
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HOME AFFAIRS

NO. 4169

7 December 2023

PUBLICATION OF EXPLANATORY SUMMARY OF THE ELECTORAL MATTERS AMENDMENT BILL, 2023

The Minister of Home Affairs intends introducing the Electoral Matters Amendment Bill, 2023 (the "Amendment Bill") in the National Assembly. The explanatory summary of the Amendment Bill is hereby published in accordance with Rule 241(1)(c) of the Rules of the National Assembly.

The Amendment Bill seeks to amend the Political Party Funding Act, 2018, so as to provide for the regulation of the private and public funding of independent candidates and independent representatives and matters incidental thereto; to amend the title, long title and preamble; to insert and substitute definitions; to amend the names of the Funds; to preclude the Electoral Commission from accepting donations to the Multi-Party and Independents Democracy Fund which it has reason to believe is the proceeds of crime; to empower the Commission to invest money in the Funds in any bank registered in terms of the Banks Act, 1990; to proscribe the attachment of money in the Funds by certain persons; to provide for the right of political parties, independent candidates and independent representatives to refuse donations; to repeal section 10; to amend the provisions relating to the accounting obligations of represented and unrepresented political parties; to provide for independent representatives and independent candidates to account for income; to provide for the offence of making a donation to a political party, a member of a political party, an independent candidate or an independent representative in the expectation that the party, member, candidate or representative will influence the award of benefits or relaxation of conditions; to provide for the offence of making a donation to a member of a political party to circumvent the provisions of Chapter 3; to provide for offences by a member of a political party of accepting a donation to circumvent the provisions of Chapter 3 or appropriating the donation for themselves; to amend the powers of the President to make regulations on certain matters; to amend Schedule 2 in respect of the formula for the allocation of money in the Funds on a proportional and equitable basis, in respect of the upper limit of donations and the disclosure limit for donations; and to amend the Electoral Act, 1998, the Electoral Commission Act, 1996, the Electronic Communications Act, 2005 and the Financial Management of Parliament and Provincial Legislatures Act, 2009 so as to make consequential amendments resulting from the introduction of independent candidates to contest elections of the National Assembly and provincial legislatures.

Once the Amendment Bill has been tabled in Parliament, a copy can be obtained from:

1. the Government Printers – Cape Town and Pretoria;
2. the Chief Director: Legal Services, Department of Home Affairs, 230 Johannes Ramokhoase Street, PRETORIA, Tel: (012) 406 4273.