**Electoral Laws Amendment Bill [B 22B—2020] – Draft Proposals**

8. Section 16 of the Electoral Act, 1998 (Act No. 73 of 1998), is hereby amended—

*(a)* by the substitution for subsection (2) of the following subsection:

 “(2) The chief electoral officer must provide a certified copy of, or extract from, a segment of the voters’ roll as it exists at that time, to any person who has paid the prescribed fee**[.]**, if the chief electoral officer is satisfied that—

(*a*) the person requires that information—

(i) to monitor the voters’ roll for election purposes;

(ii) for statistical or research purposes; or

(iii) any other purpose that is prescribed; and

(*b*) providing that information would not involve the unlawful processing of personal information in terms of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013).”;

(*b*) by the insertion after subsection (2) of the following subsection:

 “(2A) Any person who uses the information obtained under subsection (2), for a purpose other than that specified in that subsection is guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding one year or to both a fine and such imprisonment.”

(*c*) by the substitution for subsection (3) of the following subsection:

 “(3) Notwithstanding subsection (2), the chief electoral officer must, on payment of the prescribed fee, provide copies of the voters’ roll, or a segment thereof, which includes the addresses of voters, where such addresses are available, to **[all]** a registered **[political parties]** party and an independent candidate contesting the elections.”

(*d*) by the substitution for subsection (4) of the following subsection:

 “(4) The information obtained in terms of subsection (3) may only be used by [**political parties]** a registered party and an independent candidate for election purposes and any person using such information for other purposes is guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding one year or to both a fine and such imprisonment.”

(*e*) by the insertion after subsection (4) of the following subsection:

 “(5) For the purposes of subsection (2) and (3), the chief electoral officer may only provide the digits of the identity numbers of voters, which indicate the voters’ date of birth and citizenship, except where the person who requires the information satisfies the chief electoral officer that−

(*a*) exceptional circumstances require that additional digits of the voters’ identity number be disclosed; and

(*b*) providing that information would not involve the unlawful processing of personal information in terms of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013).”

20. Section 47 of the Local Government: Municipal Electoral Act, 2000, is hereby amended by the insertion after subsection (6) of the following subsections:

‘‘(7) The Commission may prescribe a different voting procedure, which must accord with the provisions of this section, for those voters whose names appear on the voters’ roll, without addresses: Provided that if such voter’s place of ordinary residence is located outside the relevant—

(*a*) ward on whose segment of the voters’ roll that voter’s name appears, the voter concerned may not vote in the ward election contemplated in section 22(1)(b) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

(*b*) local or metropolitan municipality on whose segment of the voters’ roll that voter’s name appears, the voter concerned may not vote in the election contemplated in section 22(1)(a) or the ward election contemplated in section 22(1)(b) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

(*c*) district municipality on whose segment of the voters’ roll that voter’s name appears, the voter concerned may not vote in the election for members of the district council contemplated in section 23(1)(a) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998).’’