “partyverkiesingsuitsending” deur die volgende omskrywing te vervang na die omskrywing van verkiesingstydperk in te voeg: 20  
 “**‘[partyverkiesingsuitsending] verkiesingsuitsending’** ’n regstreekse toespraak of boodskap wat gratis op ’n uitsaaidiens uitgesaai word en wat bedoel of bereken is om die belange van ’n bepaalde politieke party of onafhanklike kandidaat te bevorder;”;
- (d) deur die omskrywing van “verkiesingsuitsending” te skuif tot na die 25 omskrywing van “verkiesingstydperk”; en
- (e) deur die omskrywing van “politieke advertensie” deur die volgende omskrywing te vervang:  
 “**‘politieke advertensie’** ’n advertensie-uitsending op ’n uitsaaidiens wat bedoel of bereken is om die belange van ’n bepaalde politieke party 30 of onafhanklike kandidaat te bevorder, waarvoor die betrokke uitsaaidienslisensiehouer geld of ander vergoeding ontvang het of gaan ontvang, hetsy regstreeks of onregstreeks;”.

**Vervanging van artikel 52 van Wet 36 van 2005**

37. Artikel 52 van die Wet op Elektroniese Kommunikasie, 2005, word hierby deur 35 die volgende artikel vervang:

**“Verbod op toestaan van uitsaaidienslisensie aan partypolitieke entiteite, onafhanklike kandidate en onafhanklike verteenwoordigers**

52. Geen uitsaaidienslisensie mag aan—

- (a) enige party, beweging, organisasie, liggaam of alliansie wat van ’n 40 partypolitieke aard is; of  
 (b) aan enige onafhanklike kandidaat of aan enige onafhanklike kandidaat, verleen word nie.”.

**Vervanging van artikel 56 van Wet 36 van 2005**

38. Artikel 56 van die Wet op Elektroniese Kommunikasie, 2005, word hierby deur 45 die volgende artikel vervang:

**“Verbod op uitsaai van [partyverkiesingsuitsendings] verkiesingsuitsendings en politieke advertensies behalwe in sekere omstandighede**

“ ’n **[Partyverkiesingsuitsending] Verkiesingsuitsending** en ’n politieke advertensie mag nie op ’n uitsaaidiens uitgesaai word nie, behalwe 50 gedurende ’n verkiesingstydperk en dan slegs indien en in die mate dat dit deur die bepaling van artikels 57 en 58 gemagtig word.”.

**Substitution of section 57 of Act 36 of 2005**

39. The following section is hereby substituted for section 57 of the Electronic Communications Act, 2005:

**“Broadcasting of [party] election broadcasts on public broadcasting services** 5

57. (1) Subject to the provisions of this section, a public broadcasting service licensee must permit **[a party]** an election broadcast only during an election period and then only if such a broadcast is produced on behalf of the political party, independent representative or independent candidate in question at the instance of its or their duly authorised representative. 10

(2) The Authority must determine the time to be made available to political parties, independent representatives and independent candidates for the purposes of subsection (1), including the duration and scheduling of **[party]** election broadcasts, taking into account the financial and programming implications for the broadcasting services in question. 15

(3) The Authority must consult with the relevant public broadcasting service licensee and all the political parties, independent representatives and independent candidates nominated to contest the election concerned prior to making any determination in terms of subsection (2).

(4) In making any determination in terms of subsection (2), the Authority may impose such conditions on a public broadcasting service licensee with respect to **[party]** election broadcasts as it considers necessary, having due regard to the fundamental principle that all political parties, independent representatives and independent candidates are to be treated equitably. 20

(5) **[A party]** An election broadcast may not contain any material which may reasonably be anticipated to expose the broadcasting service licensee to legal liability if such material were to be broadcast. 25

(6) **[A party]** An election broadcast must conform to a technical quality acceptable to the Authority.

