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HANDBOOK ON LEGISLATION AND REGULATIONS FOR SOUTH AFRICA'S LOCAL GOVERNMENT ELECTIONS 2006

HANDBOOK ON LEGISLATION AND REGULATIONS FOR SOUTH AFRICA'S LOCAL GOVERNMENT ELECTIONS 2006 ELECTORAL HANDBOOK NO. 15



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LEGISLATION AND REGULATIONS
FOR SOUTH AFRICA'S
LOCAL GOVERNMENT ELECTIONS
2006**

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Introduction

This Handbook

This Handbook is intended to provide clear and accessible information about the laws and regulations which will determine the administration of the 2006 local government elections. The contents should be helpful for electoral administrators and voting officers as well as political party agents, candidates, observers, voter educators, journalists and other interested parties who might need detailed knowledge of how the elections will be conducted in South Africa. The Handbook provides an overview and guide of the law pertaining to local government elections, but does not purport to be a comprehensive legal handbook covering every aspect of the legislation and regulations. Thus, reading the Handbook should not be a substitute for a full understanding of the law; if this is required then the relevant laws and regulations should be consulted. The information in the Handbook has been derived from:

Constitution of the Republic of South Africa 1996, the "Constitution"

The Electoral Commission Act, No. 51 of 1996, the "Commission Act"

The Local Government : Municipal Electoral Act, No. 27 of 2000, the "Municipal Electoral Act"

The Local Government : Municipal Structures Act, No. 117 of 1998, the "Structures Act"

The Electoral Act, No. 73 of 1998, the "Electoral Act"

The Local Government : Municipal Demarcation Act, No. 27 of 1998, the "Demarcation Act"

The Local Government : Municipal Systems Act, No. 32 of 2000, the "Systems Act"

The Local Government : Cross-boundary Municipalities Act, No. 29 of 2000, the "Cross-boundary Act"

The Local Government : Municipal Finance Management Act, No 56 of 2003, the "Municipal Finance Act"

Municipal Electoral Regulations, No. R.848 of 22 August 2000 as amended by Notice No. R.848 of 23 August 2005, the "Municipal Electoral Regulations Regulations for the Registration of Political Parties, No. R.712 of 13 July 2000, as amended by the Regulations for the Registration of Political Parties, No. R.13 of 7 January 2004, the "Party Registration Regulations" Regulations Concerning the Registration of Voters No. R.1340 of 16 October 1998, as amended by the Regulations concerning the Registration of Voters, No. R.847 of 23 August 2005, the "Voter Registration Regulations" Regulations on Party Liaison Committees No R.824 of 19 June 1998, the "Party Liaison Regulations"

The Electoral Commission's constitutional mandate

The principal authority responsible for the management of the local government elections is the Electoral Commission of South Africa (IEC).

Section 181 of the Constitution of the Republic of South Africa, 1996, states that the Electoral Commission is one of the state institutions established to strengthen constitutional democracy in the Republic. The Electoral Commission must be independent and subject only to the Constitution and the law. The Commissioners must be impartial and exercise their powers and perform their functions without fear, favour or prejudice.

Section 190 of the Constitution prescribes the functions of the Electoral Commission. The Commission must:

- Manage elections of national, provincial and municipal bodies in accordance with national legislation.
- Ensure that those elections are free and fair.
- Declare the results of those elections within a period that is within 7 days after an election as prescribed by national legislation.

The Electoral Commission is given additional powers and functions prescribed by national legislation.

National legislation mandate

The Electoral Commission was established by the Electoral Commission Act 51 of 1996 with the objective of strengthening constitutional democracy and promoting democratic electoral processes.

Any reference to the Commission refers to the five (5) Commissioners appointed in terms of Section 6 of the Electoral Commission Act, 1996 and appointed as such by a committee of Parliament designated for that purpose.

The Chief Electoral Officer (CEO) is appointed as head of the administration of the Commission and is the accounting officer of the Commission. The CEO is responsible for keeping the necessary accounting and conducts his/her responsibilities in terms of this Act or any other law.

Any referral in this book to the Electoral Commission should be construed as a reference to the Commission including the CEO and administration of the Commission.

Some of its functions are to:

- Manage elections;
- Promote conditions conducive to free and fair elections;
- Compile and maintain voters' rolls;
- Compile and maintain a register of parties;
- Establish and maintain party liaison committees;
- Undertake and promote research;
- Review and make recommendations on electoral legislation;
- Promote voter education;
- Declare results of elections; and
- Adjudicate electoral disputes.

Chapter 1

The System of Local Government

In the forthcoming local government elections, South African voters will be voting to elect councillors to represent the third sphere of elected government, which give expression to our democracy as envisaged in the 1996 Constitution. Local government affects almost every aspect of our daily life from the provision of basic services, such as water and electricity supply, to its decisive role in shaping the neighbourhoods in which we live. The preamble of the Local Government: Municipal Structures Act, 1998, the “Structures Act,” recognises the fundamental importance of local government in contributing to democracy, development and nation building in our country. It further recognises that a vision of democratic and developmental local government requires municipalities to fulfil their constitutional obligations to:

- Ensure sustainable, effective and efficient municipal services;
- Promote social and economic development; and
- Encourage a safe and healthy environment by working with communities to create environments where all people can lead uplifted and dignified lives.

Section 152 (1) of the Constitution identifies the objects of local government as follows:

- (a) to provide democratic and accountable government for local communities;
- (b) to ensure the provision of services to communities in a sustainable manner;
- (c) to promote social and economic development;
- (d) to promote a safe and healthy environment; and
- (e) to encourage the involvement of communities and community organizations in the matters of local government.

1.1 Demarcating Municipal Boundaries

Section 155(3)(b) of the Constitution provides that national legislation must establish criteria and procedures for the determination of municipal boundaries by an independent authority.

To this effect, the Local Government: Municipal Demarcation Act, 1998 was enacted.

Section 2 of the Demarcation Act establishes the Municipal Demarcation Board and section 3 determines the status of the Board as:

- a juristic person;
- independent;
- impartial; and
- able to perform its functions without fear, favour or prejudice.

Section 4 of the Demarcation Act provides that the Board is:

- responsible for the determination of municipal boundaries in accordance with the Act¹; and
- responsible for rendering an advisory service in respect of matters provided for in the Municipal Demarcation Act and other appropriate legislation.

In terms of the Structures Act the Board is, responsible for, *inter alia*:

- delimiting wards for each metropolitan and local municipality for each general local election (See section 20 of the Structures Act read with Schedule 1 of the Structures Act).

These functions are ongoing. Ward delimitation requires that the boundaries of all municipal wards for the election of ward councillors, must be reviewed for each general local election.

The Board works very closely with the Electoral Commission in the delimitation of wards. A Local Elections Technical Committee and the Municipal Demarcation Board Boundary Committee have been established

¹"The Municipal Demarcation Board can also consider other appropriate legislation enacted in terms of Chapter 7 which deals with Local Government."

to work closely together. These committees are administrative structures with the objective of achieving the requirements of the legislation.

In terms of section 23 of the Demarcation Act, the IEC must be consulted during the demarcation process, and boundaries cannot be finalised without the IEC expressing a view on the effect of a boundary change on the representation of voters in affected councils.

Changes to municipal boundaries is part of a continuous review process. Section 22 of the Demarcation Act states that the Board may be requested by the Minister, MECs for local government (Provincial Minister responsible for local government in a province), or municipalities to re-demarcate boundaries. The Board may also take the initiative without waiting for any such request.

The capacity of each municipality is also assessed on an annual basis to ensure that they perform their functions as provided for in the Constitution. Where a municipality cannot perform its functions due to a lack of capacity, recommendation is made to the relevant MEC to give the function to another municipality with capacity. The IEC is not involved in this process, but can become involved if a municipality is disestablished and re-demarcated into other municipalities.

1.2 Electoral System

Local Government elections are conducted in terms of a mixed electoral system, a combination of proportional representation (PR) from party lists combined with a first-past-the-post ward election (depending on the type of municipality) contested by party ward candidates and independent ward candidates. Parties are allocated a percentage of seats from the PR party lists and ward candidates allocated seats on the basis of the ward candidate winning by the most votes.

District council elections are conducted on a dual system, comprising members elected from party lists and appointing representatives from local councils to represent the local council on the district council. 40 percent of the members of a district council are elected by voters where the voter votes for a political party of their choice. The other 60 percent of members are appointed by each local council falling within the jurisdiction area of the district council through a nomination system. Each elected councillor of the council votes in favour of a nominated person to represent that local council on the district council.

1.3 Categories and Types of Municipalities

In terms of the provisions of the Constitution and the Structures Act the whole of the territory of the Republic of South Africa consists of municipalities.

There are three types of municipalities, namely:

Category A Municipalities - Metropolitan Councils

Category A municipalities are known as metropolitan councils. A metropolitan area consists of a large urban conurbation with extensive business and industrial activity. The number of councillors to be elected for a Category A metropolitan council is determined by a formula taking into account the number of registered voters on that municipality's segment of the voters' roll.

A metropolitan council may have up to 270 councillors. (Structures Act, s2). The MEC must publish a section 12 notice to determine the number of councillors based on the number of registered voters in that municipality.

Metropolitan councils have full executive and legislative powers and fulfil their mandate by exercising all the powers and functions for that geographical area that constitutes the metropolitan area, and therefore does not fall within or share powers or functions with a district council.

There are currently six metropolitan councils-

- Johannesburg
- Tshwane (formerly Pretoria)
- Ekurhuleni (formerly the East Rand)
- Ethekewini (formerly Durban)
- Nelson Mandela (formerly Port Elizabeth)
- City of Cape Town

Half of the councillors will represent wards and the other half will be elected on a proportional representation system from party lists in the order in which their names appear on the party list.

Ward councillors are elected on the first-past-the-post electoral system, where the candidate obtaining the most votes becomes the elected ward councillor. Electoral representation is therefore through a mixed member representative system which combines accountability and representivity and ensures an electoral system that generally results in proportionality.

Category B Municipalities - Local Councils

These local councils fall outside the area of jurisdiction of metropolitan councils, but within the area of jurisdiction of the third category of municipalities, namely the Category C district councils.

Local councils share its executive and legislative powers with the district council in which that local council is situated. In applying the formula to determine the number of councillors based on the number of registered voters, a local council will not have any wards if it has less than seven councillors.

If a local council has seven or more councillors, that local council must have wards.

The MEC determines how many councillors each local council may have as indirectly elected councillors. The number of councillors of each local council may differ depending on the number of registered voters on each local council's segment of the voters' roll.

Local and district councils can have up to 90 councillors. (Structures Act, 3-6). However, if a local council has less than seven councillors, it must be a local council without wards.

Category C Municipalities - District Councils

District councils share powers with several local councils within their borders. These municipalities are made up of a number of local municipalities in their area. District councils are responsible for the planning and development of the whole district. They also assist local councils who cannot deliver all municipal services. There are usually between four and six local councils under one district council. A district council is made up of representatives from local municipalities in their district and party representatives that have been voted for in local government elections.

Voters in a local council have an additional vote to elect 40 percent of the members of the district council to represent the local councils on the district council. This election is based on a proportional representation electoral system where the voter votes for a political party of his/her choice.

The other 60 percent of the representation on the district council is indirectly elected after the general election. All local councils must, within 14 days after the results have been declared, call a meeting of their local council to elect the 60 percent of the members through a nomination and voting procedure.

District Management Areas

In a few sparsely settled areas there will be no local councils. Instead district management areas will be established for those areas and those areas will fall within the jurisdiction of a district council. District management areas are areas in which the Demarcation Board believes the

objectives of local government cannot be fulfilled by such municipalities on its own, and for that reason it falls within the jurisdiction of a district council which will perform all the functions and exercise all the duties on behalf of that area.

While the declaration of such areas was done after further research and investigation, the Board believed the following areas might well not comply with the objectives provided for in section 24 of the Municipal Demarcation Act, 1998:

- State-owned national and provincial parks and protected areas.
- Deserts.
- Regions in which a combination of low population density over an extended area would make fulfilling the objectives of local government quite difficult.

However, if the district council includes any district management areas, voters in these areas will have a second vote in which they can choose their representatives as part of the 60 percent allocation of seats to the district council, again through a proportional party list/system. Each district management area must have at least one seat in the 60 percent group of councillors within the district council. (Structures Act, Schedule 2)

The Demarcation Board is in a process of reviewing its policy on district management areas.

1.4 Role of the MEC for Local Government (Section 12 Notices)

The National Minister for Provincial and Local Government has published a formula whereby each MEC (Provincial Minister responsible for local government) determines the number of councillors for each municipality within their particular province, based on the number of registered voters in each municipal area.

Each MEC is required to publish a section 12 notice in respect of each

municipality which must-

- Specify the name of each municipality,
- Specify the category of municipality,
- Specify the type of municipality (Executive structure of the municipality and the existence of wards),
- Specify the number of councillors and whether they will be full-time or part-time,
- Deal with the disestablishment of the previous council and provide for transitional arrangements,
- Decide on the division of powers and functions between the local councils and district councils.

1.5 Governing arrangements within the councils

The Structures Act provides for a variety of arrangements through which these councils will be governed. There will be three different kinds of executive authority in the councils.

1.5.1 Executive Committee Systems

In councils with executive committee systems, an executive committee is elected by all councillors and this body is invested with executive authority. In many cases this will result in a multi-party executive committee as it will be chosen by all councillors.

1.5.2 Executive Mayoral Systems

Alternatively, councils may be governed through an executive mayoral system, in which an executive mayor is elected. An executive mayor must appoint advisory mayoral committees where the council has more than nine members. This arrangement more or less replicates the system of cabinet government prevalent in our national politics and it is likely to result in local councils in executives composed principally of one party.

1.5.3 Plenary Systems

Thirdly, there will be plenary systems in which all councillors meeting together will embody an executive authority; this is likely to be adopted for smaller municipalities. (Structures Act, 7)

1.5.4 Ward Committees

In addition, ward councillors may undertake their duties with the help of elected ward committees drawn from up to ten members of their communities. The council must decide how these ward committees are chosen; the Structures Act implies that they should feature diverse interests within the ward and must endeavour to ensure the equitable representation of women. (Structures Act, 7 and 73 and Item 6 of Schedule of Schedule 1 of the Municipal Electoral Act)

An important principle is that if it is decided to have a ward committee for a ward, then there must be ward committees for all the wards. They are merely advisory bodies with no powers. The ward councillor is chairperson of the ward committee. An executive committee or an executive mayor may also appoint committees of councillors to assist them.

Several ward committees may be combined into sub councils and may have powers or responsibilities delegated to them. (Structures Act, 7)

The MEC for Local Government in each province will decide the kind of authority through which each municipality will be governed and whether it will feature ward committees and sub councils.

1.5.5 Cross Border Municipalities

Initially certain municipalities established by the Demarcation Board lay across provincial boundaries and were referred to as cross border municipalities. The Constitution 12 Amendment Act of 2005

and the Cross Boundary Municipalities Laws Repeal Act, 2005 have done away with cross border municipalities.

1.6 Number of ballots

Depending on where they live, voters will cast two or three ballots either for ward (W) or proportional representation (PR) candidates. The number and type of ballot papers for each type of municipality will be as follows:

Metropolitan Councils (2 ballot papers)

1 yellow ballot paper for the metro council (PR)

1 white ballot paper for the ward elections (W)

Local Councils with wards (3 ballot papers)

1 yellow ballot paper for the local council (PR)

1 white ballot paper for ward elections (W)

1 green ballot paper for the district council (PR)

Local Councils without wards (2 ballot papers)

1 yellow ballot paper for the local council (PR)

1 green ballot paper for the district council (PR)

District Management Areas

1 green ballot paper for the district council (PR)

1 pink ballot paper for the district management area (PR).

1.7 Party Registration

1.7.1 Requirement to Register

Only parties registered in terms of the Electoral Commission Act may contest an election and may register with the Electoral Commission either nationally or locally. Party registration is subject to the Electoral Commission Act and the Party Registration Regulations.

A party that wants to register in order to contest national, provincial and local municipal elections (national level) must lodge its application with the Chief Electoral Officer on a prescribed form provided for in the Party Registration Regulations. The form provides for the name of the party, the distinguishing mark or symbol of the party in colour, and the abbreviation, if any, of the name of the party, consisting of not more than eight letters.

The application for registration must also be accompanied by the party's deed of foundation that it has adopted at a meeting and signed by at least 50 voters, the party's constitution and a fee of R500.00. (Party Registration Regulations 2 and 4)

After a party has been registered, the Chief Electoral Officer will issue that party a registration certificate and publish the party's particulars in the Government Gazette.

Every registered party not registered in a legislative body must annually renew its registration.

If parties intend registering for municipal elections for a specific municipality only, their application for registration must be published in a newspaper circulating in the municipality before they lodge their application with the Chief Electoral Officer.

The same requirements applicable to national registration will apply to parties registering for a particular municipality only, i.e. the submission of the deed of foundation and the party's constitution. However, the registration fee is R200 in respect of each municipality that they intend contesting. (Party Registration Regulations 2 and 4).

The Chief Electoral Officer may not register a political party if:

- 14 days has not elapsed since the applicant has submitted proof of the publication of the notice of application;

- the name, abbreviation or logo of the party is similar to that of an existing party and which may cause confusion or deceive voters; or
- if the name, abbreviation, logo or the constitution or founding document of the party portrays the propagation or incitement of violence or hatred or causes serious offence or limits its membership to any section of the population on the grounds of race, gender, sex, ethnic origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language.

1.7.2 Objections

Anyone may raise an objection against the intended registration. The objection must be in writing within 14 days after publication of the party's intention to register and must set out the grounds for the objection. It must be delivered to the Chief Electoral Officer. (Regulation 2)

1.7.3 Appeals

Any party which is aggrieved by a decision of the Chief Electoral Officer to register or not to register a party, may within 30 days after the party has been notified of the decision, appeal against the decision to the Commission. The Commission shall enquire into and consider the matter, and then confirm or set aside the decision of the Chief Electoral Officer. The Commission may also allow a party to offer any proof in the form of oral evidence or by means of sworn or affirmed statements.

1.7.4 Notice in Gazette / Local Newspaper

The publication of the notice of intention to register in the Gazette or local newspaper must contain the following particulars:

- Name and abbreviated name of the party;
- Symbol or distinguishing mark of the party; and

- Date on which party submitted or intends submitting an application to the Chief Electoral Officer.

The Chief Electoral Officer must keep a register of parties with all recorded information. The register must be available for inspection by the public, free of charge.

1.7.5 Entitlements of Registered Parties

The effect of registration of parties will entitle the party to the following:

- Representation on a party liaison committee as contemplated in the Party Liaison Regulations;
- Free access to the voters' roll compiled and maintained by the Commission;
- Protection by the Commission of its name, distinguishing mark, symbol and abbreviation, if any, of the name of the party; and
- To participate in elections subject to it complying with relevant legislation.

Any change in the particulars must be notified to the Chief Electoral Officer in writing within 30 days of such change.

In the event that a political party does not have any representation in a legislature, the party must on the last day of January every year after the year in which the party has registered, submit to the Chief Electoral Officer a written declaration stating that the party has not dissolved and that it continues to operate as a party. Failure to do so will result in the deregistration of the party.

1.7.6 Cancellation of Registration

The registration of a political party may be cancelled if:

- After due notice in writing to the party and after an enquiry, the Commission is satisfied that the party no longer functions or has

no intention to participate in an election;

- It is notified by the party itself that the party has dissolved or is intending to dissolve on a specific date;
- The party is not represented in the National Assembly, a provincial legislature or a municipal council and it has not participated in an election after date of registration or after the last date on which it had representation in a legislative body; or
- The party has changed its deed of foundation or its constitution and the Commission is satisfied that the change portrays the propagation or incitement of violence or hatred or causes serious offence or limits its membership to any section of the population on the grounds of race, gender, sex, ethnic origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language.

The Commission shall give the offending party an opportunity to withdraw or amend the offending amendment, and if there is non-compliance it may cancel the party's registration. (S17(1) of the Commission Act)

1.8 Party Liaison Committees

Party Liaison Committees (PLCs) are established in terms of the Party Liaison Regulations and provide represented political parties with an opportunity to liaise closely with the Commission on the electoral process. The Committees are a consultative forum and promote accountability and transparency of the work of the IEC.

The IEC provides for PLCs at the national, provincial and local level. If a political party has representation on national level, it enjoys representation on PLCs at provincial and local level.

Chapter 2

Electoral Procedures

2.1 Who may register to vote?

A voter must apply in person to be registered as a voter, and must submit a prescribed form for registration for the voting district for which that person is “ordinarily resident” in that municipality. A person who applied for registration must be 16 years of age or older and a South African citizen. A voter may only register as a voter if in possession of a green bar-coded identity document or a valid temporary identification document. (Electoral Act, 7).

The voter must apply to be registered in the voting district where the voter is ordinarily resident, i.e. the address where that person normally lives or where that person returns after a temporary absence. (Electoral Act, 7).

A prison is not regarded as a place of ordinary residence. Prisoners must be registered for the voting district where they normally resided before being incarcerated. (Electoral Act, 7).

A voter cannot be registered for more than one voting district.

Any person may object against the registration of a voter to the Commission (Electoral Act, 15) of the IEC.

