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**Provincial Gazette
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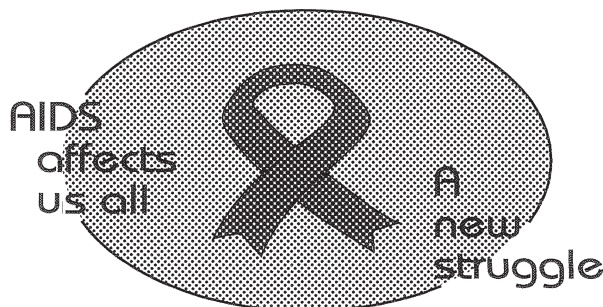
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KIMBERLEY

13 May 2022
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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

GENERAL NOTICE 204 OF 2022

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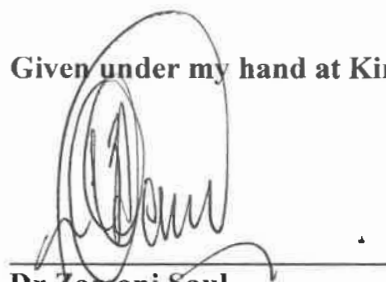
NORTHERN CAPE PROVINCIAL ADMINISTRATION

OFFICE OF THE PREMIER

NOTICE BY THE PREMIER OF THE NORTHERN CAPE

NOTICE CALLING FOR ELECTIONS OF MEMBERS OF THE NORTHERN CAPE PROVINCIAL HOUSE OF TRADITIONAL AND KHOISAN LEADERS, AND THE DETERMINATION OF THE PROCEDURE TO BE FOLLOWED DURING THE ELECTION.

Given under my hand at Kimberley on this 12 day of May 2022.



Dr Zamani Saul
Premier: Northern Cape

OFFICE OF THE PREMIER**NOTICE BY THE PREMIER OF THE NORTHERN CAPE****NORTHERN CAPE TRADITIONAL LEADERSHIP, GOVERNANCE AND HOUSES OF TRADITIONAL LEADERS ACT, 2007 (ACT 02 OF 2007), AND TRADITIONAL AND KHOISAN LEADERSHIP ACT 3 OF 2019****ELECTION OF MEMBERS OF THE NORTHERN CAPE PROVINCIAL HOUSE OF TRADITIONAL LEADERS, DETERMINATION OF THE NUMBER OF MEMBERS OF THE PROVINCIAL HOUSE AND THE DETERMINATION OF THE PROCEDURE TO BE FOLLOWED AT THE ELECTION OF MEMBERS OF THE PROVINCIAL HOUSE OF TRADITIONAL LEADERS.**

I, **Dr Zamani Saul**, hereby in terms of the Northern Cape Traditional Leadership, Governance and Houses of Traditional Leaders Act (Act 2 of 2007) and the Traditional and Khoisan Leadership Act 3 of 2019 call for the elections for members of the Northern Cape Provincial House of Traditional Leaders as set out in the schedule hereunder-

In terms of Section 49(2)(b) determines the term of provincial houses to be five years: Provided that, notwithstanding anything to the contrary contained in any law, but subject to Section 63(14), the term of a provincial house that was established in constituted in terms of any applicable legislation prior to the commencement of this Act, will expire on 31 May 2022: Provided further that any term of office of provincial house constituted or established after the commencement of this Act, shall expire every five years on 31 May, calculated from 31 May 2022.

SCHEDULE**Definitions**

1. In this schedule, any word or expression defined in the Northern Cape Traditional Leadership, Governance and Houses of Traditional Leaders Act (Act 2 of 2007) (the Act), shall bear such meaning unless the context indicates otherwise.

Number of Members

- (1) The Provincial House shall consist of thirteen (13) members comprising of the following:
 - (a) Eight (8) Senior Traditional leaders;
 - (b) Five (5) headmen/headwoman.
 - (c) In terms of Section 37(5): A third of the members of the Provincial House of Traditional leaders must consist of women. Since we do not have a sufficient number of women, I hereby determine a lower threshold.
- (2) The members contemplated in sub-paragraph 1(b) must be elected by the *Electoral College*.
- (3) In line with the Traditional and Khoisan Leadership Act 3 of 2019, once a Senior Khoisan leader is recognised, he or she gains direct membership to the Provincial House, therefore the Headman/Headwomen who received the least number of votes

during the elections, will automatically be withdrawn and replaced by a Senior Khoisan leader.

Electoral College

2. (1) The *Electoral College* for the election of headmen to the Provincial House shall consist of all the senior traditional leaders from within the John Taolo Gaetsewe District Municipality.
- (2) Senior traditional leaders are by virtue of their status members of the Electoral college.
- (3) The Chairperson of the Electoral College must be designated by the Premier in writing.

Nomination of Candidates

3. (1) The Chairperson of the Electoral College must preside over the nomination process.
- (2) The eight senior traditional leaders are members of the Provincial House by virtue of their status, they become ex officio members of the House.
- (3) (a) Each member of the Electoral college nominates two (2) headmen as candidates for election as members of the Provincial House.
(b) These headmen as contemplated on paragraph 3 (a) above must not be members of the John Taolo Gaetsewe Local House of traditional leaders but the remainder of headmen not elected to the Local House.
- (4) When conducting the nominations, the chairperson of the *Electoral College* must comply with the provisions of section 37(5) of the Act.
- (5) Nominations contemplated in subparagraph (2) above, must be in accordance with the following procedure:
 - (a) The Chairperson must call for nominations;
 - (b) A candidate whose name has been proposed must be seconded by at least one member of the Electoral college; and
 - (c) For a nomination to be accepted, a nominee must accept the nomination.
- (6) The nomination and the secondment must be recorded by the Chairperson.

Election Procedure

4. (1) The Chairperson must ensure that the required number of ballot papers containing the names of all candidates nominated in terms of paragraph 4 is compiled.
- (2) The chairperson must ensure that the ballot papers are distributed to all the members of the *Electoral College*.

(3) Before voting takes place, the chairperson must explain:-

- (a) the secret ballot voting procedure;
- (b) the each member of the electoral college may only vote for one of each of the candidates nominated to be elected as members as contemplated in paragraph 2 (b) and (c);
- (c) that members of the electoral college must deposit their completed ballot papers in the ballot box provided for that purpose.
- (d) that the counting of votes and finalisation of results will take place once the voting has been finalised; and
- (e) that the results will be announced immediately after counting has been completed.

(4) The Chairperson designated by the Premier should furnish the Premier with a detailed report including the process, nominations, number of votes and outcome of the results.

Equal number of votes

5. In the event that two or more candidates receive an equal number of votes, the result will be determined by lot: Provided that, where the required minimum of one third of women representatives has not been reached, the female candidate involved in a tie will be regarded as having been elected.

Filling of vacancies

6. Whenever a vacancy arises in the membership of the provincial House, the candidate with the second highest votes will fill in the vacancy as and when one is declared by the Provincial House.

Commencement date

7. This notice will come into operation on the day of publication in the *Provincial Gazette*.

Date, Time and Venue of the Elections

8. **Date of elections is Tuesday, 17 May 2022**

Time is 10h00

Venue is the Francis Baard Regional Office Boardroom 15-17 Chapel Street, Kimberley.

THIS DONE AND SIGNED IN KIMBERLEY ON THIS 12 DAY OF May 2022.



Dr Zamani Saul,

Premier: Northern Cape

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