(7) No **[party]** election broadcast may be broadcast later than 48 hours prior to the commencement of the polling period. 30

(8) A commercial or community broadcasting service licensee is not required to broadcast **[party]** election broadcasts, but if he or she elects to do so, the preceding provisions of this section applies, with the necessary changes.”. 35

**Amendment of section 58 of Act 36 of 2005**

40. Section 58 of the Electronic Communications Act, 2005, is hereby amended—

(a) by the substitution for subsections (1), (2) and (3) of the following subsections:

“(1) A broadcasting service licensee is not required to broadcast a political advertisement, but if he or she elects to do so, he or she must afford all other political parties, independent representatives and independent candidates, should they so request, a like opportunity. 40

(2) A broadcasting service licensee may broadcast a political advertisement only during an election period and then only if it has been submitted to such licensee on behalf of a political party, independent representative or independent candidate by its or their duly authorised representative. 45

(3) In making advertising time available to political parties, independent representatives and independent candidates, no broadcasting service licensee may discriminate against any political party, independent representative or independent candidate, or make or give any preference 50

**Vervanging van artikel 57 van Wet 36 van 2005**

39. Artikel 57 van die Wet op Elektroniese Kommunikasie, 2005, word hierby deur die volgende artikel vervang:

**“Uitsaai van [partyverkiegingsuitsendings] verkiesingsuitsendings op openbare uitsaaidienste** 5

57. (1) Behoudens die bepalings van hierdie artikel moet ’n openbare uitsaaidienslisensiehouer ’n **[partyverkiegingsuitsending]** verkiesingsuitsending slegs gedurende ’n verkiesingstydperk toelaat en dan slegs indien so ’n uitsending namens die betrokke politieke party vervaardig word in opdrag van sy behoorlik gemagtigde verteenwoordiger. 10

(2) Die Owerheid moet, met behoorlike inagneming van die finansiële en programmeringsimplikasies vir die betrokke uitsaaidienste, die tyd bepaal wat aan politieke partye, onafhanklike verteenwoordigers en onafhanklike kandidate vir doeleindes van subartikel (1) beskikbaar gestel gaan word, met inbegrip van die duur en skedulering van **[partyverkiegingsuitsending]** verkiesingsuitsending. 15

(3) Die Owerheid moet, voordat hy ’n bepaling ingevolge subartikel (2) maak, met die betrokke openbare uitsaaidienslisensiehouer en al die politieke partye, onafhanklike verteenwoordigers en onafhanklike kandidate wat benoem is om aan die betrokke verkiesing deel te neem, oorleg pleeg. 20

(4) Wanneer ’n bepaling ingevolge subartikel (2) gemaak word, kan die Owerheid die voorwaardes ten opsigte van **[partyverkiegingsuitsendings]** verkiesingsuitsendings aan ’n openbare uitsaaidienslisensiehouer oplê wat hy nodig vind, met behoorlike inagneming van die fundamentele beginsel dat alle politieke partye, onafhanklike verteenwoordigers en onafhanklike kandidate billik behandel moet word. 25

(5) ’n **[Partyverkiegingsuitsending]** Verkiesingsuitsending mag nie materiaal bevat wat redelikerwys verwag kan word die uitsaaidienslisensiehouer aan regs aanspreeklikheid bloot te stel indien sodanige materiaal uitgesaai sou word nie. 30

(6) ’n **[Partyverkiegingsuitsending]** Verkiesingsuitsending moet voldoen aan ’n tegniese kwaliteit wat vir die Owerheid aanvaarbaar is.

(7) Geen **[partyverkiegingsuitsending]** verkiesingsuitsending mag later as 48 uur voor die aanvang van die stemydperk uitgesaai word nie. 35

(8) ’n Kommersiële of gemeenskapsuitsaaidienslisensiehouer is nie verplig om **[partyverkiegingsuitsendings]** verkiesingsuitsendings uit te saai nie, maar indien hy of sy kies om dit te doen, is die voorafgaande bepalings van hierdie artikel met die nodige veranderinge van toepassing.”.

**Wysiging van artikel 58 van Wet 36 van 2005** 40

40. Artikel 58 van die Wet op Elektroniese Kommunikasie, 2005, word hierby gewysig—

(a) deur subartikels (1), (2) en (3) deur die volgende subartikels te vervang:

“(1) ’n Uitsaaidienslisensiehouer is nie verplig om ’n politieke advertensie uit te saai nie, maar indien hy of sy kies om dit te doen, moet hy of sy alle ander politieke partye, onafhanklike verteenwoordigers en onafhanklike kandidate, indien hulle aldus versoek, ’n soortgelyke geleentheid bied. 45

(2) ’n Uitsaaidienslisensiehouer kan ’n politieke advertensie slegs gedurende ’n verkiesingstydperk uitsaai, en dan slegs indien dit namens ’n politieke party, onafhanklike verteenwoordiger of onafhanklike kandidaat deur sy of hulle behoorlik gemagtigde verteenwoordiger aan sodanige lisensiehouer voorgelê is. 50