A voter may be refused registration on the following grounds:

- (a) has applied for registration fraudulently or otherwise than in the prescribed manner
- (b) has been declared by the High Court to be of unsound mind or mentally disordered;

(c) is detained under the Mental Health Act, 1973 (Act 18 of 1973).

2.1.1 Who may vote?

- A voter must be a South African citizen;
- 18 years and older;
- must have a bar-coded identity document or a temporary, identity document (including a temporary identity certificate); and
- must be a registered voter on the municipal segment of the voters' roll where the voter is ordinarily resident.

Municipal elections use the same national common voters' roll as the general elections. The voters' roll has been updated through continuous registration at the Electoral Commissions' local offices, targeted registration in certain areas and registration weekends.

Sections 5-6 of the Municipal Electoral Act contain the following provisions with respect to the voters' roll:

- A municipality's segment of the voters' roll consists of the segments for the voting districts falling within that municipality;
- The voters' roll is to be closed once a notice calling for the election has been published (Municipal Electoral Act, 5-6);
- The CEO also certifies the segments of the voters' roll for the voting districts; and
- The voters' roll is to be made available to the public for inspection.

2.1.2 Where must voters vote?

It is essential that a voter presents himself or herself at the voting station in the voting district where he or she is registered as a voter. Unlike for voting in the national and provincial elections,

voting in the local government election requires that a voter must presents him/herself at the voting station where he/she is registered. If his/her name does not appear on the voters' roll and the voter claims that he/she did apply to be registered in that voting district, the voter can make a solemn oath or affirmation confirming their identity to the presiding officer on voting day. The solemn oath or affirmation must be on the form published as Appendix 1 (this form is commonly known as a MEC 7 form) of the Municipal Electoral Regulations and contains the following information:

- the full name, identity number and date of birth of that person;
- the person's finger print;
- the address where the person ordinarily resides;
- a declaration that the address is situated within the area of that voting district;
- a declaration that that person applied for registration as a voter in that voting district; proof that the person has in fact applied to be registered, and such proof being the receipt issued to the voter when he or she applied to be registered; and
- a request that that person's name should be included in the certified segment of the voters' roll for that voting district.

The Electoral Commission will not accept any other form of proof of application to be registered such as short message systems (sms) or computer generated printouts. Also the voting district number indicated on the receipt must be the same voting district number as where he or she now wants to vote, and the date on the receipt cannot be a date after the date when the voters roll closed (date of proclamation).

2.1.3 Special votes

Unlike in the national elections, there is no provision for special

voting for certain categories of voters before election day. Due to the complexity of the number and content of ballot papers specific to wards people must vote at their local voting station on voting day.

2.2 Preparations for elections

2.2.1 Election Timetable

After the Minister for Provincial and Local Government has proclaimed the date of the election, the Commission must compile an election timetable and publish it in the Government Gazette. The election timetable is necessary to inform everyone of the most important steps and processes that need to be completed on specific dates leading up to the election. (Municipal Electoral Act, 11)

The election timetable consists of milestones that the Electoral Commission has a legal obligation to comply with. The election timetable will, inter alia, provide for:

- notice where the addresses of voting stations can be inspected;
- notice of routes of mobile voting stations;
- the certification of the voters' roll by the Chief Electoral Officer;
- cut-off date for the publication of the voters roll, by making it available for inspection ;
- submission by parties of notice of intent to contest the election;
- the cut-off date for the nomination of candidates;
- inspection of lists of candidates;
- notice to parties and candidates in respect of non-compliance with regard to the nomination process, in regard to proportional representation candidates;
- the certification of the list of candidates that will participate in the elections; and
- a date for the issue of certificates to participating candidates (Municipal Electoral Act, 11).

2.2.2 Postponement of elections

The Commission may request the Minister of Provincial and Local Government to postpone the elections if it is not reasonably possible to conduct free and fair elections on that day; such election must be held within 90 days of the end of the term of the council. (Municipal Electoral Act, 8)

Before voting has commenced at a voting station the Commission may also postpone elections at a voting station on voting day if it is not reasonably possible to conduct free and fair elections, and such election must be held within 90 days of the end of the term of the council. (Municipal Electoral Act, 9)

If ballot papers are lost, destroyed or unlawfully removed, before the votes have been counted, the Commission may allow a revote at that voting station within 90 days of the end of the term of the council. (Municipal Electoral Act, 10)

2.2.3 Appointment of Local Representatives

The Commission must, in each municipality, appoint as a local representative; either one of its employees or another suitable person. (Municipal Electoral Act, 12) The Commission's local representatives are called Municipal Electoral Officers (MEOs).

2.2.4 Voting stations

All municipalities are divided into voting districts.

Once the Commission has delimited the voting districts, it must identify a voting station for each of the voting districts.

The following principles apply:

- The Commission must establish one voting station for each voting district;
- A fixed voting station may be combined with a mobile voting station;

- A mobile voting station may only be used if a voting district is large and sparsely populated or to assist voters travelling long distances;
- The location of voting stations must take into consideration free, fair and orderly conduct of the elections, population density and the need to avoid congestion at voting stations;
- The Commission consults parties on the local Party Liaison Committees in regard to the location of voting stations
- A list of voting stations and addresses must be made available for inspection at the office of the Commission's local representative;
- The Commission may relocate voting stations if it perceives this to be necessary to ensure free and fair elections;
- The presiding officer must determine the boundary of the voting station after consultation with party agents and security forces by putting visible signs or markers along the boundary to make it clearly visible;
- A notice of the route of mobile voting stations and the location and stopping times are to be given to the public.

(Municipal Electoral Act, 19-22).

2.2.5 Appointment of Voting and Counting Station Staff

The IEC identifies suitable persons to be appointed as presiding officers and deputy presiding officers for each voting station. The Commission must also appoint voting officers who assist the presiding officers, counting officers, and counters, as well as any additional voting station staff that may be required. The duties of these different officials are as follows:

Presiding officers must:

- manage, co-ordinate and supervise the voting process in their voting station;
- ensure orderly conduct;

- order members of the security services to assist in ensuring orderly conduct;
- exclude unwanted persons from the boundary of the voting station;
- decide objections lodged by agents of parties or independent ward candidates and/or voters during voting and counting.

If the presiding officer is temporarily unavailable the deputy presiding officer undertakes these functions. (Municipal Electoral Act, 28). Under certain circumstances, the presiding officer may also delegate certain functions to the deputy presiding officer.

Voting officers:

- must assist the presiding officer;
- have powers and duties assigned to them in order to conduct the voting process in the voting station. These duties would include checking the voters' roll for the name of the voter, applying ink to their finger to prevent double voting, etc. (Municipal Electoral Act, 30).

Counting officers:

- must be appointed for each voting station, but may also be the same person as the presiding officer, the deputy presiding officer or the voting officer;
- must manage, co-ordinate and supervise the vote counting process;
- may also appoint deputy counting officers (Municipal Electoral Act, 31-32).

Counters are appointed to take responsibility for the counting of votes. They assist the counting officer.

The following conditions apply to the appointment of all these officials.

They:

- may not be a ward candidate, a party agent or a person holding political or executive office in a party;
- must sign a declaration of secrecy (the Municipal Electoral Regulations);
- must be impartial and independent and exercise powers without fear, bias, favour or prejudice;
- may not directly or indirectly support parties or candidates;
- may be removed from office by the Chief Electoral Officer; and
- may resign with one months notice (Municipal Electoral Act, 37).

2.2.6 Preparation of Voting Materials

The Commission determines the design of the ballot papers and ballot boxes. Ballot boxes must be designed in such a way that they can be closed securely and the Commission must decide how they are to be numbered and labelled.

The Commission decides on the design of voting compartments in such a way that they adequately screen the voters while they are completing their ballots.

Before the stations open the Commission is responsible for supplying the presiding officers with ballot papers, ballot boxes, voting compartments, official stamps, marking ink, a certified segment of the voters' roll for that voting district as well as receipts to be signed by the presiding officers detailing these materials and all the necessary forms to be used in the voting station. On receipt of these materials the presiding officer is responsible for their safekeeping. (Municipal Electoral Act, 23-26)

2.3 Party Nomination of PR List Candidates

Only registered political parties can submit party lists to contest the PR elections. An independent person cannot contest the PR elections.

The nomination process can be described as follows:

- To nominate their PR list candidates, registered parties must submit a notice of intention to contest an election together with party lists containing names of candidates in order of preference for proportional representation elections to the local representative of the Electoral Commission (see forms in Appendices 2 and 3 of the Municipal Electoral Regulations), together with a deposit in respect of each and every party list submitted in the form of a bank guaranteed cheque.
- The number of candidates on party lists may not exceed double the number of PR seats in the council.
- Separate party lists are to be submitted in respect of district council elections.
- Each party candidate on a party list must submit an acceptance of nomination signed by the candidate (see form in Appendix 4 in the Municipal Electoral Regulations) together with a certified copy of the first page of their ID book.
- In respect of candidates on the party list, if the required documents are not submitted on the cutoff date for nomination of candidates as per the timetable, that party will be given a non compliance notice with an opportunity to submit the outstanding documents by a certain date, failing which, the Commission must remove the name of the party candidate.
- A list of all parties contesting an election must be compiled and kept with the Commission's local representative. The party lists must be certified and each party candidate must receive a certificate (reproduced in Appendix 5 of the Municipal Electoral Regulations). (Municipal Electoral Act, 13-15).

2.4 Ward Candidate Nominations

- Ward candidates may either be a candidate representing a party or an independent candidate.
- Ward candidates may be nominated either by a party or a person who is ordinarily resident in the municipality in which that ward falls and who is registered on that municipal segment of the voters' roll.
- Ward candidates must be nominated on a prescribed form (Appendices 6 and 7 of the Municipal Electoral Regulations) and submitted to the Commission's local representative together with an acceptance of nomination (Appendix 9 of the Municipal Electoral Regulations), certified copy of the first page of their ID book and a deposit for each ward candidate.
- If a ward candidate for a party or an independent candidate fails to provide the prescribed documents by the date for nomination of candidates as per the timetable, they will be disqualified as there is no opportunity given to ward candidates to rectify the omission.
- Independent ward candidates must also submit a form (Appendix 8 of the Municipal Electoral Regulations) with 50 signatures of voters whose names appear on the segment of the voters' roll for any voting district within that ward.
- A list of all ward candidates must be compiled for each ward, the lists must be certified and certificates (Appendix 10 of the Municipal Electoral Regulations) issued to each candidate. (Municipal Electoral Act, 16-18)

2.5 Deposits for elections

The amount of the deposits to be paid with a notice to contest an election are:

- R3000 in an election in a metropolitan municipality.
- R2000 in an election in a local municipality with wards.
- R1000 in an election in a local municipality without wards and in an election in a district municipality.

The amount of the deposit is R500 in respect of an independent ward candidate and for a ward candidate nominated by a party which is not contesting the election of the relevant municipal council by way of a party list.

2.6 Agents

- A registered party contesting the elections may appoint two agents per voting station. If the counting of the votes takes place at a venue other than the voting station, a party may appoint four agents at the venue where the counting takes place.
- An independent ward candidate may appoint one agent per voting station in the ward and two agents per venue where the counting takes place at another venue.
- An agent must be a South African citizen and may not be a party or ward candidate in the election.
- A party or independent candidate must issue the agent with written proof of appointment (Appendix 12 of the Municipal Electoral Regulations) and give notice (Appendix 13 of the Municipal Electoral Regulations) to the presiding officer or counting officer.
- A party or independent candidate may revoke the appointment by serving a revocation of appointment (Appendix 14 of the Municipal Electoral Regulations) and give notice (Appendix 15 of the Municipal Electoral Regulations) to the presiding officer and counting officer.
- An agent or ward candidate must wear a prescribed identification tag on the left breast of their external clothing bearing the words "agent" or "ward candidate" (with the abbreviated name of the party or if independent the letters "IND") in black letters on a white background. (Regulation 18 of the Municipal Electoral Regulations).
- Within the boundaries of a voting station, no agent or candidate may display or distribute billboards, posters, placards or pamphlets, wear or carry any clothing, headwear or footwear which displays a party logo,

picture or sign or attempt to induce or influence a person to vote or not to vote for a particular party or candidate.

- Agents are allowed to observe proceedings concerning voting, counting and determination and declaration of results.
- Agents may not interfere with the proceedings.
- Agents may lodge objections or bring irregularities to the attention of the presiding officer.
- The absence of agents does not invalidate proceedings.
- Agents and candidates must comply with orders given by the presiding officer. (Municipal Electoral Act, 39-40)

2.7 Observers and Voter Education Providers

The procedures for the accreditation of observers are described in detail in the Municipal Electoral Regulations (Regulations 19-21). The Municipal Electoral Act requires that organizations must apply to the Commission with the names of the observers they wish to accredit (Appendix 16 of Municipal Electoral Regulations). The Commission keeps a register of the accredited observers and issues certificates to the applicants.

Observers are permitted to be present in stations during voting, counting and declaration of results. However they are not allowed to intervene or to raise objections against any voting or counting processes. They are only allowed to observe the processes. They must wear a prescribed identification tag. The Code of Conduct for Accredited Observers is contained in Schedule B of the Municipal Electoral Regulations.

The procedures for the accreditation of Voter Education Providers are described in detail in the Municipal Electoral Regulations (Regulations 22 and 23). The Municipal Electoral Act allows for applications for accreditation as voter education providers from any "natural or juristic person" (Appendix 17 of Municipal Electoral Regulations). Accredited

voter education providers must provide their services impartially of any party or candidate, they must be competent, and they must subscribe to a Code of Conduct published as Schedule C to the Municipal Electoral Regulations.

2.8 Voting

On voting day, each voting station must be staffed by its appointed presiding officer, deputy presiding officer and the other appointed voting officers. (Municipal Electoral Act, 44)

2.8.1 Voting Hours

Hours of voting are between 07h00 and 21h00. However, the Commission may determine other voting hours, and must ensure wide publicity of the revised voting hours. (Municipal Electoral Act, 45)

No person may be allowed to enter a voting station for the purpose of voting after the closing time, but those persons who have already reported for voting at the voting station before the closing time must be allowed to vote. (Municipal Electoral Act, 45)

2.8.2 Initial and voting procedures

Immediately before opening the station for voting, the presiding officer must show agents and candidates present that ballot boxes are empty and thereafter seal the ballot boxes (Municipal Electoral Act, 46).

- Voters may only vote at the voting station in the voting district for which they are registered (Municipal Electoral Act, 47).
- Voters may only vote once in each ballot conducted at the station (Municipal Electoral Act, 47).
- Voters must produce a bar-coded identity document or a temporary identity document and their name must appear on the certified segment of that voters' roll for the voting district where

the voter is registered to vote (Municipal Electoral Act, 47).

- If the presiding officer or the voting officer is satisfied that the voter has the correct ID, appears on the voting roll segment for that voting district and has not already voted they must mark the hand of the voter with ink on left thumb and nail, he/she must mark the back of the ballot paper with the official stamp and hand the ballot paper to the voter. The only time the mark is not applied is if it is impractical ie physically impossible, to do so, in which case the name of the voter is recorded (Municipal Electoral Act, 47).
- On receiving the ballot papers the voter enters an empty voting compartment, marks the ballot papers, folds the ballot papers to conceal the choice of vote, shows to the voting officer the official stamp on the ballot paper, and places the ballot papers in the ballot box.
- Physically disabled persons may be assisted by a person of their choice, but the person assisting the voter must be at least 18 years old and not an agent or candidate (Municipal Electoral Act, 48).
- Presiding officers may also, at the request of a voter who cannot read, assist a voter but in the presence of an observer and two agents from different parties, if they are available (Municipal Electoral Act, 48).
- If a voter marks a ballot paper wrongly, and before it is placed in the ballot box, the voter may request the presiding officer to be re-issued with a new ballot paper, and the old ballot paper must be marked "cancelled" (Municipal Electoral Act, 51).
- Objections may be made by an agent or ward candidate in writing to the presiding officer. This must be done before the voter is handed a ballot paper. They may object to a particular voter being handed ballot papers; refused a ballot paper and they may object to the conduct of an election officer, an agent, or any other person present. (Municipal Electoral Act, 51).
- The presiding officer must investigate the objection, record the

finding on the objection and verbally inform the objector of the decision and keep record of each objection (Municipal Electoral Act, 51).

- If the ballot box is full, or after the last vote has been cast, the presiding officer must seal the ballot box in the presence of agents and candidates (Municipal Electoral Act, 52).
- Unused ballot boxes must also be sealed (Municipal Electoral Act, 52).
- Sealed ballot boxes must remain in the voting station and are only opened when the counting process commences (Municipal Electoral Act, 52).
- The presiding officer must, in the presence of agents and candidates, complete the ballot paper statement (Appendix 19 in the Municipal Electoral Regulations,) reflecting the number of ballot boxes initially entrusted to the station, the used boxes, the unused boxes, the ballot papers entrusted to the station, the issued ballot papers, the un-issued ballot papers, and the cancelled papers. Each unused box must be sealed. The presiding officer must seal in separate containers the certified segment of the voters' roll, the unused ballot papers, the cancelled papers, and the record of any objections. Agents must be allowed, if they wish, to put their seals on the boxes and containers (Municipal Electoral Act, 53).
- The same voting procedures apply to mobile voting stations except that in the case of the mobile stations, the presiding officer on completing the ballot paper statement delivers the statement and the materials it specifies to the counting officer of the fixed voting station in the same district (Municipal Electoral, 54).

2.9 Counting and Declaration Procedures

- Counting commences as soon as practicable after the voting station has been closed for voting and must continue uninterrupted and may only

be suspended with the Commission's approval (Municipal Electoral Act, 56).

- Votes must be counted at that voting station unless it is a mobile station or the Commission determines otherwise (Municipal Electoral Act, 57).
- The presiding officer must deliver the ballot paper statement and voting materials to the counting officer if they are not the same person (Municipal Electoral Act, 57).
- If the counting officer is a person other than the presiding officer, the counting officer must verify all items with the information on the ballot paper statement. Any discrepancies and all irregularities must be dealt with by calling for an explanation from the presiding officer. The counting officer must attempt to resolve it, keep a written record thereof and submit a report to the Chief Electoral Officer (Municipal Electoral Act, 58).
- Agents and candidates must be informed of discrepancies and irregularities (Municipal Electoral Act, 58).
- Before counting commences, an agent or a ward candidate may lodge an objection against the verification procedure to the counting officer in writing (Municipal Electoral Act, 59). Objections regarding verification only applies in the case where counting takes place at a venue which is different to where voting took place.
- The sorting of the ballot papers and the counting of votes is detailed in the Municipal Electoral Regulations. In brief, the papers are first sorted according to the ballots used at the station; the papers for each ballot are counted and the totals are compared with the presiding officer's statement; they are examined to determine if they should be rejected and if they are rejected they are kept separately; the remaining papers are sorted face up according to each party and ward candidate; they are bound with elastic bands in packages of ten and thereafter in bundles of ten such packages. The bundles and remaining ballots are then counted and the totals for each party or candidate are recorded on specified forms (Appendices 20A and 20B of the Municipal Electoral Regulations).
- Counting officers must reject any ballot paper that reflects the identity of a voter, a vote cast in favour of more than one party or candidate,

unmarked ballot papers, unofficial ballot papers and ballot papers not reflecting the choice of the voter and must mark them "rejected" on the back of each. If such decisions are disputed by an agent or a candidate then the paper is marked "disputed". (Municipal Electoral Act, 61).

- If a ballot is disputed the presiding officer must decide whether the dispute is valid or not. If the presiding officer decides the ballot is invalid, the disputed ballot will be cancelled. If the presiding officer decides the dispute is valid, the ballot is rejected and is not counted and filed separately (Municipal Electoral Act, 61).
- Agents or candidates may object against the sorting of ballot papers or the counting of votes to the counting officer in writing before the result form is completed (Municipal Electoral Act, 62).
- Counting officers must decide on such objections, record the decisions (Appendix 21 of the Municipal Electoral Regulations) and inform the objectors of their decisions (Municipal Electoral Act, 62).
- Counting officers must complete the result form, seal in separate containers the ballot paper statement and written record of objections and forward these to the Electoral Commission's local representative's office (Municipal Electoral Act, 63).
- After the Commission has determined the results of the election, the local representative must declare the result in public and also record the result on a result form (Appendices 22A and 22B of the Municipal Electoral Regulations) (Municipal Electoral Act, 64).
- Objections material to the declared results must be made by not later than 17h00 on the second day after voting to the Commission's head office in Pretoria; the Commission must decide on the objection and inform the objector of the decision (Municipal Electoral Act, 65).
- An objector may appeal to the Electoral Court against a decision of the Commission (Municipal Electoral Act, 65).

2.10 Seat Calculation and Seat Allocation

With the exception of local councils without wards and district management areas, all municipalities will have ward seats (50%) and

proportional representation (PR) seats (50%).

In ward elections, the ward elections can either be contested by ward candidates nominated by political parties, or by independent ward candidates not belonging to any political party. The ward candidate who obtains the most votes, wins the ward seat. If candidates obtain equal numbers of votes the winner is decided by lot.

In the case of PR elections, PR seats are shared between the parties through the following quota system. The totals of the votes received by each party in the ward elections and the PR elections are added together. The sum total of all these party votes are divided by the total number of councillors in each municipality less the number of winning independent candidates. The result of this division plus one is the quota. The quota is used to divide each party's total of ward and PR votes. In the event that a ward candidate for a party or an independent ward candidate is elected unopposed, the votes cast for the party for the PR vote in that ward are counted twice for this calculation. (Structures Act, Schedule 1). This calculation gives the numbers of seats to which each party is entitled in proportion to its support.

