

INTERIM REPORT TO THE PLANNING COMMITTEE BY THE TECHNICAL COMMITTEE ON THE INDEPENDENT ELECTORAL COMMISSION

29 July 1993

1. Following the extensive debate in the Negotiating Council on 20 July 1993, the Technical Committee has given detailed consideration to the issues which were raised in the course of the debate. As a result, it is now contemplated that a number of amendments will be effected to the text, and it is proposed to table a third draft of the Act for consideration by the Negotiating Council as soon as possible.
2. In terms of the decision by the Planning Committee conveyed to the Technical Committee in terms of a memorandum dated 21 July 1993, it is noted that a “political” sub-committee has been constituted to consider and advise with particular reference to a number of core issues, upon which divergent views were expressed during the course of the debate. Accordingly, the Technical Committee awaits the advice of this “political” sub-committee with particular reference to the clauses defined in the memorandum, namely:

Clause 7
Clause 16
Clause 17
Clause 18.3
Clause 21

The submissions of the next (third) draft of the Bill, must await the relevant instructions and advice of the “Political” sub-committee.

4. The Technical Committee further reports that it has had a preliminary meeting with Deputy State Law Adviser, Advocate J.H. Bruwer, who has been seconded to assist the Committee with the preparation of a Bill in a form appropriate for submission to Parliament. Further meetings will be scheduled as the need may arise.
5. Concerning the preparation of a new Electoral Act, the Technical Committee is engaged in a programme of meetings and drafting with a view to submitting its initial proposal for consideration by the Negotiating Council by not later than Friday 20 August 1993. There are certain fundamental constitutional issues which must be clarified to facilitate the drafting of this legislation, and steps are being taken to arrange a meeting between this Technical Committee and the Technical Committee on Constitutional Matters. Such issues include voter eligibility, and the system of Proportional Representation which is to be adopted.
6. In accordance with the instructions of the Planning Committee, no public hearings are being scheduled, although the Technical Committee is meeting with certain parties from who

submissions have been received and where clarification and further input is considered appropriate.