(3) Wanneer adverteertyd aan politieke partye, onafhanklike verteenwoordigers en onafhanklike kandidate beskikbaar gestel word, mag ’n uitsaaidienslisensiehouer nie teen enige politieke party, onafhanklike verteenwoordiger of onafhanklike kandidaat diskrimineer of enige voorkeur aan enige politieke party, onafhanklike verteen-

- to any political party or independent candidate, or subject any political party, independent representative or independent candidate to any prejudice.”; and
- (b) by the substitution for subsection (7) of the following subsection: 5  
 “(7) This section is subject to the provisions of any law relating to the expenditure of political parties, independent representatives and independent candidates during an election period.”.

#### **Substitution of section 59 of Act 36 of 2005**

41. The following section is hereby substituted for section 59 of the Electronic Communications Act, 2005: 10

#### **“Equitable treatment of political parties and independent candidates by broadcasting service licensees during election period**

59. (1) If during an election period, the coverage of any broadcasting service extends to the field of elections, political parties, independent representatives or independent candidates and issues relevant thereto, the broadcasting services licensee concerned must afford reasonable opportunities for the discussion of conflicting views and must treat all political parties, independent representatives and independent candidates equitably. 15

(2) In the event of any criticism against a political party, independent representative or independent candidate being levelled in a particular programme of any broadcasting service— 20

- (a) without such party, independent representative or independent candidate having been afforded an opportunity to respond thereto in such programme; or
- (b) without the view of such political party, independent representative or independent candidate having been reflected therein, 25

the broadcasting services licensee concerned must afford such party, independent representative or independent candidate a reasonable opportunity to respond to the criticism.

(3) If, within 48 hours before the commencement of the polling period or during the polling period, a broadcasting services licensee intends broadcasting a programme in which a particular political party, independent representative or independent candidate is criticised, the licensee must ensure that the political party, independent representative or independent candidate in question is given a reasonable opportunity to— 30

- (a) respond thereto in the same programme; or 35
- (b) respond thereto as soon as is reasonably practicable thereafter.

(4) Subsection (3) does not apply in relation to the contents of any [party] election broadcast in the circumstances contemplated in section 57 and any political advertisement in the circumstances contemplated in section 58.”. 40

#### **Amendment of Arrangement of Sections**

42. The Arrangement of Sections of the Electronic Communications Act, 2005, is hereby amended—

- (a) by the substitution for item 52 of the following item: 45  
 “52. Prohibition on granting of broadcasting service licence to party-political entities, independent candidates and independent representatives”;
- (b) by the substitution for item 56 of the following item: 50  
 “56. Prohibition on broadcasting of [party] election broadcasts and political advertisements except in certain circumstances”; and
- (c) by the substitution for item 57 of the following item:  
 “57. Broadcasting of [party] election broadcasts on public broadcasting services”; and

woordiger of onafhanklike kandidaat verleen of enige politieke party, onafhanklike verteenwoordiger of onafhanklike kandidaat aan enige vooroordeel onderwerp nie.”; en

(b) deur subartikel (7) deur die volgende subartikel te vervang:

“(7) Hierdie artikel is onderworpe aan die bepalings van enige reg met betrekking tot die uitgawes van politieke partye, onafhanklike verteenwoordigers en onafhanklike kandidate gedurende ’n verkiesingstydperk.”.

#### Vervanging van artikel 59 van Wet 36 van 2005

41. Artikel 59 van die Wet op Elektroniese Kommunikasie, 2005, word hierby deur die volgende artikel vervang:

#### **“Billike behandeling van politieke partye en onafhanklike kandidate deur uitsaaidienslisensiehouers tydens verkiesingstydperk**

59. (1) Indien die dekking van ’n uitsaaidiens gedurende ’n verkiesingstydperk die terrein van verkiesings, politieke partye, onafhanklike verteenwoordigers of onafhanklike kandidate en verbandhoudende kwessies raak, moet die betrokke uitsaaidienslisensiehouer redelike geleenthede vir die bespreking van botsende sienings bied en alle politieke partye, onafhanklike verteenwoordigers en onafhanklike kandidate billik behandel.