With each party allocation, the number of ward seats won is deducted from its seat entitlement before each political party is allocated its PR seats.

If this calculation results in a surplus of undistributed seats, these are accorded to the parties in the order of the size of their remaining fractional shares of the votes. For a more in depth example of seat allocation refer to Appendix 8.

2.11 General Provisions

- The Commission and its officers have access to private places if necessary to perform a function in terms of the Act.
- The Commission owns election material and may dispose of it six months after the election results have been declared.

- Deposits are to be refunded to a party if it gains at least one seat in the municipal council, or in the case of a ward candidate, that candidate gained at least ten percent of the total number of votes cast in that ward.
- Any mistake in the certified segment of voters' roll does not invalidate that segment of the voters' roll or a party list.
- The Commission must make regulations if required to by the Act or if it considers this necessary for the election.

2.12 Electoral Code of Conduct

2.12.1 Prohibited conduct

The Municipal Electoral Act provides for the Electoral Code of Conduct to which all political parties and candidates in an election must prescribe to (Schedule 1 and s87). Contravention of the Electoral Code of Conduct is a criminal offence (s66) but an aggrieved party may also refer a contravention to the Electoral Court (s78).

In addition to the Electoral Code of Conduct, the Municipal Electoral Act provides for certain prohibited conduct. Any aggrieved party or person may report a contravention of any of these provisions to the South African Police Services who will investigate the matter and forward the case to the Prosecuting Authorities who will decide to prosecute or not. In terms of section 79 of the Act, contraventions of these sections constitute a criminal offence, which includes a contravention of the Electoral Code of Conduct (Municipal Electoral Act, 66).

An aggrieved party may also use the Party Liaison Committees to report contraventions of the prohibited conduct provisions. Parties can, at these forums, come to an agreement as to how a conflict situation can be resolved.

The IEC has a panel of conflict management mediators who can be approached through the provincial electoral office to intervene in

any electoral conflict situation. The purpose of the panellists is to mediate conflict and to minimize electoral conflict through mediation. Having panellists available also minimizes the institution of legal proceedings in a court of law. The panellists also contribute to an environment conducive for the free and fair participation of political parties and candidates in the electoral processes.

Prohibited Conduct is:

- Contravention of the Electoral Code of Conduct (Fine/Imprisonment of 10 years);
- Using undue influence to persuade a person to vote or not to vote for a particular party or candidate (Fine/Imprisonment of 5 years);
- Interference with independence of the Commission (Fine/Imprisonment of 10 years);
- Promising to advantage a person in return for a favour (Fine/Imprisonment of 10 years);
- Preventing persons from gaining reasonable access to voters (Fine/Imprisonment of 5 years);
- Unlawfully prevent holding of political meetings, marches or demonstrations (Fine/Imprisonment of 5 years);
- Impersonation of candidate, officer or employee of Commission, observer or voter education provider (Fine/Imprisonment of 5 years);
- Intentional false statements (Fine/Imprisonment of 5 years);
- Publishing of false information (Fine/Imprisonment of 10 years);
- Infringement of secrecy (Fine/Imprisonment of 10 years);
- Printing, manufacturing, removing, damaging, destroying voting or election material (Fine/Imprisonment of 10 years);
- Removal of placards, billboard, posters (Fine/Imprisonment of 5 years);

- Displaying or distributing billboards, placards, pamphlets or posters on voting day within the boundaries of the voting station (Fine/Imprisonment of 5 years);
- Obstruction or non-compliance with directions of Commission, CEO or other officer (Fine/Imprisonment of 10 years);
- Omission of the word "advertisement" and the name of the publisher and printer from publishing material circulated after the election is called (Fine /Imprisonment of 5 years);
- Organising political marches, meetings, demonstrations or political events on voting day (Fine /Imprisonment of 5 years);
- Publication of exit polls (Fine/Imprisonment of 5 years).

2.13 Jurisdiction and Powers of the Electoral Court

An aggrieved person or party may approach the Electoral Court for relief.

The Electoral Court is established in terms of the Electoral Commission Act and has the status of a High Court. The Electoral Court is based in Bloemfontein, but it conducts its business anywhere in the Republic.

In terms of section 78 of the Act, the Electoral Court has jurisdiction in all electoral disputes and infringements of the Electoral Code of Conduct to which every party and candidate are bound.

The Electoral Court has its own set of Court Rules.

The High Court and Magistrates Court has concurrent jurisdiction and may also be approached for relief, although the latter two types of courts have less powers to impose an appropriate penalty.

The Electoral Court may impose any of the following sanctions:

- A formal warning,
- A fine not exceeding R200 000,

- The forfeiture of any deposit,
- An order prohibiting a person or party to use the public media, hold public meetings or marches, enter a voting district to canvass voters, erect or publish placards, billboards or posters, publish or distribute any campaign literature, use electoral advertising or receive any funds from the State or foreign sources,
- Excluding a person or party agent or candidate to enter a voting station,
- An order reducing the number of votes cast in favour of that person or party, disqualifying a candidate from participating,
- An order cancelling the registration of a party.

2.14 Law affecting Broadcast/Media Coverage

On editorial matters, the Independent Broadcasting Act of 1993 (Section 61) requires equitable treatment of political parties by the broadcaster and opportunities for discussion of conflicting views and parties' responses to criticism.

Equitable treatment does not mean equal treatment. The guidelines remind broadcasters that they should ensure that "they do not afford the policies of incumbent parties greater legitimacy than they would afford those policies or actors if the party were not in government". The Authority "advises broadcasters to take special care during the final 48 hours prior to election day. There will be limited time for broadcasters to ensure that political parties' rights of reply is honoured during this period. Broadcasters should, therefore, ensure that parties are given time to reply, should this be necessary, within the same programme during this period".

Any discussion of opinion polls is prohibited during the 48 hours before voting. For the more detailed provisions of the Independent Communications Authority of South Africa's Code of Conduct concerning broadcasting during electoral periods, see Appendix 4.

Chapter 3

After the Elections

3.1 Meetings

Councillors must first meet within 14 days of their designation after the election. Councils must meet at least four times a year (Structures Act, 18)

3.2 Councillor Code of Conduct

In Schedule 5 of the Systems Act, a Code of Conduct for Councillors is set out. The Code imposes upon councillors (including ex officio traditional leaders) the following commitments:

- Attendance at each meeting unless leave of absence if granted; as with all these commitments, non compliance can be punished with fines or removal from office.
- Disclosure of any business interest that the councillor, or any spouse, partner or business associate of the councillor may have in any business before the council; after disclosure the councillor must withdraw from the meeting when the matter is under discussion.
- Councillors should not use their council positions for personal gain, and should not undertake contracts for the council without the council's consent; if more than a quarter of the councillors object, consent may not be given without authority from the Provincial MEC for Local Government. Within 60 days of their appointment, councillors must declare their financial interests to the municipal manager. Any changes in these interests and any gifts received by a councillor above a certain amount must be declared subsequently.
- Full-time councillors must undertake no other paid work without consent from the council.
- A councillor may not solicit or accept any reward for voting or not voting

in a particular way, or for persuading the council with regard to the way it exercise its functions, for making any representation to the council, or for disclosing any privileged information. Councillors should not interfere in the management of the council or give orders to its employees unless they are authorised to do so.

- Councillors may not use or take or benefit from council property to which they have no right.

3.3 Post election day processes

3.3.1 The election and composition of district councils

Because of its nature, district councils are elected differently from metro and local councils. The Structures Act provides for a special election procedure. Section 23 determines that the council of a district municipality consists of 40 percent members of a district council, being directly elected by voters registered on the municipal segment of the voters roll for that area, by voting for a party of their choice to represent the local council on the district council.

The other 60 percent of the members of the district council are indirectly elected, not by the voters, but by the members of each local council falling within the jurisdiction of the district council. By applying a formula provided for in Schedule 2 of the Structures Act, the number of councillors to be appointed by each local council to represent the 60 percent of the members of the district council are determined.

Each local council within the jurisdiction of the district council must meet within 14 days after the results of the election, constituting 40 percent of the district council, has been declared in order to appoint the 60 percent representatives to the district council. Parties must nominate appointees (submit candidate lists) and each party or independent ward councillor may submit one list of candidates. Each councillor has only one vote to vote for a candidate to represent the local council (60 percent) on the district council.

If the district municipality has a district management area, councillors to represent the district management area on the district council are directly elected by voters registered on that district management area's segment of the national common voters' roll, to proportionally represent the parties that contested the election in that area on the district council. Each voter in the district management area therefore gets two votes, i.e a PR vote for the district council and a PR vote for the district management area.

3.3.2 Vacation of office by municipal councillors

Members of municipal councils may also vacate their office as councillors.

A councillor vacates his or her office, during a term of office, if that councillor:

- (a) resigns in writing;
- (b) is no longer qualified to be a councillor;
- (c) contravenes a provision of the Code of Conduct for councillors set out in Schedule 1 of the Structures Act 1998, and is removed from office in terms of such code;
- (d) is a representative of a local council in a district council and ceases to be a member of that local council which appointed him/her to the district council or if he/she is replaced by the local council as its representative in the district council. (Municipal Structures Act, 27); or
- (e) if a councillor, including an independent councillor, changes party membership or becomes a member of a party outside the window period allowed for in Schedule 6B of the Constitution.

3.3.3 Crossing the Floor

Schedule 6B of the Constitution provides that councillors are permitted to cross the floor to another party or for an independent councillor to join a political party, in a specified window period. There are however specific requirements that must be adhered to before a councillor can change party affiliations without losing their seat.

3.3.4 The filling of vacancies

If a councillor elected from a party list ceases to hold office and a vacancy occurs, the Chief Electoral Officer must, subject to item 20 of Schedule 1 of the Structures Act, declare in writing the person whose name is at the top of the applicable party list, to be elected in the vacancy. Whenever a councillor ceases to hold office, the municipal manager concerned must, within seven days after the councillor has ceased to hold office, inform the Chief Electoral Officer of such an occurrence.

In terms of item 19 of Schedule 1 of the Structures Act, there are various ways in which a vacancy on party lists can arise. A person who is a candidate on a party list ceases to be a candidate and a vacancy arises in the list when the party withdraws the person's name by written notice to the Chief Electoral Officer. Candidates also cease to be a candidate when that person:

- (a) assumes office as a councillor;
- (b) resigns from the list by written notice to the Chief Electoral Officer;
- (c) becomes ineligible to be a candidate;
- (d) is disqualified or removed from the list in terms of any legislation;
- (e) ceases to be a member of the party for which that person was listed as a party candidate; or
- (f) ceases to be an ordinarily resident in the municipality to which the list relates.

A party may supplement, change or increase its list at any time, provided that if a councillor elected according to a party list, ceases to hold office, the party may supplement, change or increase its list by not later than 21 days after the councillor has ceased to hold office. The vacancy must then be filled within 14 days after the party has exercised its right to supplement or change the list, but not later than 21 days after the vacancy occurred.

3.3.5 Local Government By-elections

Many of the requirements mentioned above are not only applicable to regular municipal elections, but also to by-elections. In terms of the Structures Act a by-election must be held in the following instances:

- (a) if the Electoral Commission does not declare the result of the election of a municipal council, or in a district management area, or in a ward, within the time period as is specified in terms of the Electoral Commission Act;
- (b) if a Court sets aside the election of a council, or in a district management area or in a ward;
- (c) if a council is dissolved; or
- (d) if a vacancy in a ward occurs.

If a vacancy arises in a ward, the municipal manager of the municipality concerned has the option to call and set a date for the by-election within 14 days after he or she has declared the vacancy. The specific date of the by-election is determined after the municipal manager has consulted the Commission. Notice of the date of the by-election must be published in a local newspaper that is distributed within that municipality's jurisdiction. The by-election must be held within a 90 day period calculated from the date on which the vacancy occurred.

If the municipal manager does not call and set a date for the by-election within 14 days, the MEC for Local Government must call and set a date for the by-election after consultation with the Commission, and do so by notice in the Provincial Gazette. The by-election must be held within 90 days after the vacancy has occurred.

The term of a municipal council is not interrupted by a by-election, even if a council dissolves and a new council is elected. The new council will only serve until the next scheduled elections for all municipal councils. A by-election does not affect the PR seats on council.

Furthermore, a MEC may also decide that a by-election must stand over until the next election of all municipal councils if a vacancy arises six months prior to the last possible date on which the next local government elections must be held.

3.4 Other Legislation Affecting Local Government

The provisions in the Municipal Systems Act may be of special interest to readers of this Handbook which are intended to "develop a culture of public participation". These oblige councils to conduct their business and make their by-laws in language which can be understood by the public and to keep the public informed about their activities including any development planning.

Councils must provide procedures through which members of the public can submit petitions, representations, complaints or objections. They must arrange public meetings in wards or within larger areas. They must conduct public hearings and surveys when appropriate and inform people about any findings which arise from these. Council information must be accessible in appropriate languages and presented in appropriate forms to people who cannot read or write or who are disabled. With the exceptions of executive and mayor's committee meetings, council meetings must be publicised in advance and should generally be open to the public.

The remainder of the Municipal Systems Act details procedures for the adoption of by-laws, for integrated development planning (a legal obligation for all councils), for performance management, for human resources administration, for structuring service tariffs, for providing or contracting out services and for credit control and debt collection.

Schedule 1 of the Act contains a Code of Conduct for municipal staff.

Appendices

- APPENDIX 1** - ELECTORAL CODE OF CONDUCT*
- APPENDIX 2** - CODE OF CONDUCT FOR ACCREDITED OBSERVERS*
- APPENDIX 3** - CODE OF CONDUCT FOR ACCREDITED VOTER EDUCATION PROVIDERS*
- APPENDIX 4** - ICASA REGULATIONS*
- APPENDIX 5** - ELECTORAL COURT RULES*
- APPENDIX 6** - DIRECTORY OF PROVINCIAL ELECTORAL OFFICERS*
- APPENDIX 7** - DIRECTORY OF MUNICIPAL ELECTORAL OFFICERS*
- APPENDIX 8** - EXAMPLE OF SEAT ALLOCATION*

Appendix 1

Electoral Code of Conduct

Schedule 1 **(Sections 1 and 87)**

ELECTORAL CODE OF CONDUCT

Purpose of Code

1. The purpose of this Code is to promote conditions that are conducive to free and fair elections, including -
 - (a) tolerance of democratic, political activity; and
 - (b) free political campaigning and open public debate.

Promotion of Code

2. Every party and every candidate must -
 - (a) promote the purpose of the Code when conducting an election;
 - (b) publicise the Code widely in any election campaigns; and
 - (c) promote and support efforts in terms of this Act to educate voters.

Compliance with Code and electoral laws

3. Every party and every candidate must -
 - (a) comply with this Code;
 - (b) instruct -
 - (i) in the case of a party, its candidates, persons who hold political or executive office in the party, and its representatives, members

- and supporters, to comply with this Code and any applicable electoral laws; or
- (ii) in the case of a ward candidate, the representatives and supporters of the candidate to comply with this Code and any applicable electoral laws;
- (c) take all reasonable steps to ensure -
 - (i) in the case of a party, that its candidates, persons who hold political or executive office in the party, and its representatives, members and supporters, comply with this Code and any applicable electoral laws; or
 - (ii) in the case of a ward candidate, that the representatives and supporters of the candidate comply with this Code and any applicable electoral laws.

Public Commitment

4.(1) Every party and every candidate must -

- (a) publicly state that everyone has the right -
 - (i) to freely express their political beliefs and opinions;
 - (ii) to challenge and debate the political beliefs and opinions of others;
 - (iii) to publish and distribute election and campaign materials, including notices and advertisements;
 - (iv) to lawfully erect banners, billboards, placards and posters;
 - (v) to canvass support for a party or candidate;
 - (vi) to recruit members for a party;
 - (vii) to hold public meetings; and
 - (viii) to travel to and attend public meetings; and
 - (b) publicly condemn any action that may undermine the free and fair conduct of elections.
- (2) Every party and every candidate must accept the result of an election or alternatively challenge the result in a court.

Duty to co-operate

5. Every party and every candidate must liaise with other parties contesting an election and endeavour to ensure that they do not call a public meeting, march, demonstration, rally or any other public political event at the same time and place as that called by another party contesting the election.

Role of women

6. Every party and every candidate must -
 - (a) respect the right of women to communicate freely with parties and candidates;
 - (b) facilitate the full and equal participation of women in political activities;
 - (c) ensure the free access of women to all public political meetings, marches, demonstrations, rallies and other public political events; and
 - (d) take all reasonable steps to ensure that women are free to engage in any political activities.

Role of Commission

7. Every party and every candidate must -
 - (a) recognise the authority of the Commission in the conduct of an election;
 - (b) assure voters of the Commission's impartiality;
 - (c) give effect to any lawful direction, instruction or order of the Commission, or a member, employee or officer of the Commission, or the chief electoral officer;
 - (d) establish and maintain effective lines of communication with -
 - (i) the Commission; and
 - (ii) other parties contesting the elections;
 - (e) facilitate the access of members, employees and officers of the Commission, and the chief electoral officer, to public meetings, marches, demonstrations, rallies and other public political events of that party or candidate;

- (f) co-operate in any investigation of the Commission;
- (g) take all reasonable steps to ensure -
 - (i) the safety of members, employees and officers of the Commission, and the chief electoral officer, in the exercise of any power or the performance of any duty conferred or assigned by or under this Act;
 - (ii) that persons referred to in subparagraph (i) are not subjected to insult, hazard or threat by any representatives or supporters of that party or candidate; and
 - (iii) that representatives of that party or candidate attend meetings of any party liaison committee or other forum convened by the Commission.

Role of media

- 8. Every party and every candidate -
 - (a) must respect the role of the media before, during and after an election conducted in terms of this Act;
 - (b) may not prevent access by members of the media to public political meetings, marches, demonstrations and rallies; and
 - (c) must take all reasonable steps to ensure that journalists are not subject to harassment, intimidation, hazard, threat or physical assault by any of their representatives or supporters.

Prohibited conduct

- 9.(1) No party or candidate may-
 - (a) use language or act in a way that may provoke -
 - (i) violence during an election; or
 - (ii) the intimation of candidates, members of parties, representatives or supporters of parties or candidates, or voters;
 - (b) publish false or defamatory allegations in connection with an election in respect of-
 - (i) a party, its candidates, representatives or members; or
 - (ii) a ward candidate or that candidate's representatives;

- (c) plagiarise the symbols, colours or acronyms of other parties, or
 - (d) discriminate on the grounds of race, ethnicity, sex, gender, class or religion in connection with an election or political activity.
- (2) No person may -
- (a) offer any inducement or reward to another person -
 - (i) to join or not to join a party;
 - (ii) to attend or not to attend a public meeting, march, demonstration, rally or other public political event;
 - (iii) to vote or not to vote or not to vote in any particular way; or
 - (iv) to refuse a nomination as a candidate or to withdraw as a candidate; or
 - (b) carry or display arms or weapons -
 - (i) at a political meeting; or
 - (ii) in any march, demonstration, rally or other public political event;
 - (c) unreasonably prevent any other person access to voters for the purpose of voter education, collecting signatures, recruiting members, raising funds or canvassing support for a party or candidate;
 - (d) deface or unlawfully remove or destroy the billboards, placards, posters or any other election materials of a party or candidate; or
 - (e) abuse a position of power, privilege or influence, including parental, patriarchal, traditional or employment authority to influence the conduct or outcome of an election.

Additions to Code

10. The Commission may by regulations made in terms of section 89 add provisions to this Code.

Appendix 2

Code of Conduct for Accredited Observers

SCHEDULE B

Code of Conduct for Accredited Observers

1. Every accredited observer and person appointed by the observer must -
 - 1.1 Observe the election impartially and independently of any registered party or candidate contesting the election.
 - 1.2 Remain non-partisan and neutral.
 - 1.3 Be competent and professional in observing the election.
 - 1.4 Provide the Commission with a comprehensive review of the elections taking into account all relevant circumstances including -
 - (a) the degree of impartiality shown by the Commission;
 - (b) the degree of freedom of political parties to organise, move, assemble and express their views publicly;
 - (c) the opportunity for political parties to have their agents observe all aspects of the electoral process;
 - (d) the fairness of access for political parties to national media and other resources of the state;

- (e) the proper conduct of polling and counting of votes;
and
 - (f) any other issue that concerns the essential freedom and fairness of the election.

- 1.5 Comply with all instructions given and every obligation imposed by -
 - (a) the Commission;
 - (b) any electoral officer; or
 - (c) any employee or officer of the Commission; or
 - (d) a member of the security services acting on the instruction of an officer.

- 2. The accredited observer and any party appointed by that observer should -
 - 2.1 Avoid doing anything that would indicate or be seen as indicating partisan support for a candidate or registered party.
 - 2.2 Act in a strictly neutral and unbiased manner.
 - 2.3 Disclose to the Commission any relationship that could lead to conflict of interest regarding the performance of their duties as observers or with the process of observation or assessment of the election.
 - 2.4 Not accept any gifts or favour from a political party, organisation or person involved in the election process.
 - 2.5 Not participate in any function or activity that could lead to a

perception of sympathy for a particular candidate or political party.

