

CRITERIA FOR THE APPOINTMENT OF STAFF FOR THE INDEPENDENT ELECTORAL COMMISSION

Administration and staff of Commission

"The Commission shall, in addition to the other powers conferred upon it by this Act or other law, for the purpose of achieving its objects, have the power to -

- (a) appoint staff to assist it or a directorate or the Secretariat in the performance of its functions, and after consultation with the Minister of State Expenditure, determine their conditions of service, remuneration, allowances and other benefits, including those of -
 - (i) members of committees who are not members of the Commission
 - (ii) the Chief Directors : Administration and Monitoring and the Secretary; and
 - (iii) other officials;
- (b) request the secondment of skilled personnel from any public service, subject to any law applicable to such personnel in that regard, to assist the Commission, the directorates or the Secretariat in the performance of its functions;
- (c) open and maintain its own financial accounts; and
- (d) take such steps, including legal steps, as are necessary to give effect to this Act or any decision taken under this Act."

Accountability and finance

"The Commission shall at its first meeting or as soon thereafter as possible appoint a person to the office of Chief Executive Officer who -

- (a) shall be responsible for the management of and administrative control over the staff appointed or seconded in terms of section 15(a) or (b), respectively, in respect of the Commission;
- (b) shall, subject to the Exchequer Act, 1975 (Act. No. 66 of 1975) -
 - (i) be charged with the responsibility of accounting for State money received or paid out for or on account of the Commission, the directorates and the Secretariat. and
 - (ii) cause the necessary accounting and other related records to be kept;
- (c) may exercise the powers and shall perform the duties and functions which the Commission may from time to time confer upon or assign to him or her in order to achieve the objects of this Act and shall, for the purposes thereof be accountable to the Commission.

The records referred to in subsection (1)0 shall be audited by the Auditor-General.

The Chief Executive Officer, and the persons referred to in section 15(a) or (b) shall exercise their powers and perform their duties and functions in an impartial manner and shall, in so doing, be subject to such provisions of the laws governing the public service of the Republic as may be indicated by the Commission and to the extent so indicated by the Commission as well as the Exchequer Act, 1975, and the Auditor-General Act, 1989 (Act No. 52 of 1989)."

Constitution of Election Administration Directorate

"The Administration Directorate shall consist of a Chief Director : Administration, one or more deputy directors and such other officials as the Commission may consider necessary and appoint to enable that Directorate effectively to perform its functions in terms of this Act and the Electoral Act.

In effecting the appointment of the Chief Director : Administration and any deputy director, the Commission shall invite and where given, consider, but shall not be bound by, the advice of the Transitional Council. "

Constitution of Election Monitoring Directorate

"The Monitoring Directorate shall consist of a Chief Director : Monitoring, and such other officials as the Commission may consider necessary and appoint to enable that Directorate effectively to perform its functions in terms of this Act.

In effecting the appointment of the Chief Director : Monitoring, the Commission shall invite and where given, consider, but shall not be bound by, the advice of the Transitional Council.'

Constitution of Election Adjudication Secretariat

"The Secretariat shall consist of a Secretary and such other officials as the Commission may consider necessary and appoint to enable the Secretariat effectively to perform its functions in terms of this Act.

In effecting the appointment of the Secretary, the Commission shall invite and where given, consider, but shall not be bound by, the advice of the Transitional Council."

Staff for the Independent Electoral Commission

The attached only refers to the staff of the Independent Electoral Commission.

It does not refer to the members of the Commission or the Electoral Tribunals or the Electoral Appeal Tribunals or the Special Electoral Court.