(2) In die geval waar in ’n bepaalde program van ’n uitsaaidiens enige kritiek teen ’n politieke party, onafhanklike verteenwoordiger en onafhanklike kandidaat uitgespreek word—

(a) sonder dat sodanige party, onafhanklike verteenwoordiger en onafhanklike kandidaat in daardie program ’n geleentheid gebied is om daarop te antwoord; of

(b) sonder dat die siening van sodanige politieke party, onafhanklike verteenwoordiger en onafhanklike kandidaat daarin weergegee is, moet die betrokke uitsaaidienslisensiehouer sodanige party ’n redelike geleentheid bied om op die kritiek te antwoord.

(3) Indien ’n uitsaaidienslisensiehouer binne 48 uur voor die aanvang van die stemydperk of gedurende die stemydperk ’n program wil uitsaai waarin ’n bepaalde politieke party, onafhanklike verteenwoordiger en onafhanklike kandidaat gekritiseer word, moet die lisensiehouer verseker dat die betrokke politieke party, onafhanklike verteenwoordiger en onafhanklike kandidaat ’n redelike geleentheid gebied word om—

(a) in dieselfde program daarop te antwoord; of

(b) so gou daarna as wat redelikerwys doenlik is, daarop te antwoord.

(4) Subartikel (3) is nie van toepassing nie met betrekking tot die inhoud van ’n **[partyverkiesingsuitsending]** verkiesingsuitsending onder omstandighede in artikel 57 beoog, en ’n politieke advertensie onder omstandighede in artikel 58 beoog.”.

#### Wysiging van Indeling van Artikels

42. Die Indeling van Artikels van die Wet op Elektroniese Kommunikasie, 2005, word hierby gewysig—

(a) deur item 52 deur die volgende item te vervang:

“52. Verbod op toestaan van uitsaaidienslisensie aan partypolitieke entiteite, onafhanklike kandidate en onafhanklike verteenwoordigers”;

(b) deur item 56 deur die volgende item te vervang:

“56. Verbod op uitsaai van **[partyverkiesingsuitsendings]** verkiesingsuitsendings en politieke advertensies behalwe in sekere omstandighede; en

(c) deur item 57 deur die volgende item te vervang:

“57. Uitsaai van **[partyverkiesingsuitsendings]** verkiesingsuitsendings op openbare uitsaaidienste”; en

(d) by the substitution for item 59 of the following item:

“59. Equitable treatment of political parties, independent representatives and independent candidates by broadcasting service licensees during election period”.

**Amendment of section 1 of Act 10 of 2009, as amended by section 3 of Act 34 of 2014** 5

43. Section 1 of the Financial Management of Parliament and Provincial Legislatures Act, 2009, is hereby amended by the insertion after the definition of “fruitless and wasteful expenditure” of the following definition:

“**‘independent representative’** has the meaning ascribed to it in section 1 of the Political Party Funding Act, 2018 (Act No. 6 of 2018);” 10

**Amendment of section 34 of Act 10 of 2009, as amended by section 13 of Act 34 of 2014**

44. Section 34 of the Financial Management of Parliament and Provincial Legislatures Act, 2009, is hereby amended—

(a) by the substitution for subsection (1) of the following subsection: 15

“(1) The Executive Authority must make regulations concerning the allocation and use of any funds provided by Parliament to political parties or to Members of Parliament who are nominated by political parties or who are independent representatives.”;

(b) by the substitution in subsection (2) for paragraph (a) the following paragraph: 20

“(a) the Speaker of the National Assembly must consult with the political parties represented and independent representatives in the National Assembly;”;

(c) by the substitution in subsection (3) for paragraph (g) of the following paragraph: 25

“(g) require parties and independent representatives to submit audited financial statements in the prescribed format to the Accounting Officer;”;

(d) by the substitution for subsection (5) of the following subsection: 30

“(5) Each party represented in the Assembly must be provided with financial and administrative assistance in proportion to its representation to enable it and its leader to perform their functions in Parliament effectively and each independent representative must be provided with financial and administrative assistance in proportion to their representation to enable them to perform their functions in Parliament effectively.” 35

**Amendment of section 65 of Act 10 of 2009**

45. Section 65 of the Financial Management of Parliament and Provincial Legislatures Act, 2009, is hereby amended by the substitution in subsection (1) for paragraph (f) of the following paragraph: 40

“(f) the financial management of the provision of support services and constituency funding to political parties and independent representatives represented in Parliament.”.

**Short title and commencement**

46. (1) This Act is called the Electoral Matters Amendment Act, 2024, and takes effect on a date determined by the President by proclamation in the *Gazette*. 45

(2) Different dates may be determined by the President in respect of the taking effect of different provisions of this Act.