- 2.6 Not express a view or opinion on any matter, which is the subject of electoral campaigning.
- 2.7 Not influence or attempt to influence the choice of a voter regarding any registered party or candidate in an election.
- 2.8 Not wear, carry, or display any registered party's symbols or colours.

Appendix 3

Code of Conduct for Accredited Voter Education Providers

SCHEDULE C

Code of Conduct for Accredited Voter Education Providers

1. Every accredited voter education provider must -
 - 1.1 inform and make voters aware of their protected right to freedom of conscience and belief, freedom of speech and expression, freedom of association, and peaceful assembly, freedom of movement and of the right to participate freely in peaceful political activities;
 - 1.2 respect the rights of voters to elect a party of their choice by using an impartial training method;
 - 1.3 ensure that voters are informed and made aware thereof that political parties and the media are free to impart information and opinion;
 - 1.4 always act in a non-partisan manner and be free of any influence or control by any political party or organisation; and
 - 1.5 strive to promote democratic pluralism and a culture of political tolerance.

2. Every accredited voter education provider must -
 - 2.1 keep such books of account that are reasonably necessary; and
 - 2.2 use funds received only for the purpose for which it was appropriated.

3. No accredited voter education provider may -
 - 3.1 misuse any funds received for the purpose of voter education;
 - 3.2 attempt to ascertain for which candidate or party any voter intends to vote;
 - 3.3 induce, influence, persuade or procure a voter to register for or vote in an election, in the knowledge that such voter is not entitled to register or vote in the election concerned;
 - 3.4 influence or attempt to influence the choice of a voter regarding any party or candidate in an election;
 - 3.5 publish, repeat or disseminate in any manner whatsoever false information; and
 - 3.6 obstruct or interfere with the work of any official or representative of the Commission.

4. Accredited voter education providers must -
 - 4.1 act in a strictly neutral and unbiased manner in every matter concerning a political party, candidate or voter;

- 4.2 do nothing that could indicate, or be seen as indicating, partisan support for a candidate or political party;
- 4.3 not accept any gift or favour from a political party or any person involved in the election process; and
- 4.4 not wear, carry or display any obviously partisan party symbols or colours.

Appendix 4

ICASA Regulations

REGULATIONS RELATING TO PARTY ELECTION BROADCASTS, POLITICAL ADVERTISEMENTS, THE EQUITABLE TREATMENT OF POLITICAL PARTIES BY BROADCASTING LICENSEES AND RELATED MATTERS IN RESPECT OF THE 2004 GENERAL ELECTION¹

The Independent Communications Authority has, under Section 78(1) of the Independent Broadcasting Authority Act, 1993 (Act No. 153 of 1993), made the regulations in the schedule.

SCHEDULE

1. Definitions

In these regulations, any word or expression to which a meaning has been assigned in the Act shall bear such meaning and, unless the context indicates otherwise:

- 1.1 “advertisement” means a political advertisement as defined in the Act;
- 1.2 “Authority” means the Independent Communications Authority established by Section 3 of the Independent Communications Authority of South Africa Act, No.13 of 2000;
- 1.3 “BMCC” means the Broadcasting Monitoring & Complaints Committee referred to in section 21(1)(b) of the IBA Act;

¹ "The ICASA Regulations are applicable to the Local Government Elections"

- 1.4 “broadcaster” means a person who provides a broadcasting service under and in accordance with a broadcasting licence issued to it by the Authority under Chapter VI of the IBA Act, provided that:
 - 1.4.1 in respect of advertisements and election broadcasts, the word “broadcaster” shall not include any person who so provides a television broadcasting service; and
 - 1.4.2 in the case of any broadcaster who is licensed to provide more than one broadcasting service, the word “broadcaster” shall refer to each such broadcasting service;
- 1.5 “Broadcasting Act” means the Broadcasting Act, No. 584 of 1999;
- 1.6 “Commission” means the Electoral Commission established by section 3 of the Electoral Commission Act;
- 1.7 “Constitution” means the Constitution of the Republic of South Africa, Act No. 108 of 1996;
- 1.8 “election broadcast” means a party election broadcast as defined in the IBA Act;
- 1.9 “election broadcast period” means the period within which party election broadcasts may be transmitted; such period may not begin prior to the closing of the submission of the lists of candidates, as referred to in section 27 of the Electoral Act, and may not extend beyond 48 hours of the polling day;
- 1.10 “election period” means the period as defined in Section 1 of the IBA Act;
- 1.11 “Electoral Act” means the Electoral Act, No. 73 of 1998;
- 1.12 “Electoral Code” means the Electoral Code of Conduct set out in

Schedule 2 of the Electoral Act;

- 1.13 “Electoral Commission Act” means the Electoral Commission Act, No 51 of 1996;
- 1.14 “IBA Act” means the Independent Broadcasting Authority Act, No. 153 of 1993;
- 1.15 “ICASA Act” means the Independent Communications Authority of South Africa Act, No. 13 of 2000;
- 1.16 “news or current affairs programme” means a programme transmitted by a broadcaster in which it reports on news events or which focuses on, or includes comment on or interpretation or analysis of, issues of social, political or economic relevance or matters of international, national, regional or local significance;
- 1.17 “party” means a political party registered in terms of section 15 of the Electoral Commission Act, or any alliance of such registered political parties, that has nominated candidates and submitted a list or lists of those candidates in accordance with section 27 of the Electoral Act, and includes any organisation that, group of people which, or person who, acts in support of such a registered political party;
- 1.18 “polling day” means the day proclaimed by the President in terms of section 49(2) of the Constitution, as read with section 17 of the Electoral Act, as being the day on which voting for the National Assembly will take place;
- 1.19 “prime time” means the periods set out in Annexure “A”;
- 1.20 “SABC” means the South African Broadcasting Corporation;

2. Interpretation

Every person interpreting or applying these Regulations shall do so in a manner that is consistent with, gives effect to and takes into

account the provisions of the Constitution, the IBA Act, the Broadcasting Act and the Electoral Code.

3. General provisions in respect of advertisements and election broadcasts

3.1 Any party that wishes to have an advertisement or an election broadcast transmitted by a broadcaster shall submit that advertisement or election broadcast to the broadcaster concerned:

3.1.1 in a form and manner that complies with that broadcaster's technical standards acceptable to that broadcaster;

3.1.2 in completed form, ready for broadcast; and

3.1.3 at least 96 hours before the time when that advertisement or election broadcast is to be transmitted.

Every broadcaster, other than the SABC, must indicate to the Authority whether or not it will transmit election broadcasts by not later than (date to be decided)

3.3 Every broadcaster that is required, or intends, to transmit advertisements or election broadcasts shall, by no later than (date to be decided) notify the Authority in writing of its technical standards as contemplated in Regulation 3.1.1. If the Authority is of the view that a broadcaster's technical standards are unreasonable, the Authority shall notify that broadcaster accordingly in writing and shall direct that broadcaster to amend its technical standards.

3.4 Every advertisement or election broadcast submitted by a party to a broadcaster for transmission shall be prepared by, or at the instance and request of, that party.

- 3.5 No broadcaster to whom an advertisement or election broadcast has been submitted by a party shall in any way edit or alter that advertisement or election broadcast, whether before or after transmission.
- 3.6 Every broadcaster to whom an advertisement or election broadcast has been submitted by a party for transmission shall be entitled to reject and refuse to transmit that advertisement or election broadcast if it does not comply with the broadcaster's reasonable technical standards, with these Regulations, the Act or with the Electoral Code.
- 3.7 Any broadcaster who rejects any advertisement or election broadcast submitted to it by a party for transmission shall, within 24 hours of such submission:
 - 3.7.1 furnish the party that submitted the advertisement or election broadcast concerned to that broadcaster with written reasons for such rejection, and that party shall be entitled to alter or edit the advertisement or election broadcast and again submit it to the broadcaster concerned at least 24 hours before the time when it is to be transmitted;
 - 3.7.2 in the event of the broadcaster rejecting an altered or edited advertisement or election broadcast in terms of Regulation 3.7.1, notify the Authority of such rejection by furnishing the Authority with a copy of the written reasons given for that rejection.
 - 3.7.3 any party whose election broadcast has been rejected by a broadcaster under this regulation may refer the matter to the Authority in terms of Regulation 6.
- 3.8 A party that submits an advertisement or election broadcast to

a broadcaster for transmission shall ensure that the advertisement or election broadcast does not:

- 3.8.1 contravene the provisions of item 9 of the Electoral Code; or
 - 3.8.2 contain any material that is calculated, or that in the ordinary course of things is likely, to provoke or incite any unlawful, illegal or criminal act, or that may be perceived as condoning or lending support to any such act.
- 3.9 Neither any party that submits an advertisement or an election broadcast to a broadcaster for transmission, nor any member or official of any such party, shall have any claim against that broadcaster arising from the transmission by it of that advertisement or election broadcast.
- 3.10 Every party that submits an advertisement or an election broadcast to a broadcaster for transmission shall be deemed to have indemnified that broadcaster against any cost, damage or loss incurred or sustained by that broadcaster as a result of any claim which a third party may bring against it arising from the transmission of that advertisement or election broadcast by that broadcaster.
- 3.11 Neither any party, nor any member or official of any party, shall have any claim against a broadcaster arising from the transmission by that broadcaster of any advertisement or election broadcast.
- 3.12 No advertisements or election broadcasts may be transmitted after the end of the election broadcast period.

4. Specific provisions in respect of election broadcasts

- 4.1 Election broadcasts may only be transmitted during the

- election broadcast period.
- 4.2 Every broadcaster who transmits election broadcasts shall:
 - 4.2.1 make available, on every day throughout the election broadcast period four time-slots of two minutes each for the transmission of election broadcasts, provided that the Authority shall be entitled to prescribe by regulation an increased number of daily time-slots for the transmission of election broadcasts;
 - 4.2.2 do so in accordance with the sequence and timing prescribed by the Authority in terms of Regulation 5;
 - 4.2.3 ensure that all election broadcasts transmitted by it are clearly identified as election broadcasts;
 - 4.2.4 ensure that all election broadcasts transmitted by it are identified or announced in a similar manner both at their introduction and at their conclusion.
 - 4.3 No single election broadcast transmitted by a broadcaster shall exceed two minutes in duration.
 - 4.4 No broadcaster may transmit an election broadcast immediately before or after another election broadcast or immediately before or after an advertisement.
 - 4.5 No party shall be obliged to use the air-time allocated to it in terms of Regulation 5 for the transmission of election broadcasts, provided that:
 - 4.5.1 any air-time allocated to but not used by a party shall be forfeited;
 - 4.5.2 if any party does not wish to use any air-time allocated to it, such air-time shall not be allocated to another party but shall be used by the broadcaster concerned for the purpose of transmitting conventional programming or material;

- 4.5.3 if any party does not wish to use any air-time allocated to it, the broadcaster concerned shall not, during the relevant time-slot, transmit any advertisement or election broadcast previously transmitted on behalf of that party, or in any way vary the sequence or scheduling of election broadcast transmissions determined in accordance with these Regulations.
- 4.6 Neither any broadcaster nor any party shall permit or engage in any interference with, or trading in, the sequence or scheduling of election broadcast transmissions determined in accordance with these Regulations.

5. Allocation of air-time in respect of election broadcasts

- 5.1 Air-time in respect of election broadcasts shall be allocated by the Authority to the various parties contesting the national and provincial elections on the basis of the respective formulae set out in Annexure B.
- 5.2 The Authority shall, as soon as may be reasonably practicable, after the date referred to in section 27(1) of the Electoral Act, publish a notice setting out the air-time allocation in respect of election broadcasts.
- 5.3 Once the submissions of lists of candidates has been closed under section 27 of the Electoral Act the Authority shall;
 - 5.3.1 determine the sequence in which election broadcasts are to be transmitted for the entire election broadcast period;
 - 5.3.2 notify the broadcasters concerned in writing of such sequence.
- 5.4 The determination which is to be made by the Authority in terms of Regulation 5.3 shall be made:

- 5.4.1 by the drawing of lots;
- 5.4.2 in the presence of an official of the Commission designated by the Commission for that purpose.
- 5.5 The Authority shall notify the representatives referred to in Regulation 7.1 of the time when and place where the determination referred to in Regulation 5.3 will be made, and such representatives shall be entitled to be present when such determination is made.

6. Mediation

- 6.1 In the event of a broadcaster rejecting or refusing to transmit any advertisement or election broadcast submitted to it by a party for transmission, the party may:
 - 6.1.1 refer the matter to the Authority in writing within 24 hours of being notified by the broadcaster of such rejection and the Authority shall attempt to resolve the matter in any manner it may consider appropriate;
 - 6.1.2 in the event of the Authority being unable to resolve a matter in terms of Regulation 6.1.1 it shall refer the matter to the BMCC and the BMCC shall deal with the matter in accordance with any procedure which the BMCC may consider appropriate.
- 6.2 In the event of any dispute arising between any party and any broadcaster, in respect of any matter governed by these Regulations, or in the event of any person being aggrieved by any act performed by any person in terms of these Regulations, or in the event of any dispute arising regarding the interpretation or application of these Regulations, any person who has a material interest in the matter shall be entitled to refer the matter to the Authority within 24 hours of the dispute or grievance arising.

- 6.2.1 the Authority shall attempt to resolve the dispute or grievance in any manner it may consider appropriate;
 - 6.2.2 in the event of the Authority being unable to resolve a matter in terms of Regulation 6.2.1 it shall refer the matter to the BMCC and the BMCC shall deal with the matter in accordance with any procedure which the BMCC may consider appropriate.
- 6.3 No person may seek relief in a court of law in respect of any rejection, dispute or grievance arising from the interpretation or application of these regulations unless the applicable procedures set out in these Regulations have been exhausted.

7. General

- 7.1 Every broadcaster and every party shall:
 - 7.1.1 nominate a person who shall be the representative of that broadcaster or party in respect of all matters regulated by, or arising from, these Regulations;
 - 7.1.2 by no later than (date to be decided) notify the Authority in writing of the name, physical and postal address, telephone number and, where available, cellular phone number and e-mail address of that person.
- 7.2 The chief executive officer, news and current affairs director, head of sales and marketing and programme manager (or the persons occupying similar positions or responsible for performing the functions normally performed by persons occupying those positions) of every broadcaster shall take reasonable steps to ensure compliance by that broadcaster with these Regulations to the extent that they may be applicable to that broadcaster.

7.3 Every broadcaster who transmits news or current affairs programmes in respect of the elections shall do so in an impartial and objective manner and in a manner which treats all parties fairly. In complying with this obligation, broadcasters should have regard to the guidelines set out in Annexure C.

8. Short title

These regulations may be cited as the Independent Communications Authority General Elections Regulations, 2004.

ANNEXURE

Annexure C: Guidelines for broadcasters

ANNEXURE C

GUIDELINES

1. INTRODUCTION

These guidelines are intended to outline a general approach that should be adopted by broadcasting licensees in their coverage of the 2004 general elections. General elections are an important public event and they clearly fall within the area of news and current affairs. Broadcasting licensees are encouraged, in the public interest, to provide a full, impartial, and independent coverage of the elections.

The Authority does not intervene in the news and programming operations of the broadcasters. Broadcasters' role during elections does not differ from their normal journalistic role during non-election periods. Normal ethical considerations will continue to apply. A distinguishing feature of the election period is the obligation to achieve equitable coverage of political parties without abdicating news value judgements.

2. EDITORIAL MATTERS

Section 61 of the IBA Act lays down specific requirements for the treatment of political parties during the election period by broadcasters in their editorial programming. The requirements are:

- 2.1 "If, during an election period, the coverage of any broadcasting service extends to the field of elections, political parties and issues relevant thereto, the broadcasting licensee concerned shall afford reasonable opportunities for the discussion of conflicting views and shall treat all political parties equitably.

- 2.2 In the event of any criticism against a political party being leveled in a particular programme of any broadcasting service without such party having been afforded an opportunity to respond thereto in such programme or without the view of such political party having been reflected therein, the broadcasting licensee concerned shall be obliged to afford such a party a reasonable opportunity to respond to criticism.
- 2.3 If, within 48 hours before the commencement of the polling period or during the polling period, a broadcasting licensee intends broadcasting a programme in which a particular political party is criticized, the licensee shall ensure that the political party is given a reasonable opportunity to respond thereto in the same programme, or to do so as soon as reasonably practicable thereafter”.

The Authority advises broadcasters to take special care during the final 48 hours prior to election day. There will be limited time for broadcasters to ensure that political parties' right of reply is honoured during this period. Broadcasters should, therefore, ensure that parties are given time to reply, should this be necessary, within the same programme during this period.

3. EQUITABLE TREATMENT

3.1 Four principles of equitability:

3.1.1 Equitable treatment does not mean equal treatment

The Authority will not expect broadcasting services to distort their news values and processes by giving the same weight to small or one-person parties as they do to

serious contenders for a place in national or provincial government.

3.1.2 Equitable treatment means fair treatment

Each broadcasting service will be expected to treat parties fairly. Equitable treatment is unlikely to be achieved in a single programme but can be achieved in a series of programmes.

3.1.3 Each broadcast service should be consistent in its treatment of contesting parties

Each broadcasting service should be consistent in its treatment of contesting parties and of conflicting views.

3.1.4 Broadcasters must seek out information.

Broadcasters should recognise their obligation to the electorate to provide a full and accurate record of events and developments. Broadcasters should not rely on political parties to bring information to them, but should actively seek out information. Failure to do so will give parties with greater resources inequitable amounts of news coverage.

3.2 Principles to be adhered to:

To further assist broadcasters in fulfilling the requirements of the Act the following principles will apply:

3.2.1 Fairness

- All news coverage should be fair to all interests concerned;
- Care should be taken to balance the exposure given to the non-political activities of candidates (such as attendance at functions, sporting events etc).

- All parties should receive equitable treatment on current affairs programmes. If the programme intends to feature party representatives, parties contesting the elections must be invited, with reasonable notice, to participate either in the same programme or in a series of programmes.
- The requirement that broadcasters give an opportunity for conflicting views to be heard should not be interpreted as a requirement that all parties be heard on any subject, only that all views be heard. Nor is it a requirement that all views be heard on the same programme.

3.2.2 The right of reply to broadcast criticism

Each broadcaster should afford all political parties reasonable opportunity to respond to criticism broadcast by that broadcaster. However, affording parties reasonable time to respond should not amount to forcing broadcasters to turn their editorial programmes into a series of replies and replies-to-replies. There should be a distinction between demands for the right to reply to mild or rhetorical criticism, which properly forms part of the cut and thrust of robust political contest; and demands for the right to reply to criticisms which result in clear and immediate damage to a political party. With regard to rhetorical criticisms, broadcasters must have the flexibility to incorporate responses into their formal news patterns. With regard to damaging criticisms, broadcasters should give the offended party an opportunity to respond. The party should be afforded the earliest and most appropriate opportunity to do so. Broadcasters should, however, not allow political parties

to use their right to reply to criticism to manipulate or distort the general principle of equitability.

3.2.3 Coverage of government

During the election period, broadcasters must recognise that government officials are in a position to use their incumbency to advance their electoral prospects. During the election period, broadcasters should regard with particular caution any statement or action by an official of an incumbent party. In particular, broadcasters need to ensure that, during the election period, they do not afford the policies of incumbent parties greater legitimacy than they would afford those policies or actions if the party were not in government.

3.2.4 Civil servants

No action or statement by any civil servant should benefit or prejudice any political party.

3.2.5 Coverage of non-participating organisations

In providing reasonable opportunity for the discussion of conflicting views, non-participating political parties and organisations affiliated to alliances should not be excluded from debates and news bulletins. They should be included in terms of normal journalistic practice when the topic is one in which they have a material interest. However, they should not be included with such frequency that they distort the general principle of equitability between registered, contesting parties.

3.2.6 Coverage of election results

Broadcasters, particularly the public broadcaster, have an obligation to inform the electorate of the election results, as they become available. Coverage of election results may also include comment, analysis and

interpretation. Special care should be taken to ensure the accuracy of all results broadcast.

4. CONCLUSION

The guidelines in essence therefore will provide a framework to broadcasters covering the elections within which the system of Party Election Broadcasts and political advertising will operate.

Appendix 5

Electoral Court Rules

RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE ELECTORAL COURT¹

The Electoral Court has, under section 20(3) of the Electoral Commission Act, 1996 (Act No. 51 of 1996) made the rules in the Schedule.

SCHEDULE

Definitions

1. In these rules, a word to which a meaning has been assigned in the Act has that meaning and, unless the context otherwise indicates -
"Chairperson" means the Chairperson of the Court appointed in terms of section 19(1) of the Act;
"Court" means the Electoral Court established in terms of section 18 of the Act;
"day" means any day other than a Saturday, Sunday or public holiday;
"lodge" means serve copies on all parties and file the original with the Secretary;
"Secretary" means the Secretary of the Court, care of the registrar of the Supreme Court of Appeal, Bloemfontein; and
"the Act" means the Electoral Commission Act, 1996 (Act No. 51 of 1996)

Conduct of business

2. The Court conducts its business in the manner determined by the Court and at the times and places determined by the Chairperson with due regard to the need for expeditious disposal of matters.

¹ "The Municipal Electoral Act refers to the Electoral Court as the Court is established in terms of the Electoral Commission Act. By implication, the Court rules also apply to municipal elections, although the rules only refer to the Electoral Act."

Composition of Court

3. The Court is constituted by all its members: Provided that if a member of the Court is unable to perform the duties of his or her office or if there is a vacancy in the membership of the Court, the Court will be constituted by those members who are able to perform the duties of their office: Provided further that the Court will not be constituted by fewer than three of its members.

Decisions of Court

4. (1) The decision of a majority of the members of the Court is the decision of the Court.
- (2) If a member of the Court dies, resigns or becomes unable to perform his or her duties at any stage during the hearing of a matter, the remaining members, subject to rule 3, determine the matter.

Appeal proceedings

5. (1) An application for leave to appeal against a decision of the Commission must be made in writing and lodged within three days after the decision has been made.
- (2) The application in terms of subrule (1) must set out succinctly, fairly and clearly the points of law concerned and the information necessary to enable the Chairperson to consider the application.
- (3) The Secretary must inform the party who made the application and the Commission of the decision of the Chairperson regarding the application without delay.
- (4) If leave to appeal has been granted, the party who made the application and the Commission must lodge with the Secretary comprehensive written submission within three days after being informed in terms of subrule (3).
- (5) The party that lodges an appeal must -
 - (a) set out fully in its written submission -
 - (i) the findings of law and fact, where appropriate;

- (ii) the order of orders against which the appeal is directed; and
 - (iii) the grounds on which its contentions are based; and
- (b) attach, if possible, any relevant record or minutes of the proceedings concerned.

Review proceedings

6. (1) A party who is entitled to and wants to take a decision of the Commission on review must lodge a comprehensive written submission with the Secretary within three days after the decision has been made.
- (2) The Commission must lodge a comprehensive written submission with the Secretary within three days of receipt of a submission referred to in subrule (1).
- (3) The party who takes a matter on review must -
- (a) set out fully in its written submission -
 - (i) the decision or decisions which it requires to be reviewed; and
 - (ii) the grounds therefore; and
 - (b) attach, if possible, any relevant record or minutes of the proceedings concerned.

Referral of a matter relating to interpretation of law

7. (1) A referral of a matter by the Commission relating to the interpretation of law in terms of section 20(6) of the Act must be in writing and lodged with the Secretary, who must submit it to the Court without delay.
- (2) The Commission must -
- (a) set out fully in its written submission -
 - (i) the provision or provisions of the law which need to be interpreted;
 - (ii) the facts of the matter, where appropriate;

- (iii) its arguments and interpretation of such law and the arguments and interpretation of any party having an interest in the matter; and
 - (b) attach, if possible, any documents necessary to enable the Court to determine the matter.
- (3) Upon receipt of the written submission of the Commission, the matter must be dealt with in accordance with the directives of the Court.
- (4) The Secretary must inform the Commission in writing of the finding of the Court within three days thereof.

Investigation of misconduct, incapacity or incompetence of a member of the Commission

- 8.
 - (1) An allegation of misconduct, incapacity or incompetence on the part of a member of the Commission must be -
 - (a) in writing and, if possible accompanied by supporting evidence; and
 - (b) lodged with the Secretary.
 - (2) The member concerned must respond in writing to the allegations within the time prescribed by the Court.
 - (3) Upon receipt of the response of the member concerned or after the expiry of the time prescribed by the Court in terms of subrule (2), the investigation must be dealt with in accordance with the directives of the Court.
 - (4) The Secretary must submit the written recommendation of the Court and any other documents which the Court may deem fit to the National Assembly without delay.

Written submissions

- 9. Written submissions in terms of these rules may be prepared by a party or a person duly authorised by such a party.

Failure to comply with time limits or directives of Court

- 10. Failure to comply with the prescribed time limits or directives of the Court will, by the mere fact thereof, result in a party being barred,

unless the Court, on good cause shown, directs otherwise.

Departure from rules

11. (1) The Court may, when it deems necessary, depart from these rules and give appropriate alternative directives.
- (2) In conducting its business the Court may, whenever it deems appropriate, *inter alia* -
 - (a) request further written submission;
 - (b) allow oral argument by a party or by a person duly authorised by such a party;
 - (c) request records or minutes of proceedings;
 - (d) shorten or extend prescribed periods;
 - (e) direct that oral evidence be heard on specified issues;
or
 - (f) refer a matter to trial

Procedure to apply when rules are silent

12. (1) A party who wishes to refer a matter to the Court and who is of the view that the rules do not address or adequately address a particular aspect must inform the Secretary accordingly without delay.
- (2) The Secretary, after having obtained the Court's directives, must inform the party concerned and other interested parties thereof without delay.
- (3) This rule does not affect the Court's authority to determine its own practice and procedures and make its own rules.

RULES REGULATING ELECTORAL DISPUTES AND COMPLAINTS ABOUT INFRINGEMENTS OF THE ELECTORAL CODE OF CONDUCT IN SCHEDULE 2 OF THE ELECTORAL ACT, 1998 (ACT NO. 73 OF 1998) AND DETERMINATION OF COURTS HAVING JURISDICTION

The Electoral Court has under section 20(4) of the Electoral Commission Act, 1996 (Act No. 51 of 1996), made the rules in this Schedule

SCHEDULE

DEFINITIONS

1. In these rules, a word to which a meaning has been assigned in the Act has that meaning and, unless the context otherwise indicates -
'apply' means on motion, and 'application' has a corresponding meaning;
'Chairperson' means the Chairperson of the Court appointed in terms of section 19(1) of the Electoral Commission Act, 1996 (Act No. 51 of 1996);
'Clerk of the Court' means a clerk of the court appointed under section 13 of the Magistrates' Courts Act, 1994 (Act No. 32 of 1994) and includes an assistant clerk of the court so appointed;
'Code' means the Electoral Code of Conduct in Schedule 2 of the Electoral Act, 1998 (Act No. 73 of 1998);
'Court' means the Electoral Court established in terms of section 18 of the Electoral Commission Act, 1996 (Act No. 51 of 1996);
'Day' means any other day than a Saturday, Sunday or public holiday;
'lodge' means to serve copies on all parties and file the original with the clerk of the court or registrar or Secretary, as the case may be;
'Magistrate's Court' means a court established in terms of section 2(1)(f) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944);
'Magistrates' Courts Rules' means the rules regulating the

conduct of proceedings of the Magistrate's Court;

'notice' means notice in writing;

'registrar' means the registrar of a High Court appointed under section 34 of the Supreme Court Act, 1959 (Act No. 50 of 1959);

'Secretary' means the Secretary of the Court care of the registrar of the Supreme Court of Appeal, Bloemfontein;

'serve' means to serve by facsimile or to hand to all parties concerned;

'The Act' means the Electoral Act, 1998 (Act No. 73 of 1998);

'Uniform Rules' means the rules regulating the conduct of proceedings of the several provincial or local divisions of the High Courts.

DETERMINATION OF COURTS AND JURISDICTION

2. (1) The Magistrate's Court and the High Court in whose area of jurisdiction -
 - (a) any electoral dispute; or
 - (b) any complaint about an infringement of the Code, has arisen, have, subject to subrules (2) and (3), jurisdiction to hear such dispute or complaint.
- (2) The following courts have jurisdiction to impose the following conditions referred to in section 96 of the Act;
 - (a) The Court, all the sanctions in subsection (2);
 - (b) The High Court, all the sanctions in subsection (2) except (2)(h) and (i);
 - (c) The Magistrate's Court, all the sanctions in subsection (2)(b) and (c), the Magistrate's Court must have regard to its civil jurisdiction.
- (3) A party may approach the Court directly in respect of any electoral dispute or complaint about an infringement of the Code -
 - (a) where a sanction referred to in section 96(2)(b) or (i) of the Act is sought; and

- (b) notwithstanding the provisions of subrule (1) in any matter where special circumstances are present, with prior leave of the Chairperson and at least two members of the Court.
- (4) The offences referred to in Party 1 of the General Provisions of Chapter 7 and in sections 107, 108 and 109 of the Act, are dealt with in accordance with the legislation applicable to criminal matters.

REPRESENTATION OF PARTIES

- 3. (1) A party may institute or defend and may carry to completion any proceedings either in person or by a duly authorised and suitably qualified representative.
- (2) A group of persons associated for a common purpose may in instituting or defending proceedings act through a member thereof nominated by it.

APPLICATIONS

- 4. (1) Proceedings in respect of electoral disputes and complaints referred to in rule 2 are instituted by way of application.
- (2) An application must set out clearly and succinctly -
 - (a) in the case of an electoral dispute -
 - (i) the nature of the dispute and the facts upon which the dispute is based;
 - (ii) the registered parties or person involved in the dispute; and
 - (iii) the relief claimed and the grounds upon which such relief is claimed.
 - (b) in the case of a complaint about an infringement of the Code -
 - (i) the registered party, candidate or person who allegedly infringed the Code;

- (ii) the nature of the infringement and the facts upon which the infringement is based;
 - (iii) the relief claimed and the grounds upon which such relief is claimed; and
 - (iv) the sanctions, referred to in section 96(2) of the Act, sought and where applicable, the grounds upon which the sanctions are sought.
- (3) An application must be accompanied by any relevant document substantiating the application.
- (4) The required information referred to in subrule (2) must be set out in an affidavit.
- (5) The application must be lodged in the appropriate court having jurisdiction.
- (6) The respondent must within three days after receipt of the application, lodge an answering affidavit.
- (7) The applicant must within two days after receipt of the answering affidavit, lodge an answering affidavit, if any.
- (8) After the lodging of any replying affidavit or after the time for lodging a replying affidavit has expired and on request of the applicant, the clerk of the court, the registrar or the Secretary, as the case may be, sets the matter down for hearing with due consideration of the provisions of section 20(5) of the Electoral Commission Act, 1996, (Act No. 51 of 1996).
- (9) The court hearing an application may extend or curtail the periods provided for in subrule (6) and (7).
- (10)
 - (a) In urgent applications the Court or a judge or a magistrate, as the case may be, may dispense with the provisions of this rule and may dispose of such matter at such time and place and in such manner and in accordance with such procedure, which must as far as practicable accord with the terms of this rule, as to it, him or her seems meet.
 - (b) The applicant must set out clearly and succinctly the circumstances that render the matter urgent and the

- reasons why he or she claims that he or she could not afford substantial redress at a hearing in due course.
- (11) The Uniform Rules or the Magistrate's Rules, as the case may be, are mutatis mutandis applicable in respect of applications except as otherwise provided in this rule.
 - (12) The Uniform Rules, are subject to this rule, mutatis mutandis applicable in respect of applications brought directly to the Court.

APPEALS

- 5. (1) An appeal lies as of right against a decision of a Magistrate's Court to the appropriate High Court and from there to the Court on a point of law only and with leave of the Chairperson.
 - (2) (a) The applicant must lodge a notice of appeal within three days after the decision setting out clearly and specifically the grounds of fact and/or law on which the appeal is based, with the clerk of the court.
 - (b) The clerk of the court submits the notice of appeal forthwith to the presiding officer who gives his or her written judgement within three days after the notice of appeal has been received from the clerk of the court.
 - (c) The clerk of the court hands the written judgement to the appellant who obtains a date for hearing within two days after receipt of the judgement, from the registrar.
 - (d) The registrar sets the matter down for hearing of the appeal with due consideration of the provisions of section 20(50) of the Electoral Commission act, 1996 (Act No. 51 of 1996) and informs the appellant of such date.
 - (e) The appellant forthwith informs the clerk of the court and the respondent of the date.

- (f) The clerk of the court forthwith prepares as many copies of the record as directed by the registrar and transfers the copies to the registrar.
- (3) (a) An application for leave to appeal to the Court from the court of appeal, must be lodged within three days after the decision of the court of appeal with the Secretary setting out clearly and specifically the grounds of law on which leave to appeal is sought, together with a copy of the judgement, if available.
- (b) The Secretary forthwith submits the application to the Chairperson who considers the application in chambers.
- (c) If leave to appeal is granted by the Chairperson, the Secretary sets the matter down for hearing of the appeal with due consideration of the provisions of section 20(5) of the Electoral Commission act, 1996 (Act No. 51 of 1996) and informs the parties and the registrar of the time, date and place of hearing.
- (d) The registrar forthwith prepares as many copies of the record as directed by the Secretary and transfers the copies to the Secretary.
- (4) (a) An appeal against a decision of the High Court as court of first instance lies, with leave of that court, to the Court, failing which with leave of the Chairperson.
- (b) An application for leave to appeal against a decision of the High Court as court of first instance, must be filed within three days after the decision of that court with the registrar after service on all other parties setting out clearly and specifically the grounds of fact and/or law on which the appeal is based.
- (c) The registrar forthwith submits the application to the judge who heard the matter, who considers the application in chambers.

- (d) If leave to appeal is not granted by the judge, the applicant may within two days request the registrar forthwith to submit the application to the Secretary who forthwith submits it to the Chairperson who considers the application in chambers.
- (e) If leave to appeal is granted either by the judge referred to in paragraph (c) or by the Chairperson, subrule (2)(c) and (d) is mutatis mutandis applicable.

PROCEDURE TO APPLY WHEN RULES ARE SILENT

- 6.
 - (1) A party who wishes to refer a matter to the Court and who is of the view that the rules do not address or do not adequately address a particular aspect must inform the Secretary accordingly without delay.
 - (2) The Secretary, after having obtained the Court's directives, must inform the party concerned and other interested parties thereof without delay.
 - (3) This rule does not affect the Court's authority to determine its own practice and procedures and make its own rules and the other courts having jurisdiction are bound by directives so given.

FAILURE TO COMPLY WITH TIME LIMITS OR DIRECTIVES

- 7. Failure to comply with the prescribed time limits or the directives of any court having jurisdiction will, by the mere fact thereof, result in a party being barred, unless such court, on good cause shown, directs otherwise.

Appendix 6

Directory of Provincial Electoral Officers

IEC National Office

Commissioners:

Dr Brigalia Bam (Chairperson)
Ms Thoko Mpulwana (Deputy Chairperson)
Judge Ismail Hussain
Mr Terry Tselane
Mr Fanie van der Merwe

Chief Electoral Officer: **Advocate Pansy Tlakula**

260 Walker Street
 SUNNYSIDE
 0132

Tel: (012) 428 5700
 Fax: (012) 428 5863

P. O. Box 7943
 PRETORIA
 0001

PROVINCE	NAME	STREET ADDRESS	POSTAL ADDRESS	OFFICE TEL NO:	OFFICE FAX NO:
Eastern Cape	Rev Bongani Finca	NBS Building 5th Floor 15 Terminus St East London 5201	PO Box 185 East London 5200	(043) 709 4200	(043) 743 0388 (043) 742 0948
Free State	Chris Mephha	NRE Building 1st Floor 161 Zastron St Bloemfontein 9300	PO Box 1359 Bloemfontein 9300	(051) 401 5000	(051) 430 7585 (051) 430 4845
Gauteng	Sy Mamabolo	55 Empire Rd Empire Park A Block 1st Floor Parktown 2193	PO Box 32125 Braamfontein 2017	(011) 644 7400	(011) 644 7448

PROVINCE	NAME	STREET ADDRESS	POSTAL ADDRESS	OFFICE TEL NO:	OFFICE FAX NO:
KwaZulu-Natal	Mawethu Mosery	Metlife Building 9th Floor 391 Smith St Durban 4001	PO Box 4502 Durban 4000	(031) 367 9900	(031) 306 0567 (031) 306 1333 (031) 306 0698
Limpopo	Zwo Nevhotalu	15 Landros Maré St Polokwane 0699	PO Box 3320 Polokwane 0700	(015) 291 0600	(015) 295 9609
Mpumalanga	Steve Ngwenya	Bester Brown Building 1st, 2nd & 3rd Floor Cnr Brown & Paul Kruger St Nelspruit, 1200	PO Box 1361 Nelspruit 1200	(013) 755 4340	(013) 752 2735 (013) 752 2125 (013) 753 2564
North West	Albert Kekesi	Arts & Culture Foundation Building 103 Sekame Rd Mmabatho, 2735	PO Box 4561 Mmabatho 2735	(018) 387 6500	(018) 387 6523
Northern Cape	Justice Bekebeke	Master Building MBA 20 Curry St Kimberley 8300	Pvt Bag X6109 Kimberley 8300	(053) 838 5000	(053) 831 8285 (053) 831 8095
Western Cape	Rev Courtney Sampson	Old Mutual Building 5th Floor 52-54 Voortrekker Rd Belville Cape Town 7530	PO Box 7846 Roggebaai 8012	(021) 944 5300	(021) 945 2691

Appendix 7

Directory of Municipal Electoral Officers

EASTERN CAPE

SURNAME	INITIALS	MUNICIPALITY	ACTING MEO	CELL PHONE NUMBER	MEO OFFICE TEL. NUMBER	MEO OFFICE FAX NUMBER	MEO OFFICE POSTAL ADDRESS	MEO OFFICE PHYSICAL ADDRESS	COUNCIL AGREEMENT	MEO TYPE	NUMBER OF STAFF
SIKHUNDLA	ZH	EC0582 - UMZIMVUBU [MOUNT AYLIFF]	NO	08244673674	0392540239		P/BAG X 534 MT AYLIFF 4735	67 CHURCH STREET MOUNT AYLIFF 4735	YES	MUNICIPAL MANAGER	9
GALLOWAY	MWC	EC101 - CAMDEBOO [GRAAFF-REINET]	NO	0824147732	049-8922121	049-8925741	P.O. BOX 71 GRAAFF REINET 6280	CAMDEBOO MUNICIPALITY CHURCH SQUARE GRAAFF REINET, 6280	YES	FULL-TIME MEO	5
CLAASSEN	O.D.	EC102 - BLUE GRAME ROUTE [SOMERSET EAST]	NO	0823234259	042-2431333	042-2431548	P.O. BOX 21 SOMERSET EAST 5850	67 NODOLI STREET SOMERSET EAST	YES	MUNICIPAL MANAGER	5
HANABE	ZN	EC103 - IKWEZI [JANSENVILLE]	NO	0722333165	049-8360021	049-8360105	P.O. BOX 12 JANSENVILLE 6265	34 MAIN STREET JANSENVILLE 6265	YES	MUNICIPAL MANAGER	3
MADLAVU	NLD	EC104 - MAKANA [GRAHAMSTOWN]	NO	0726699093	046-6036027	046-6229488	MAKANA MUNICIPALITY P.O. BOX 176 GRAHAMSTOWN 6140	CITY HALL, CHURCH STREET GRAHAMSTOWN 6140	YES	COUNCIL EMPLOYEE	5
NGESI	NG	EC105 - NDLAMBE [PORT ALFRED]	NO	0832840751	046-6241140	046-6241254	P.O. BOX 13 PORT ALFRED 6170	CIVIC CENTRE, CAUSE WAY PORT ALFRED 6170	YES	NOT CAPTURED	11
SINGANTO	NK	EC106 - SUNDAY'S RIVER VALLEY [KIRKWOOD]	NO	0832839010	042-2300310	042-2301799	30 MIDDLE STREET KIRKWOOD 6120	30 MIDDLE STREET KIRKWOOD 6120	YES	ACTING MEO	6
MVANDABA	ZZ	EC107 - BAVIAANS [WILLOWMORE]	NO	0845103201	044-9231004	044-9231122	P.O. BOX 15 WILLOWMORE 6445	42 WIEHMEYER WILLOWMORE 6445	YES	FULL-TIME MEO	4
NGCAYISA	BM	EC108 - KOUGA [HUMANSDORP]	NO	0732692540	042-2951155	042-2910445	P.O. BOX 26 HUMANSDORP 6300	30 HELIGH STREET HUMANSDORP 6300	YES	ACTING MEO	5

EASTERN CAPE

SURNAME	INITIALS	MUNICIPALITY	ACTING MEO	CELL PHONE NUMBER	MEO OFFICE TEL. NUMBER	MEO OFFICE FAX NUMBER	MEO OFFICE POSTAL ADDRESS	MEO OFFICE PHYSICAL ADDRESS	COUNCIL AGREEMENT	MEO TYPE	NUMBER OF STAFF
NDOKWENI	M	EC109 - KOU-KANNA [KAREDOUW]	NO	0833096394	047-2880303	042-2880797	P.O. BOX 11 KAREDOUW 6400	NO. 5 KEET STREET KAREDOUW 6400	YES	MUNICIPAL MANAGER	5
BONGCO	M	EC121 - MBHASHE [IDUTYWA]	NO	0832341485	047-4891225	047-4891225	BOX 25 IDUTYWA 5000	123 CHURCH LANE STREET IDUTYWA 5000	YES	MUNICIPAL MANAGER	20
NGQELE	OS	EC123 - GREAT KEI [KOMGA]	NO	08466666831	043-8311028		KOMGA MUNICIPALITY P.O. BOX 64 KOMGA 4950	8 STATION STREET KOMGA 4950	YES	MUNICIPAL MANAGER	7
TSIKA	M	EC125 - BUFFALO CITY [EAST LONDON]	NO	0826568272	043-7051043		6TH FLOOR TRUST BANK BUILDING EAST LONDON 5201	6TH FLOOR TRUST BANK BUILDING EAST LONDON 5201	YES	MUNICIPAL MANAGER	9
SOMANA	M	EC126 - NGQUSHWA [PEDDIE]	NO	0823346990	043-6733940	043-7439050	ERF 314 VICTORIA STREET PEDDIE 5640	ERF 314 VICTORIA STREET PEDDIE 5640	YES	MUNICIPAL MANAGER	13
GWINTSA	L	EC127 - NKONKOBÉ [ALICE]	NO	0826502218	046-6457408	040-6532178	ALICE MUNICIPALITY P.O. BOX 23 ALICE 5700	23 LONG MARKET STREET ALICE 5700	YES	COUNCIL EMPLOYEE	15
DE LANGE	KR	EC128 - NXUBA [ADELAIDE]	NO	0826736652	046-6840034	046-6841931	ADELAIDE TLC PRIVATE BAG X 350 ADELAIDE 5760	ADELAIDE TLC MARKET SQUARE ADELAIDE 5760	YES	MUNICIPAL MANAGER	6
TANTSI	MS	EC131 - INXUBA YETHEMBA [CRADOCK]	NO	0823205071	048-8811515	048-8811421	CRADOCK MUNICIPALITY P.O. BOX 24 CRADOCK 5880	MUNICIPAL OFFICE MARKET SQUARE CRADOCK 5880	YES	MUNICIPAL MANAGER	9
DAYI	SJ	EC132 - TSOLWANA [TARKASTAD]	NO	0827734674	045-8460033	045-8460025	PO BOX 21 TARKASTAD 5370	12 MURRAY STREET TARKASTAD 5370	YES	MUNICIPAL MANAGER	4