(d) deur item 59 deur die volgende item te vervang:

“59. Billike behandeling van politieke partye en onafhanklike kandidate deur uitsaaidienslisensiehouers tydens verkiesingstydperk”.

**Ukuchibiyela isigaba soku-1 soMthetho we-10 wezi-2009, njengoba uchitshiyelwe isigaba sesi-3 soMthetho wama-34 wezi-2014** 5

43. Ngakho-ke isigaba soku-1 soMthetho Wokuphathwa Kwezimali ZePhalamende Nezishayamthetho zezifundazwe, wezi-2009 sichitshiyelwe ngokushutheka ngemuva kwencazelo “ukusetshenziswa kwemali okungenambuyiselo nokumosha” le ncazelo elandelayo:

““ummeleli ozimele’ unencazelo enikezwe esigabeni soku-1 soMthetho Woku-xhaswa Ngezimali Kwamaqembu Ezombusazwe, wezi-2018 (uMthetho 6 wezi-2018);” 10

**Ukuchibiyela isigaba sama-34 soMthetho we-10 wezi-2009, njengoba uchitshiyelwe isigaba se-13 soMthetho wama-34 wezi-2014**

44. Ngakho-ke isigaba sama-34 soMthetho Wokuphathwa Kwezimali ZePhalamende Nezishayamthetho zezifundazwe, wezi-2009 sichitshiyelwe— 15

(a) Ngokufaka endaweni yesigatshana soku-1 lesi sigatshana esilandelayo:

“(1) Isigungu Sabaphathi kufanele sishaye imithetho mayelana nokwabiwa kanye nokusetshenziswa kwanoma yiziphi izimali ezikhishwe yiPhalamende linikeza amaqembu ezombusazwe kanye namaLungu ePhalamende aqokwe amaqembu ezombusazwe noma angabameleli abazimele.” 20

(b) Ngokufaka endaweni yesigatshana sesi-2 sendima (a) le ndima elandelayo:

“(a) uSomlomo Wesishayamthetho Sikazwelonke kufanele axhumane namaqembu ezombusazwe amelwe kanye nabameleli abazimele Kwisishayamthetho Sikazwelonke;” 25

(c) ngokufaka endaweni yesigatshana sesi-(3) sendima (g) le ndima elandelayo:

“(g) idinge ukuthi amaqembu ezombusazwe kanye nabameleli abazimele bahambise izitatimende zemali ezicwaningiwe ngendlela ebekiwe kuleso Sikhulu Esiphendula Ngokwenzekayo;” kanye 30

(d) ngokufaka endaweni yesigatshana sesi-(5) lesi sigatshana esilandelayo:

“(5) Iqembu ngalinye elimelwe Kwisishayamthetho Sikazwelonke kufanele liqashelwe umsizi ngakwezezimali nomsebenzi jikelele ngobuningi bawo ukuze kusizakale iqembu kanye nomholi walo ukwenza umsebenzi walo ePhalamende ngendlela eyimpumelelo futhi ummeleli ngamunye kufanele ahlinzekwe ngosizo lwezezimali nokuphatha ngokulingana nokumelwa kwabo ukuze bakwazi ukwenza imisebenzi yabo ePhalamende ngempumelelo.” 35

**Ukuchibiyela isigaba sama-65 soMthetho we-10 wezi-2009**

45. Ngakho-ke isigaba sama-65 soMthetho Wokuphathwa Kwezimali Zephalamende Nezishayamthetho Zezifundazwe, wezi-2009, sichitshiyelwe ngokufaka endaweni yesigatshana soku-(1) sendima (f) le ndima elandelayo:

“(f) nokuphathwa kwezimali kombandela wezinsiza zokwesekele kanye nemali yamaziko emaqenjini ezombusazwe kanye nabameleli abazimele abamelwe ePhalamende.” 45

**Sehlooho se kgutshwane le qaleho**

46. (1) Molao ona o bitswa Molao wa Phetoho ya Ditaba tsa Dikgetho, 2024, mme o kena tshibetsong ka letsatsi le kgethilweng ke Mopresidente ka phatlalatsa Koranteng ya Mmuso.

(2) Mopresidente a ka beha matsatsi a fapaneng mabapi le ho kenngwa tshibetsong ha diphelelo tse fapaneng tsa Molao ona. 50