EASTERN CAPE

SURNAME	INITIALS	MUNICIPALITY	ACTING MEO	CELL PHONE NUMBER	MEO OFFICE TEL. NUMBER	MEO OFFICE FAX NUMBER	MEO OFFICE POSTAL ADDRESS	MEO OFFICE PHYSICAL ADDRESS	COUNCIL AGREEMENT	MEO TYPE	NUMBER OF STAFF
NCUBE	NA	EC133 - INKWANCA [MOLTENO]	NO	0836197153	045-9670176	045-9670467	MOLTENO MUNICIPALITY P.O. BOX 1 MOLTENO 5500	MOLTENO MUNICIPALITY 39 SMITH STREET MOLTENO 5500	YES	MUNICIPAL MANAGER	4
BACELA	P	EC134 - LUKANJI [QUEENSTOWN]	NO	0824504499	045-8386098		QUEENSTOWN MUNICIPALITY 5320	4 ZEELER STREET QUEENSTOWN 5320	NO	MUNICIPAL MANAGER	6
MAKHONGWANA	AU	EC136 - EMALAHLENI [LADY FRERE]	NO	0828566553	047-8780292	047-8780112	27 INDWE ROAD P.O. BOX 23 LADY FRERE 5410	27 INDWE ROAD LADY FRERE 5410	YES	COUNCIL EMPLOYEE	7
GIQO	M	EC137 - ENGCOCO [ENGCOCO]	NO	0827229570	047-5481221	047-5481078	PO BOX 24 ENGCOCO 5050	152 WANA STREET ENGCOCO 5050	YES	MUNICIPAL MANAGER	14
BOSHOFF	FW	EC138 - SAKHISIZWE [ELLIOT]	NO	0828780760	047-8770034	045-9311361	P.O. BOX 26 CALA 5455	ERF-458 UMTATA ROAD CALA 5455	YES	MUNICIPAL MANAGER	6
MALOBOLA	F	EC141 - ELUNDINI [MOUNT FLETCHER]	NO	0824486088	045-9321085	045-9321094	P.O BOX 1 MACLEAR 5480	FENTON PLACE BACK STREET MOUNT FLETCHER 5480	YES	MUNICIPAL MANAGER	15
YAWA	MM	EC142 - SENQU [BARKLY EAST]	NO	0828566773	045-9710025	045-971026	BARKLY EAST MUNICIPALITY PRIVATE BAG X 15 BARKLY EAST 9786	3 BROWNLEE STREET BARKLY EAST 9786	YES	MUNICIPAL MANAGER	6
HENDRICKS	H	EC143 - MALETSWAI [ALIWAL NORTH]	NO	0828219112	051-6332241	051-6341307	PRIVATE BAG X1011 ALIWAL NORTH 9750	15 BARKLY STREET ALIWAL NORTH 9750 9750	YES	MUNICIPAL MANAGER	6
NKOHLA	MC	EC144 - GARIEP [BURGERSDORP]	NO	0824140259	051-6531777	051-6530056	GARIEP MUNICIPALITY P.O. BOX 13 BURGERSDORP 9744	GARIEP MUNICIPALITY JAN GREYLING STREET BURGERSDORP 9744	YES	MUNICIPAL MANAGER	5

EASTERN CAPE

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MASE	PB	EC151 - MBIZANA [BIZANA]	NO	0823372126	039-2510230	039-2510040	P.O. BOX 12 BIZANA 4800	4 MAIN STREET LUNTU BUILDING BIZANA 4800	YES	NOT CAPTURED	20
VENN	IH	EC152 - NTABANKULU [NTABANKULU]	NO	08335973008	039 - 2580056	039 - 2580009	P O BOX 234 NTABANKULU 5130	85 MAIN STREET NTABANKULU 5130	YES	COUNCIL EMPLOYEE	14
MADIKANE	WZ	EC153 - QAUKENI [FLAGSTAFF (INGQUZA HILL)]	NO	0836672011			P O BOX 14 FLAGSTAFF 4810	1ST FLOOR, OLD MUTUAL BUILDING 24 MAIN STREET FLAGSTAFF 4810	YES	COUNCIL EMPLOYEE	21
HEWU	ZM	EC154 - PORT ST JOHNS [PORT ST JOHNS]	NO	0825778971	047- 5641207/8		PORT ST JOHNS MUNICIPALITY P.O. BOX 2 PORT ST JOHNS 5120	PORT ST JOHNS MUNICIPALITY ERF 257 MAIN STREET PORT ST JOHNS, 5120	YES	MUNICIPAL MANAGER	11
CEKWANA	GN	EC155 - NYANDENI [LIBODE]	NO	0826793011	047- 5550332	047- 5550202	P.O. BOX 27 LIBODE 5160	LIBODE MUNICIPALITY MAIN STREET LIBODE 5160	YES	COUNCIL EMPLOYEE	10
SOCIKWA	BK	EC156 - MHLONTLO [QUMBU]	NO	0829611330	047 - 5530077		P O BOX 31 QUMBU 5180	96 CHURCH STREET QUMBU 5180	YES	COUNCIL EMPLOYEE	17
MANANA	MC	EC157 - KING SABATA DALINDYEBO [UMTATA]	NO	0838827119	047- 5014127	047- 5325198	INDEPENDENT ELECTORAL COMMISSOIN P.O. BOX 45 UMTATA 5100	1ST FLOOR, CITY HALL CNR OWEN & LEEDS STREET UMTATA 5100	YES	NOT CAPTURED	15
MANGCOTYWA	M.L.	PORT ELIZABETH - NELSON MANDELA [PORT ELIZABETH]	NO	0834635343	041- 5063208	041 - 5063424	P O BOX 116 PORT ELIZABETH 6000	GROUND FLOOR, BRISTER HOUSE GOVAN MBEKI AVENUE PORT ELIZABETH 6000	YES	MUNICIPAL MANAGER	40

FREE STATE

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REACHABLE	TA	FS161 - LETSEMENG [KOFFIEFONTEIN]	NO	08228295660	053-2051248	053-20501248	PO BOX 7 KOFFIEFONTEIN 9986	GROOTTREK STREET LETSEMENG MUNICIPALITY KOFFIEFONTEIN 9986	YES	COUNCIL EMPLOYEE	8
MAPHALANE	ME	FS162 - KOPANONG [TROMPSBURG]	NO	0827865946	051-5530059	0517130292	PO BOX 23 TROMPSBURG 9913	6 ORANJE STREET MUNICIPAL BUILDING REDDERSBURG 9913	YES	COUNCIL EMPLOYEE	10
MANKAYI	MW	FS163 - MOHOKARE [ZASTRON]	NO	0722583528	051-6732063	051-6731550	PO BOX 20 ZASTRON 9950	1 MOHOKARE MUNICIPALITY ZASTRON 9950	YES	COUNCIL EMPLOYEE	8
INGAMONE	JB	FS171 - NALEDI [DEWETSDORP]	NO	0825742146	051-5410000	051-5410000	PRIVATE BAG X1 DEWETSDORP 9940	13 BRAND STREET NALEDI MUNICIPALITY DEWETSDORP 9940	YES	COUNCIL EMPLOYEE	6
MATLOLE	MJ	FS172 - MANGAUNG [BLOEMFONTEIN]	NO	0825740147	051-4058621	051-4058108	PO BOX 3704 BLOEMFONTEIN 9300	5 DE VILLIERS STR BRAAM FISCHER BUILDING, ROOM 207 BLOEMFONTEIN 9300	YES	MUNICIPAL MANAGER	30
LIBA	ID	FS173 - MANTSOPA [LADYBRAND]	NO	0832642178	051-9241963	051-9240020	PRIVATE BAG X11 LADYBRAND 9745	2103 MATLELENG DRIVE MANYATSENG TOWNSHIP LADYBRAND 9745	YES	MUNICIPAL MANAGER	9
NKWADIPO	MJ	FS182 - TOKOLOGO [DEALESVILLE]	NO	0822696152	051-8110322	051-8110322	PO BOX 18 DEALESVILLE 9348	VOORTREKKER STREET MUNICIPAL BUILDING BOSHOFF 9348	YES	COUNCIL EMPLOYEE	6
MAHLANYANE	MJ	FS183 - TSWELOPELE [HOOPSTAD]	NO	0827716880	0518531486	0518531332	PO BOX 3 BULTFONTEIN 9670	BOSMAN STREET CIVIC CENTRE BULTFONTEIN 9670	YES	COUNCIL EMPLOYEE	8
MOKGAGE	PM	FS185 - NALA [BOTHAVILLE]	NO	0829390526	056-5151095	056-5153922	PO BOX X15 BOTHAVILLE 9660	13 PRELLER STREET BOTHAVILLE TOWN HALL BOTHAVILLE 9660	YES	COUNCIL EMPLOYEE	12
MKHWANE	TL	FS191 - SETSOTO [SENEKAL]	NO	0824453728	051-9334392	051-9339309	PO BOX 116 FICKSBURG 9730	114 VOORTREKKER STREET SETSOTO MUNICIPALITY FICKSBURG 9730	YES	COUNCIL EMPLOYEE	15

FREE STATE

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MAGONGOMA	L	FS192 - DIHLABENG [BETHLEHEM]	NO	0823252086	058-3035732	058-3035076	PO BOX 551 BETHLEHEM 9701	22A MULLER ROAD DIHLABENG TLC BETHLEHEM 9701	YES	FULL-TIME MEO	16
MAXATSHWA	KM	FS193 - NKETOANA [REITZ]	NO	0836308402	058-8632811	058-8632523	PO BOX 26 REITZ 9810	CNR VOORTREKKER & CHURCH STREET REITZ 9810	YES	MUNICIPAL MANAGER	11
KGANYAGO	DT	FS194 - MALUTI A PHOFUNG [QWA-QWA]	NO	0824136112	058-7183454	058-7136706	PRIVATE BAG X 805 WITSIESHOEK 9870	C/O MOREMOHOLO & SETAI STREET, OFFICE 285 MUNICIPAL BUILDING PHUTHADITJHABA 9870	YES	COUNCIL EMPLOYEE	24
MOADJIRA	MM	FS201 - MOQHAKA [KROONSTAD]	NO	0823262551	056-2126427	056-2169105	PO BOX 302 KROONSTAD 9500	RAUTENBACH THEATER BUILDING CIVIC CENTRE HILL STREET KROONSTAD 9500	YES	MUNICIPAL MANAGER	19
MAJIVOLO	ZJ	FS203 - NGWATHE [PARYS]	NO	0834798088	056-8114791	056-8176343	PO BOX 359 PARYS 9585	LIEBENBERGSTREK STREET FORUM BUILDING PARYS 9585	YES	COUNCIL EMPLOYEE	16
THILE	LP	FS204 - METSIMAHOLO [SASOLBURG]	NO	0834539424	016-9760029	016-9731210	PO BOX 60 SASOLBURG 1947	FICHARDT STREET CIVIC CENTRE BUILDING SASOLBURG 1947	YES	COUNCIL EMPLOYEE	15

GAUTENG

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MATJILA	C.M.	CBLC2 - KUNGWINI [BRONKHORSTSPRUIT]	NO	0828873657	013 932 932 6232	013 932 4091	P. O. BOX 40 BRONKHORSTSPRUIT 1020	CNR BOTHA AND MARK STREET BRONKHORSTSPRUIT 1020	YES	COUNCIL EMPLOYEE	12
BREDENKAMP	H	CBLC8 - MERAFO NG CITY [CARLETONVILLE]	NO	0828982606	018- 788 9514	(018) 788-9562	P.O BOX 3 CARLETONVILLE 2500	HALITE STREET CARLETONVILLE 2500	YES	COUNCIL EMPLOYEE	18
MASEKO	PM	EAST RAND EKURHULENI [EAST RAND]	NO	0825556336	011- 820 4004	011 820 4319	PRIVATE BAG X1069 GERMI STON 1400	RSC BUILDING CNR ROSE AND CROSS STREET GERMI STON 1400	YES	MUNICIPAL MANAGER	78
BOSHOFF	AJ	GT0281 - NOKENG TSA TAEMANE [CULLINAN]	NO	0833889362	012 734 734 4501	012 734 5698	P O BOX 204 RAYTON 1001	RAYTON MUNICIPALITY OFFICES OAKLEY STREET RAYTON 1001	YES	MUNICIPAL MANAGER	8
MOKATE	IN	GT411 - MOGALE CITY [KRUGERSDORP]	NO	0826036569	011 951 2107	011 953 2547	P O BOX 94 KRUGERSDORP MOGALE CITY 1740	CIVIC CENTRE COMMISSIONER STREET MOGALE CITY 1740	YES	MUNICIPAL MANAGER	21
PADIACHEE	VM	GT412 - RANDFONTEIN [RANDFONTEIN]	NO	0824881651	011 4110051/2	011 693 2865	P.O. BOX 218 RANDFONTEIN 1760	OLD TOWN HALL RANDFONTEIN MUNICIPAL BUILDING 1759	YES	MUNICIPAL MANAGER	15
UYS	H.R.	GT414 - WESTONARIA [WESTONARIA]	NO	0829227539	011- 278 3000	(011) 753-4176	P.O BOX 19 WESTONARIA 1780	CIVIC CENTRE NEPTUNE STREET WESTONARIA 1780	YES	ACTING MEO	13
KAMOLANE	LD	GT421 - ENFULENI [VEREENIGING]	NO	016- 950 5293	016- 950 5293	016 9505040	P.O. BOX 3 VANDERBILPARK 1900	CNR FRIKKIE MEYER AND KLASSIE HAVENGA VANDERBILPARK MUNICIPALITY OFFICES 1900	YES	COUNCIL EMPLOYEE	32
POGGENPOEL	BJP	GT422 - MIDVAAL [MEYERTON]	NO	0833032746	016- 360 7400	016 360 7519	P O BOX 9 MEYERTON 1960	CNR MITCHELL AND JUNIUSSTREET MEYERTON 1960	YES	MUNICIPAL MANAGER	11
BRITS	H.J	GT423 - LESEDI [HEIDELBERG]	NO	0823771213	016- 340 4472	(016) 340-4424	P.O. BOX 201 HEIDELBERG 1438	MUNICIPAL BUILDING 1 HF VERNKOORD STREET HEIDELBERG 1438	YES	ACTING MEO	10

GAUTENG

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MAZIBUKO	SM	JOHANNESBURG - CITY OF JOHANNESBURG [JOHANNESBURG]	NO	0824679235	011-407 7581	011-681 8209	P.O. BOX 1049 JOHANNESBURG 2000	158 LOVEDAY STREET CIVIC CENTRE 2ND FLOOR COUNCIL CHAMBER BRAAMFONTEIN 2000	YES	COUNCIL EMPLOYEE	95
MOSLEY- LEFATOLA	BK	PRETORIA - TSHWANE METRO [PRETORIA]	NO	0823392700	012 - 3581386	012- 325 3272	P.O. BOX 6338 PRETORIA 0001	ROOM 108 FIRST FLOOR OLD RAADSAAI CHURCH SQUARE PRETORIA 0001	YES	MUNICIPAL MANAGER	66

KWAZULU-NATAL

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CELE	SO	DURBAN - ETHEKAWINI [DURBAN METRO]	NO	0832721450	031 3114006	031 3682347	ETHEKAWINI MUNICIPALITY PO BOX 1014 DURBAN 4000	6TH FLOOR 75 WINDER STREET DURBAN 4000	NO	COUNCIL EMPLOYEE	102
ZULU	MH	KZ211 - VULAMEHLO [DUDUDU]	NO	0824138639	039 9740436	039 9781687	P/BAG X5509 SCOTTBURGH 4180	VULAMEHLO MUNICIPAL BLD OFFICE 1 GROUNG FLOOR MAIN RD DUDUDU 4180	NO	MUNICIPAL MANAGER	12
SITHOLE	SB	KZ214 - UMUZIWABANTU [HARDING]	NO	0835661799	039 4331205		IEC HARDING 4680	IEC HARDING 4680	YES	COUNCIL EMPLOYEE	7
CELE	S	KZ215 - EZINGOLENI [IZINGOLWENI]	NO	0827249415	0395341692	039 5341692	IZINGOLWENI MUNICIPALITY IZINGOLWENI 4260	IZINGOLWENI MUNICIPALITY IZINGOLWENI 4260	YES	FULL-TIME MEO	6
MKHIZE	SW	KZ216 - HIBISCUS COAST [PORT SHEPSTONE]	NO	0836487721	039- 6882000		IEC PORT SHEPSTONE 4240	IEC PORT SHEPSTONE 4240	YES	MUNICIPAL MANAGER	18
CEBEKHULU	VM	KZ221 - UMSHWATHI [WARTBURG]	NO	0836043888	033 5031035	0	IEC UMSHWATHI 3233	IEC UMSHWATHI 3233	YES	COUNCIL EMPLOYEE	11
MADONDO	DMD	KZ222 - UMNGENI [HOWICK]	NO	0829598755	033 3306124	033 3304183	MUNICIPAL OFFICES CNR DICK & SOMME STREET HOWICK	MUNICIPAL OFFICES CNR DICK & SOMME STREET HOWICK, 3290	NO	MUNICIPAL MANAGER	10
MADLALA	MA	KZ223 - MOOI MPOFANA [MOORVIER]	NO	0824426579	033 2631221	033 2631127	MPOFANA MUNICIPAL OFFICE CLAUGHTON TERRACE MOOI RIVER	MPOFANA MUNICIPAL OFFICE CLAUGHTON TERRACE MOOI RIVER	NO	MUNICIPAL MANAGER	6
ZULU	TW	KZ225 - MSUNDUZI [PIETERMARITZBURG]	NO	00	039 51011	0	IEC MSUNDUZI 3201	IEC MSUNDUZI 3201	YES	COUNCIL EMPLOYEE	35
PILLAY	DA	KZ226 - MKHAMBATHINI [CAMPERDOWN]	NO	0828467327	031 7851668	031 7851463	8 DOVALE CENTRE SHEPSTONE ST CAMPERDOWN 3720	8 DOVALE CENTRE SHEPSTONE STREET CAMPERDOWN 3720	NO	MUNICIPAL MANAGER	9

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PILLAY	DA	KZ226 - MKHAMBATHINI [CAMPERDOWN]	NO	0828467327	031 7851668	031 7851463	8 DOVALE CENTRE SHEPSTONE STREET CAMPERDOWN 3720	8 DOVALE CENTRE SHEPSTONE STREET CAMPERDOWN 3720	NO	MUNICIPAL MANAGER	9
MENE	TJ	KZ227 - RICHMOND [RICHMOND]	NO	00	033 2122221		IEC RICHMOND 3780	IEC RICHMOND	YES	MUNICIPAL MANAGER	7
VAN ECK	A.D.	KZ232 - ENNAMBITHI/LADYSMITH [LADYSMITH]	NO	0836286324			3370	WAAHOEK COMMUNITY HALL WAAHOEK LADYSMITH 3370	YES	COUNCIL EMPLOYEE	18
KHUMALO	KS	KZ233 - INDAKA [WAAHOEK]	NO	0828017136	034 2612316	034 2612035	INDAKA MUNICIPALITY PVT BAG X70113 WASBANK 2920	WAAHOEK COMMUNITY HALL WAAHOEK LADYSMITH 2920	YES	COUNCIL EMPLOYEE	10
MAGUBANE	VH	KZ234 - UMITSHEZI [ESTCOURT]	NO	0828509971	036 3523000	036 3525829	P O BOX 825 ESTCOURT 3310	MUNICIPAL BUILDING VICTORIA STREET ESTCOURT 3310	YES	MUNICIPAL MANAGER	7
NGIBA	TN	KZ235 - OKHAHLAMBA [BERGVILLE]	NO	0825630158			OKHAHLAMBA MUNICIPALITY OKHAHLAMBA 3350	OKHAHLAMBA MUNICIPALITY BERGVILLE 3350	YES	COUNCIL EMPLOYEE	11
SIKHAKHANE	LD	KZ236 - IMBABAZANE [LOSOP]	NO	0823457264	036 3530404	036 3530159	IMBABAZANE MUNICIPALITY P.O. BOX 750 ESTCOURT 3310	IMBABAZANE MUNICIPALITY SOBABILI ROAD, NTABAMHLOPHE ESTCOURT 3310	NO	FULL-TIME MEO	8
CEBEKHULU	BD	KZ241 - ENDUMENI [DUNDEE]	NO	0823214532	034 2122121	034 2123856	PVT BAG 2024 DUNDEE 3000	MUNICIPAL BUILDING 88 VICTORIA STREET DUNDEE 3000	YES	MUNICIPAL MANAGER	7
LUVUNO	NJ	KZ242 - KZ242 [NQUTU]	NO	0828864035	034 2710076	034 2710149	PVT BAG X5521 NQUTU 3135	NQUTU MUNICIPAL BUILDING 82 MDLALOSE STREET NQUTU 3135	YES	MUNICIPAL MANAGER	14
SITHOLE	FB	KZ244 - MSINGA [POMEROY]	NO	0828056956	0334930761	0334930766	P O BOX 2149 POMEROY 3020	UMSINGA MUNICIPALITY SHOP 18-20 TUGELA FERRY MULTI PURPOSE	YES	MUNICIPAL MANAGER	17

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MORTIMER	NL	KZ245 - UMVOTI [GREYTOWN]	NO	0832917715	033 4139111	033 4131369	P O BOX 71 GREYTOWN 3250	154 PINE STREET GREYTOWN 3250	YES	MUNICIPAL MANAGER	10	
KUBEKA	VM	KZ253 - UTRECHT [UTRECHT]	NO	0829780109	034 3313041	034 3314312	P O BOX 11 UTRECHT 2980	MUNICIPAL ENGINEERING DEPT CNR PLEIN AND KEEROM STREETS UTRECHT 2980	YES	MUNICIPAL MANAGER	7	
THUSI	JS	KZ254 - DANNHAUSER [DURNACOL]	NO	0833444675	034 6212203	034 6212300	8 CHURCH STREET DANNHAUSER TOWNBOARD DANNHAUSER 3080	8 CHURCH STREET DANNHAUSER TOWNBOARD DANNHAUSER 3080	NO	FULL-TIME MEO	9	
NGCOBO	M.A	KZ262 - UPHONGOLO [PONGOLA]	NO	0832364719	034 4131223		P.O BOX 2293 PIET RETIEF 2380	MUNICIPAL OFFICE 61 MARTIN STREET PONGOLA 2380	YES	MUNICIPAL MANAGER	11	
THUSI	TB	KZ263 - ABAQULISI [VRTHEID]	NO	0829044380	034 9822133			OLD CLINIC BUILDING CNR HING & SOUTH STREET VRTHEID	YES	COUNCIL EMPLOYEE	15	
NTSHANGASET		KZ265 - NONGOMA [NONGOMA]	NO	0827011097	035 8310900	035 8310778	P BAG X 5040 NONGOMA 3080	MUNICIPAL OFFICES, LOT 103 MAIN STREET NONGOMA 3080	NO	FULL-TIME MEO	13	
MKHIZE	J.M	KZ266 - ULUNDI [ULUNDI]	NO	0732041550	035 8700812			MUNICIPAL OFFICE, CNR PRINCESS MAGOGO & KINH ZWELITHINI STREET ULUNDI	YES	MUNICIPAL MANAGER	20	
MAKHANYA	B	KZ271 - UMHLABUYALINGANA [EMANGUSI]	NO	0823567971	035 5920677	035 5920385	MAGISTRATE OFFICES EMANGUSI KWA-NGWANISE 3973	MHLABUYALINGANA MUNICIPALITY MANGUZA ROAD MANGUZA 3973	YES	FULL-TIME MEO	15	
NKOSI	NNN	KZ272 - JOZINI [MKUZE]	NO	0829050046	035 5731269	035 5731266	MKUZE MUNICIPALITY MKHUZE 3696	UMKHANYAKUDE DISTRICT MUNICIPAL OFFICES IKLEBE ROAD MKHUZE 3696	YES	MUNICIPAL MANAGER	13	
NGCAMU	SK	KZ273 - THE BIG 5 FALSE BAY [HLUHLUWE]	NO	0825625865	035 5620040		INHLWATHI STORE P/BAG 5003 HLABISA 3937	INHLWATHI STORE HLABISA 3937	NO	COUNCIL EMPLOYEE	5	

KWAZULU-NATAL

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NTOMBELA	EMS	KZ274 - HLABISA [SOMKELE]	NO	0829076993	035 838 8500			4-6/2 MASSON STREET HLABISA 3937	4-6/2 MASSON STREET HLABISA 3937	YES	MUNICIPAL MANAGER	14
NKOSI	MH	KZ281 - MBONAMBI [KWAMBONAMBI]	NO	0836370642	035 580 1420	035 580 1206			KWAMBONAMBI SHOPPING CENTRE 22 REGIA ROAD KWAMBONAMBI	YES	MUNICIPAL MANAGER	13
HEYNEKE	AW	KZ282 - UMLHATHUZE [RICHARDS BAY]	NO	0833205940	035 901 5002	035 901 5451		CIVIC CENTRE 5 MARK STRASSE RICHARDS BAY 3901	CIVIC CENTRE 5 MARK STRASSE RICHARDS BAY 3901	YES	MUNICIPAL MANAGER	18
MINGUNI	RP	KZ283 - NTAMBANANA [NTAMBANANA]	NO	0828621142	035 792 7093				NTAMBANANA MUNICIPAL OFFICES D 312 ROAD BHUKHANANA RESERVE, EMPANGENI	YES	MUNICIPAL MANAGER	8
SHUTTLEWORTH	DE	KZ284 - UMLALAZI [ESHOWE]	NO	0827257154	035 474 5882	035 474 5882			SHOPI9, ESHOWE MALL CNR OSBORNE & KANGELLA ROAD, PICK & PAY BUILDING, ESHOWE	YES	FULL-TIME MEO	19
ZULU	KC	KZ285 - MTHONJANENI [MELMOTH]	NO		035 450 3224	450 3224			21 REINOLD STREET MELMOTH	YES	COUNCIL EMPLOYEE	7
NGONYAMA	ME	KZ286 - NKANDLA [NKANDLA]	NO	0834141667	035 833 0067				NKANDLA MUNICIPALITY 292 MARÉE ROAD NKANDLA	NO	MUNICIPAL MANAGER	13
MHLUNGU	NN	KZ291 - ENDONDAKUSUKA [MANDENI]	NO	032 456 3191	032 456 2504				2 KINGFISHER ROAD MANDINI 4490	NO	COUNCIL EMPLOYEE	9
VIRAMIUTHU	SC	KZ292 - KWADUKUZA [STANGER]	NO	0846572958	032 437 5000	032 437 5026			KWADUKUZA MUNICIPALITY KWADUKUZA 4450	YES	COUNCIL EMPLOYEE	12
MHLONGO	VW	KZ294 - MAPHUMULO [MAPHUMULO]	NO	0833573658	032 481 2053	032 481 2053			MAPHUMULO MULTI FUNCTIONAL CENTRE, NEXT TO SPAR MAPHUMULO	NO	MUNICIPAL MANAGER	13

KWAZULU-NATAL

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SITHOLE	S	KZ5A1 - INGWE [CREIGHTON]	NO	0832882599	039 833 1038		CAPITAL BUILDING MAIN STREET CREIGHTON 3263	CAPITAL BUILDING STREET CREIGHTON 3263	CAPITAL BUILDING CREIGHTON 3263	YES	COUNCIL EMPLOYEE	11
MC ALISTER	SA	KZ5A2 - KWA SANI [UNDERBERG]	NO	0824219473	033 702 1060		P.O. BOX 292 HIMEVILLE 3256	40 ARBUCKLE ROAD HIMEVILLE 3256		NO	COUNCIL EMPLOYEE	5
PUTZIER	ED	KZ5A3 - MATATIELE [MATATIELE]	NO	0824630762	039 737 3135/737 3611		PO BOX 35 MATATIELE 4730	MUNICIPAL OFFICES MAIN STREET MATATIELE 4730		NO	MUNICIPAL MANAGER	3
TUBANE	T	KZ5A4 - GREATER KOKSTAD [KOKSTAD]	NO	0836451405	039 727 3676		P.O. BOX 8 KOKSTAD 4700	75 HOPE STREET KOKSTAD 4700		NO	MUNICIPAL MANAGER	7
SITHOLE	MM	KZ5A5 - UBULHEBEZWE [IXOPO]	NO	0729652828	039 834 2074		UBULHEBEZWE MUNICIPALITY 29A MARGARET STREET IXOPO 3273	UBULHEBEZWE MUNICIPALITY IXOPO 3273		YES	MUNICIPAL MANAGER	11

LIMPOPO

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MNISI	R.N	CBLC6 - BUSHBUCKRIDGE [BUSHBUCKRIDGE]	NO	0828891028	013 773 0337		BOTLABELA DISTRICT MUNICIPALITY PVT BAG 1304 THULAMAHASHE 1365	THULAMAHASHE MAIN ROAD THULAMAHASHE GOVERNMENT WAREHOUSE THULAMAHASHE 1365	YES	MUNICIPAL MANAGER	30
MATLALA	M.K	NP03A2 - MAKHUDUTHAMAGA [NGWARTSI]	NO	0824669048	013 265 1177	013 4262	P.O BOX 534 MOTETEMA 0473	MADIBONG TRIBAL OFFICE JANE FURSE 0473	YES	COUNCIL EMPLOYEE	23
PHASHA	M.I	NP03A3 - FETAKGOMO [FETAKGOMO]	NO	0828204996	015 622 0078/83	6220082	P.O. BOX 818 APEL 0739	APEL AREA CIRCUIT NEXT TO POLICE STATION GA-NKWANA 0739	YES	COUNCIL EMPLOYEE	11
DE BEER	E.M	NP04A1 - MARULENG [HOEDSPRUIT]	NO	0823893088	015 703 0097	7932341	P.O. BOX 627 HOEDSPRUIT 1380	MARULENG MUNICIPALITY HOEDSPRUIT 1380	YES	MUNICIPAL MANAGER	8
SHIVAMBU D		NP331 - GREATER GYANI [GYANI]	NO	0835010089	015 811 5500	812 20668	PRIVATE BAG X 9559 GYANI 0826	GREATER GYANI MUNICIPALITY CIVIC CENTRE GYANI MAIN ROAD 0826	YES	COUNCIL EMPLOYEE	22
RAMPHELE C.M		NP332 - GREATER LETABA [DUIWELSKLOOF]	NO	0828052414	015 307 8000		P.O BOX 24 TZANEEN 0850	CIVIC CENTRE BOTHA STREET DUIWELSKLOOF 0850	YES	COUNCIL EMPLOYEE	21
SENWANA M.D		NP333 - GREATER TZANEEN [TZANEEN]	NO	0826264870	015 307 8383	307 8049	P.O BOX 24 TZANEEN 0850	38 AGATHA STREET CIVIC CENTRE, TZANEEN 0850	NO	COUNCIL EMPLOYEE	26
NYATHI I		NP334 - BA-PHALABORWA [PHALABORWA]	NO	0836267363	015 781 780 6302	7223	PRIVATE BAG X 1020 PHALABORWA 1390	CORNER SELATI AND NELSON MANDELA DRIVE PHALABORWA 1390	YES	MUNICIPAL MANAGER	12
LURULI A.N		NP341 - MESSINA [MESSINA]	NO	0836358758	015 534 0211	5342513	PRIVATE BAG X611 MUSINA 0900	CNR IRWIN & SCHOLTS STR MUSINA MUNICIPALITY 0900	YES	MUNICIPAL MANAGER	7

LIMPOPO

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NETSHANZHE	T.G	NP342 - MUTALE [MUTALE-WASTSIS]	NO	0825622068	015 967 0247	015 967 0781	PVT BAG X 1254 MUTALE 0956	OLD MANENU BUILDING - LIMPOPO TRAFFIC COLLEGE MUTALE 0956	YES	MUNICIPAL MANAGER	13
MATHIWA	M.H	NP343 - THULAMELA [THOHOYANDOU]	NO	0846600444	015 962 4791 /03/4/5	015 962 4169	PVT BAG X5066 THOHOYANDOU 0950	FORMER AGRIVEN BUILDING THOHOYANDOU 0950	YES	MUNICIPAL MANAGER	33
MUTHAMBI	A.F	NP344 - MAKHADO [LOUIS TRICHARDT]	NO	0845000664	015 519 3004	015 519 5084		MAKHADO MUNICIPALITY CRN ERUSMUS 7 KROCH STR LOUIS TRICHARD/ MAKHADO	YES	MUNICIPAL MANAGER	29
MASENYA	M.J	NP351 - BLOUBERG [BOCHUM/MY DARLING]	NO	0822154599	015 505 0295	015 505 0296	P.O. BOX 1593 BOCHUM DENDRON ROAD BLOUBERG MUNICIPALITY 0790	1ST BUILDING BOCHUM-DENDRON ROAD BLOUBERG MUNICIPALITY 0790	YES	COUNCIL EMPLOYEE	15
LANGA	M.S	NP352 - AGANANG [MOLETJI/MATLALA]	NO	0825618109	015 295 1401	015 295 1400		AGANANG MUNICIPALITY MOLETJIE MATLALA	YES	MUNICIPAL MANAGER	16
HLAKO	P.M	NP353 - MOLEMOLE [DENDRON/DIKGALE]	NO	0824642772	015 5010 243		P.O BOX 44 DENDRON 0715	MOLEMOLE MUNICIPALITY DENDRON TOWN 0715	YES	MUNICIPAL MANAGER	13
NEMALLI	T.E	NP354 - POLOKWANE [PIETERSBURG]	NO	0834292525	0152910600		P.O BOX 3320 POLOKWANE 0700	15A LANDROS MARE STR POLOKWANE 0700	YES	ACTING MEO	30
SATEKGE	S.J	NP355 - LEPELE-NKUMPI [LEBOWAKGOMO]	NO	0829011058	015 633 5087	015 633 6896	PVT BAG X07 CHUENESPOORT 0745	CULTURAL CENTRE NEXT TO THE POLICE STATION LEBOWAKGOMO 0745	YES	COUNCIL EMPLOYEE	22
LEFAWANE	M.E	NP361 - THABAZIMBI [THABAZIMBI]	NO	0833102795	014 777 1525	014 777 1531		THABAZIMBI MUNICIPALITY RUSSEL BUILDING 7 RIETBOK STREET	YES	MUNICIPAL MANAGER	10

LIMPOPO

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MOATSHE	M	NP362 - LEPHALALE [ELLISRAS]	NO	0823394772	014 763 2193	014 763 5662	PVT BAG X136 ONVERWACHT ELLISRAS 0555	CNR DAGBREEK & DOUWATER STRE ONVERWACHT ELLISRAS 0555	YES	MUNICIPAL MANAGER	12
NKHUMISE	T.S.R	NP364 - MOOKGOPONG [NABOOMSPRUIT]	NO	0822022045	014 743 1111	014 743 1111	P.O BOX 340 MOOKGOPHONG 0560	SIX AVENUE MOOKGOPHONG NABOOMSPRUIT CIVIC CENTRE 0560	YES	COUNCIL EMPLOYEE	5
POWELL	M.C	NP365 - MODIMOLLE [NYLSTROOM]	NO	0835010072	014 717 5211	014 717 4077	PVT BAG X1008 MODIMOLLE 0510	GENERAL BEYERS PLACE FIELD STREET MODIMOLLE 0510	YES	MUNICIPAL MANAGER	8
KRAUSE	G.F.M	NP366 - BELA-BELA [WARMBAD]	NO	0834435477	014 736 2111	014 736 3288	PVT BAG X1609 WARMBATHS 0480	MUNICIPAL BUILDINGS VOORTREKKER ROAD - OPPOSITE AVENTURA WARMBATHS 0480	YES	COUNCIL EMPLOYEE	7
MAILULA	D.E	NP367 - MOGALAKWENA [POTGIETERSRUS]	NO	0829022392	015 491 9653	015 491 7113	P.O. BOX 34 POTGIETERSRUS 0600	MOGALAKWENA MUNICIPALITY CNR RETIJEF & RUITER STREET POTGIETERSRUS 0600	YES	COUNCIL EMPLOYEE	24

MPUMALANGA

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NTSHUDISANE (NKUWANE)	M.J	CBLC3 - GREATER MARBLE HALL [MARBLE HALL]	NO	0825519666	013 261 1151	013 261 2985	P.O. BOX 1111 MARBLE HALL 0450	13 FICUS STREET MARBLE HALL 0450	YES	MUNICIPAL MANAGER	13
KABINI	LJ	CBLC4 - GREATER GROBLERSDAL [GROBLERSDAL]	NO	0824951475			P.O. BOX 48 GROBLERSDAL 0470	GROBLER AVENUE NO2 GROBLERSDAL 0470	NO	NOT CAPTURED	24
KOMA	B.S.	CBLCS - GREATER TUBATSE [BURGERSFORT/OHRIGSTAD/EASTERN TUBATSE]	NO	0825319261	013 2317815	013 2317885	P.O. BOX 1685 BURGERSFORT 1150	CNR. EDDIE SEDIBE & KORT STR. BURGERSFORT 1150	YES	COUNCIL EMPLOYEE	24
ZULU	SJ	MP301 - ALBERT LUTHULI [ELUKWATINI/CAROLINA]	NO	0829702409	017 843 1055	017 843 1631	BOX 24 CAROLINA 1185	28 YERK STREET CAROLINA 1185	NO	ACTING MEO	19
NKOSI	LCT	MP302 - MSUKALIGWA [ERMELO]	NO	0848003060	017 819 2892	017 819 5507	P O BOX 48 ERMELO 2350	TAUTE & KERK STREET ERMELO 2350	YES	MUNICIPAL MANAGER	13
MTHETHWA	J.P.G	MP303 - MKHONDO [PIET RETIEF]	NO	0825749793	017 826 2211	017 826 0330	P.O. BOX 23 PIET RETIEF 2380	CNR MARK & DE WET PIET RETIEF 2380	YES	MUNICIPAL MANAGER	15
DE JAGER	L	MP304 - PIXLEY KA SEME [VOLKSRUST]	NO	0825505507	017 734 6100	017 735 3004	SEME MUNICIPALITY PRIVATE BAG X 9011 VOLKSRUST 2470	C/O JOUBERT & LANGSNEK STR. VOLKSRUST J2470	YES	MUNICIPAL MANAGER	12
LUWACA	SZ	MP305 - LEKWA [STANDERTON]	NO	0825658493	017 712 9635	017 712 9698	LEKWA LOCAL MUNICIPALITY P.O. BOX 66 STANDERTON 2430	CNR ANDRIES PRETORIUS STREET STANDERTON 2430	NO	MUNICIPAL MANAGER	12
MASHELE	S	MP306 - DIPALESENG [BALFOUR]	NO	0828281791		017 773 0169	PRIVATE BAG X1005 BALFOUR 2410	CNR STUART & JOUBERT STREET BALFOUR 2410	NO	FULL-TIME MEO	8
NYOKANA	TD	MP307 - GOVAN MBEKI [HIGHVELD RIDGE]	NO				PRIVATE BAG X1017 SECUNDA 2302	GOVAN MBEKI MUNICIPALITY KLEYNHANS STREET SECUNDA 2302	NO	NOT CAPTURED	24

MPUMALANGA

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KADI	M.T	MP311 - DELMAS [DELMAS]	NO	0834564634	013 665 6000	013 665 2913	P O BOX 6 DELMAS 2210	CNR SAMUEL & VAN DER WALT DELMAS 2210	YES	MUNICIPAL MANAGER	8
MASHIANE	P.T.	MP312 - EMALAHLENI [WITBANK]	NO	0824582251	013 690 6208	013 690 6479	P.O. BOX 3 WITBANK 1035	CIVIC CENTRE PRESIDENT AVE WITBANK 1035	YES	MUNICIPAL MANAGER	24
FOUCHE	W.D	MP313 - STEVE TSHWETE [MIDDELBURG]	NO	0828056480	013 249 7263	013 243 2550	P O BOX 14 MIDDELBURG 1050	CNR WANDERERS & CHURCH MIDDELBURG 1050	YES	MUNICIPAL MANAGER	17
NKOSI	O.N.	MP314 - HIGHLANDS [BELFAST]	NO	0723514781	013 253 1121	013 253 2440	P.O. BOX 17 BELFAST 1100	SHEEPERS STREET BELFAST 1100	YES	COUNCIL EMPLOYEE	10
LANGA	AM	MP315 - THEMBSISILE [KWAMHLANGA]	NO	013 986 0984	013 243 2386	013 243 2386	BOX 2032 MIDDELBURG 1050	THEMBISILE MUNICIPAL OFFICES HOUSE 520 KWAMHLANGA 1050	NO	FULL-TIME MEO	22
MTHIMUNYEG		MP316 - DR JS MOROKA [MDUTJANA]	NO	0824408616	013 973 1270	013 973 1370	P O BOX 4012 SIYABUSWA 0472	2601/3 BONGIMFUNDO STREET SIYABUSWA 'A' 0472	YES	MUNICIPAL MANAGER	23
MOGANE	V.W.M	MP321 - THABA CHWEU [SABIE]	NO	0834695267	013 235 2121	013 235 1108	PO BOX 61 LYDENBURG 1120	SENTRAL & VILJOEN CIVIC CENTRE LYDENBURG 1120	YES	MUNICIPAL MANAGER	11
VILANE	B.S	MP322 - MBOMBELA [NELSPRUIT]	NO	0825694018	013 759 2001	013 759 2002	P O BOX 45 NELSPRUIT 1200	1 NEL STREET NELSPRUIT 1200	YES	MUNICIPAL MANAGER	36
MNISI	S.F	MP323 - UMJINDI [BARBERTON]	NO	0823514288	013 712 2121	013 712 5120	P.O. BOX 33 BARBERTON 1300	C/O GENERAL & DE VILLIERS BARBERTON 1300	YES	MUNICIPAL MANAGER	8
THANI	MS	MP324 - NKOMAZI [NKOMAZI]	NO	013 790 0245	013 790 1494	013 790 1494	P BAG 101 MALELANE 1320	CIVIC CENTRE 9 PARK STREET MALELANE 1320	NO	MUNICIPAL MANAGER	28

NORTH WEST

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MAROGA	IS	NW371 - MORETELE [TEMBA]	NO	0822938425	012 716 9998	012 716 9999	PRIVATE BAG 367 MAKAPANSTAD 0404	2228 MOSATE SECTION MAKAPANSTAD 0404	YES	COUNCIL EMPLOYEE	18
NITLALING	TM	NW372 - MADIBENG [BRITS]	NO	0828220644	012 318 9200	012 318 9663	P.O. BOX 106 BRITS 0250	53 VAN VELDEN STREET MUNICIPAL TRAFFIC OFFICES MADIBENG 0250	YES	COUNCIL EMPLOYEE	22
DE BEER	K	NW373 - RUSTENBURG [RUSTENBURG]	NO	0828564919	014 590 3300	014 590 3003	P O BOX 16 RUSTENBURG 0300	CNR BEYERS NUADE & FATIMA BAYAT STREET OLD TOWN HALL RUSTENBURG 0300	YES	COUNCIL EMPLOYEE	25
TULSEE	B	NW374 - KGETLENGRIVIER [KOSTER]	NO	0828033782			MEO OFFICE KOSTER 0348	MEO OFFICE 0348	YES	MUNICIPAL MANAGER	6
MOTHULOE	TRD	NW375 - MOSES KOTANE [MOGWASE]	NO	0836250738	014 555 5918	014 555 5240	P O BOX 9678 RUSTENBURG 0300	MUNICIPAL BUILDING MOGWASE 0300	YES	COUNCIL EMPLOYEE	19
GAOREKWE	B	NW381 - SETLA-KGOBI [SETLAGOLE]	NO	0828574966	053 985 7019	053 985 7019	PO BOX 6992 MMABATHO 2735	OFFICE 10 RPR CENTRE SETLA KGOBI 2773	YES	COUNCIL EMPLOYEE	12
MERE	KS	NW382 - TSWAING [DELAREYVILLE]	NO	0834626222	053 948 0900	053 948 0856	P O BOX 24 DELAREYVILLE 2770	CORNER GEN DELAREY & GOVERNMENT STREET DELAREYVILLE 2770	YES	COUNCIL EMPLOYEE	13
MOKGATLHAMA		NW383 - MAFIKENG [MAFIKENG]	NO	0826433590	018 381 1991		MEO OFFICE MAFIKENG 2745	MEO OFFICE MAFIKENG 2745	NO	FULL-TIME MEO	21
BOTLHOKO	TS	NW384 - LICHTENBURG [LICHTENBURG]	NO	0724977011			MEO OFFICE DITSOBOTLA 2725	MEO OFFICE 2725	YES	MUNICIPAL MANAGER	15
VAN STADEN	BJ	NW385 - ZEERUST [ZEERUST]	NO	0828901080	018 642 1081	018 642 2618	P O BOX 92 ZEERUST 2865	28 PRESIDENT STREET ZEERUST 2865	YES	COUNCIL EMPLOYEE	14

NORTH WEST

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SIWA	KY	NW391 - KAGISANO [GANYESA]	YES	0826689077	053 927 0160	053 927 3482	P O BOX 35 VRVBURG 8600	CNR MARKET & MOLOPO VRVBURG 8600	YES	NOT CAPTURED	11
SMIT	FA	NW392 - NALEDI [VRVBURG]	NO	08246701400	053 928 2203	053 927 3482	P.O. BOX 35 VRVBURG 8600	MUNICIPAL OFFICES 19 MARKET STREET VRVBURG 8600	YES	COUNCIL EMPLOYEE	12
MAKHATE	WD	NW393 - MAMUSA [SCHWEIZER-RENEKE]	NO	0823596979	053 963 1331	053 963 2474	P.O. BOX 5 SCHWEIZER RENEKE 2780	38 SCHWEIZER RENEKE STR SCHWEIZER RENEKE 2780	YES	COUNCIL EMPLOYEE	7
MOTABOGI	KE	NW394 - GREATER TAUING [REIVLO]	NO	0733154578	053 994 3922	053 995 1332	P/BAG X 08 PUDIMOE 8581	SHOP NO.50, TAUNG FORUM TAUNG 8581	YES	COUNCIL EMPLOYEE	17
MOTLASHUPING	TD	NW396 - LEKWA-TEEMANE [CHRISTIANA]	NO	0825708821			MEO OFFICE CHRISTIANA 2680	MEO OFFICE 2680	YES	MUNICIPAL MANAGER	7
GROENEWALD	BHJ	NW402 - POTCHEFSTROOM [POTCHEFSTROOM]	NO	0836311998	018 299 5101	018 297 0477	P.O. BOX 113 POTCHEFSTROOM 2520	39 CURLEWIS STREET INDUSTRIAL SECTION POTCHEFSTROOM 2520	YES	COUNCIL EMPLOYEE	16
CIVA	ND	NW403 - KLERKSDORP [KLERKSDORP]	NO	0728049943			MEO OFFICE KLERKSDORP 2574	MEO OFFICE 2574	YES	COUNCIL EMPLOYEE	21
MOTSEMME	ET	NW404 - MAQUASSI HILLS [WOLMARANSTAD]	NO	0839283851	018 596 1067	018 596 1555	POBOX 4561 MNBATHO 2735	23 BROADBAND STREET WOLMARANDTAD 2630	YES	MUNICIPAL MANAGER	8

NORTHERN CAPE

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BARNARD	OH	CBLC1 - GASEGONYANA [KURUMAN]	NO	083644089053 712 3851	053 712 0160		MUNICIPAL BUILDING P O BOX 4 KURUMAN 8460	MUNICIPAL BUILDING 1 SCHOOL STREET KURUMAN 8460	YES	MUNICIPAL MANAGER	11
MOETI	MB	CBLC7 - PHOKWANE [HARTSWATER]	NO	0727714503053 474 1768	053 474 0260		MUNICIPAL OFFICES PRIVATE BAG X3 HARTSWATER 8570	24 HERTZOG STREET 8570	YES	COUNCIL EMPLOYEE	9
CLOETE	JG	NC061 - RICHTERSVELD [PORT NOLLOTH]	NO	0828987853027	851 1111 851 8326		MUNICIPAL BUILDING PRIVATE BAG X 113 PORT NOLLOTH 8280	MUNICIPAL BUILDING MAIN ROAD PORT NOLLOTH 8280	YES	MUNICIPAL MANAGER	6
ENGELBRECHT	WJB	NC062 - NAMA KHOI [SPRINGBOK]	NO	0836280429027 718 8100	027 712 1635		MUNICIPAL BUILDING P O BOX 17 SPRINGBOK 8240	MUNICIPAL STREET 4 NAMAKWA STREET SPRINGBOK 8240	YES	MUNICIPAL MANAGER	9
ELLIS	JH	NC064 - KAMIESBERG [GARIES]	NO	0832356794027 652 1014	027 652 1148		P O BOX 38 GARIES 8220	22 HOOF STRAAT GARIES 8220	YES	COUNCIL EMPLOYEE	6
FOURIE	K	NC065 - HANTAM [CALVINIA]	NO	0836573180027 341 8500	027 341 2169		PRIVATE BAG X 14 CALVINIA 8190	20 HOPE STREET CALVINIA 8190	YES	COUNCIL EMPLOYEE	8
PAULSE	JK	NC066 - KAROO HOOGLAND [FRASERBURG]	NO	084273642023 571 1424	023 571 1307		P O BOX 24 SUTHERLAND 6920	PIET RETIEF STREET SUTHERLAND 6920	YES	FULL-TIME MEO	7
BEUKES	LD	NC067 - KHYI -MA [POFADDER]	NO	0823733824054 933 0066	054 933 0252		MUNICIPAL BUILDING P O BOX 108 POFADDER 8890	MUNICIPAL BUILDING 108 NUWE STRAAT POFADDER 8890	YES	MUNICIPAL MANAGER	6
VAN ROOY	RJ	NC071 - UBUNTU [VICTORIA WEST]	NO	053 621 0662	053 621 1185		PRIVATE BAG SX328 VICTORIA WEST 7070	LORATINE BUILDING ROOM 1 7070	YES	FULL-TIME MEO	7

NORTHERN CAPE

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VAN SCHALKWYK	A	NC074 - KAREEBERG [CARNARVON]	NO	0832308627	053 382 3012	053 382 3142	MUNICIPAL BUILDING P O BOX 10 CARNARVON 8925	MUNICIPAL BUILDING HANAU STREET CARNARVON 8925	YES	MUNICIPAL MANAGER	7	
DU TOIT	W	NC075 - RENOSTERBERG [PHILLIPSTOWN]	NO	0833496536	053 663 0308	053 663 0180		MUNICIPAL BUILDING SKOOL STREET PETRUSVILLE	YES	MUNICIPAL MANAGER	5	
DAVIDS	BDR	NC076 - THEMBELIHLIE [HOPETOWN]	NO	0824221701	053 203 0100	053 203 0490	MUNICIPAL BUILDING PRIVATE BAG X3 HOPETOWN 8750	MUNICIPAL BUILDING CHURCH STREET HOPETOWN 8750	YES	MUNICIPAL MANAGER	6	
BESSIES	GJ	NC077 - SIYATHEMBA [PRIESKA]	NO	0836770070	053 353 5300	053 353 1386	MUNICIPAL BUILDING P O BOX 16 PRIESKA 8940	MUNICIPAL BUILDING 16 VICTORIA STREET PRIESKA 8940	YES	MUNICIPAL MANAGER	6	
MOGALE	AM	NC078 - SIYANCUMA [GRIEKWASTAD]	NO	0828085055	053 298 1810	053 298 3090	P O BOX 27 DOUGLAS 8730	MUNICIPAL BUILDING 17 CARL CILLIERS STREET DOUGLAS 8730	YES	MUNICIPAL MANAGER	8	
PHILANDER	W	NC081 - MIER [MIER]	NO	0829350568	054 3512 ASK-MIER 19	054 3512 ASK-MIER 19	MUNICIPAL BUILDING P O BOX 58 MIER 8811	MUNICIPAL BUILDING 63 LOUBOS STREET MIER 8811	NO	MUNICIPAL MANAGER	5	
KOTZEE	J	NC082 - KAI IGARIB [KEIMOES]	NO	0827850635	054 461 6400	054 461 1230	MUNICIPAL BUILDING P O BOX 8 KEIMOES 8860	MUNICIPAL BUILDING MAIN ROAD KEIMOES 8860	YES	MUNICIPAL MANAGER	8	
NTOBA	E	NC083 - KHARA HAIS [UPINGTON]	NO	0827817536	054 331 1568	054 331 1646	P.O. BOX 3179 UPINGTON 8800	OLD SANLAM BUILDING SCOTT STREET 216 UPINGTON 8800	YES	MUNICIPAL MANAGER	9	
WILLEMSE	J	NC084 - KHEIS [GROBLERSHOOP]	NO	0825478536	054 833 9500	054 833 9506	P.O.176 GROBLERSHOOP 8850	97 ORAMIE STREET GROBLERSHOOP 8850	YES	COUNCIL EMPLOYEE	6	
ROSS	DWS	NC085 - TSANTSABANE [POSTMASBURG]	NO	0829400164	053 313 0002	053 313 1602	MUNICIPAL BUILDING P O BOX 5 POSTMASBURG 8420	MUNICIPAL BUILDING 19 SPRINGBOK STREET POSTMASBURG 8420	YES	COUNCIL EMPLOYEE	7	

NORTHERN CAPE

SURNAME	INITIALS	MUNICIPALITY	ACTING MEO	CELL PHONE NUMBER	MEO OFFICE TEL. NUMBER	MEO OFFICE FAX NUMBER	MEO OFFICE POSTAL ADDRESS	MEO OFFICE PHYSICAL ADDRESS	COUNCIL AGREEMENT	MEO TYPE	NUMBER OF STAFF
LATEGAN	GJ	NC086 - KGATELOPELE [DANIELSKUIL]	NO	0834611761	053 384 0013	053 384 0326	BOX 43 DANIELSKUIL 8405	43 BAKER STREET DANIELSKUIL 8405	YES	MUNICIPAL MANAGER	6
KGAKANE	WM	NC091 - SOL PLAATJE [KIMBERLEY]	NO	0823723759	053 830 6711	053 831 8903	SOL PLAATJE MUNICIPALITY PRIVATE BAG X6109 KIMBERLEY 8301	20 CURRY STREET MBA BUILDING KIMBERLEY 8301	YES	COUNCIL EMPLOYEE	21
EILLERD	J	NC092 - DIKGATLONG [BARKLEY WEST]	NO	0828229252	053 531 0671	0531 531 0624	MUNICIPAL BUILDING PRIVATE BAG X5 BARKLY WEST 8375	MUNICIPAL BUILDING CIVIC CENTRE CAMPBELL STREET 8375	YES	MUNICIPAL MANAGER	9
MOREMI	MA	NC093 - MAGARENG [WARRENTON]	NO	0826646940	053 497 3111	053 497 4514	P.O BOX 10 WARRENTON 8530	MAGRIETA PRINSLOO STREET WARRENTON 8530	YES	FULL-TIME MEO	5

WESTERN CAPE

SURNAME	INITIALS	MUNICIPALITY	ACTING MEO	CELL PHONE NUMBER	MEO OFFICE TEL NUMBER	MEO OFFICE FAX NUMBER	MEO OFFICE POSTAL ADDRESS	MEO OFFICE PHYSICAL ADDRESS	COUNCIL AGREEMENT	MEO TYPE	NUMBER OF STAFF
BOTHA	T	WC034 - SWELLENDAM [BARRYDALE/SWELLENDAM]	NO	0828289605	028 514 1100	028 514 2694	P O BOX 20 SWELLENDAM 6740	VOORTREKKER STREET SWELLENDAM 6740	YES	MUNICIPAL MANAGER	5
ADAMS	IC	WC042 - HESSEQUIA [HEIDELBERG/RIVERSDALE]	NO	0833062298	028 722 1917	028 722 1157	PRIVATE BAG X2 HEIDELBERG WESTERN CAPE 6665	NIEKERK STREET HEIDEBERG 6665	YES	COUNCIL EMPLOYEE	8
TYATYA	EM	WC043 - MOSSEL BAY [MOSSEL BAY]	NO	044 606 5001				MUNICIPAL BUILDING 101 MARSH ROAD MOSSEL BAY	YES	MUNICIPAL MANAGER	8
STRYDOM	LD	WC044 - GEORGE [GEORGE]	NO	0834003388	044 873 2023	044 874 1108	PRIVATE BAG X6537 GEORGE 6530	130 YORK STREET GEORGE 6530	YES	COUNCIL EMPLOYEE	17
SMIT	JFS	WC045 - OUDTSHOORN [OUDTSHOORN]	NO	0824921612	044 272 2496	044 279 1812	P O BOX 255 OUDTSHOORN 6620	CNR VOORTREKKER/BARON V REEDE STRS OUDTSHOORN 6620	YES	MUNICIPAL MANAGER	10
SEITSHO	MG	WC047 - PLETTENBERG BAY [GREATER PLETTENBERG BAY]	NO	0823290142	044 533 2050	044 533 6161	PRIVATE BAG X1002 PLETTENBERG BAY 6600	SEWELL STREET PLETTENBERG BAY 6600	YES	MUNICIPAL MANAGER	6
DANIELS	DP	WC048 - KNYSNA [KNYSNA]	NO	0829246089	044 302 6302	302 6333	P O BOX 21 KNYSNA 6570	KNYSNA MUNICIPAL OFFICE CLYDE STREET KNYSNA 6570	YES	MUNICIPAL MANAGER	7
WILLIAMS	PA	WC051 - LAINGSBURG [LAINGSBURG]	NO	0827108853	023 551 1019	023 551 1019	PRIVATE BAG X4 LAINGSBURG 6900	VAN RIEBECK STREET LAINGSBURG 6900	YES	MUNICIPAL MANAGER	4
WITCOMB	NM	WC052 - PRINCE ALBERT [PRINS ALBERT]	NO	0825724935	023 541 1320	023 541 1321	PRIVATE BAG X PRINCE ALBERT 6930	33 CHURCH STREET PRINCE ALBERT 6930	YES	MUNICIPAL MANAGER	2
WELGEMOED	DE	WC053 - BEAUFORT WEST [BEAUFORT WEST]	NO	0834156101	023 415 2121	023 415 2121	PRIVATE BAG X382 BEAUFORT WEST 6970	5 CHURCH STREET BEAUFORT WEST 6970	YES	MUNICIPAL MANAGER	8

Appendix 8

Example of Seat Allocation

In a council with a 100 seats, 50 percent of those seats must be filled by ward candidates contesting the election in 50 wards. The other 50 percent of the seats are contested by parties on a proportional representation system from party lists.

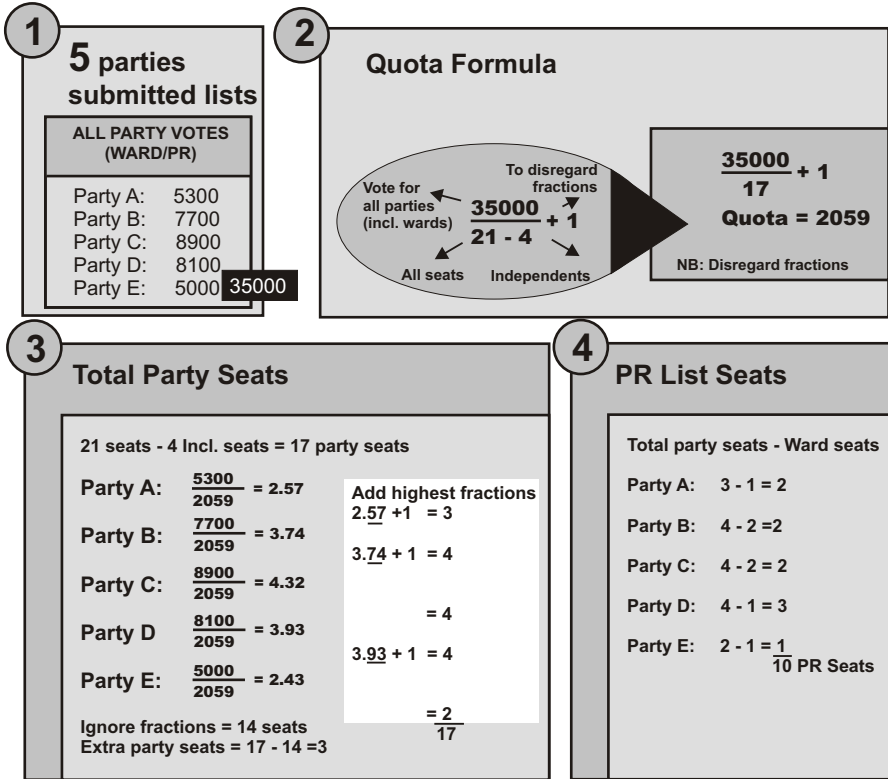
If a council consists of 50 proportional representation seats, and the election is contested only by two parties, in which Party A wins 38.85% of the vote and Party B wins 61.15% of the vote, Party A will win 19 proportional representation seats and Party B will win 31 proportional representation seats.

Proportional representation seats are allocated by means of a quota system – an estimation of the number of votes a party must get in order to win a seat. In allocating the quota of PR seats, the total number of votes cast in the election is divided by the number of seats to be filled plus one. As an example of the proportional quota system and how it relates to the allocation of seats in a municipal council the following could apply:

If a council consists of 21 seats (11 ward and 10 PR seats) and 4 ward seats were won by independent candidates, then 17 seats remain. At this stage of the calculation the ward seats won by parties are discounted.

Using the example that there are 17 seats to be filled, assume that 35 000 votes were cast for political parties. Divide 35000 by 17 and add 1, gives you 2059 votes a party must get to get one seat.

The diagram that follows illustrates how the seats are allocated.



In the case of small local councils with less than 7 members, representatives of those local councils without wards as well as district management areas will be chosen entirely through party lists in a proportional representation election. (Structures Act, Schedule 1). A voter residing in a local council without wards or in a district management area, will be entitled to two votes, based on a system of proportional representation from party lists. A voter in a local council without wards will have one vote (PR) to elect councilors to that local council, and one vote (PR) to elect members to the district council. In the case of a district management area, the voter will also have two votes (PR) to elect representatives to the district council in which jurisdiction that district management area falls.

District councils will be composed in the following way:

The 40 percent of their members will be elected by voters in local councils and district management areas on a separate ballot through a proportional representation party list system. The remaining 60 percent of members of district councils will be indirectly elected. This means that those members must be indirectly elected by the local councils at their first meetings after having been constituted after the general municipal elections. These representatives (60 percent) of the district council must be chosen after the general election by means of a nomination procedure conducted by each local council at its first meeting within 14 days after the election.

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