**OUTSTANDING ISSUES FOR DELIBERATIONS ON THE ELECTORAL BILL**

27 June 2022

The following sections refer to the IEC’s revised Submission on the Electoral Bill to the Portfolio Committee on Home Affairs as well as 2 outstanding issues in Clause 11.

**Section C: Agents**

1. If Committee Members agree to the inclusion of independent candidate agents this will mean applying to the National Assembly in terms of National Assembly rule 286(4)(c): If the Bill amends provisions of legislation, must, if it intends to propose amendments to other provisions of that legislation, seek the permission of the Assembly to do so.

**Section D: Multiple Regions**

1. The Committee must decide whether to allow Independent Agents to run across several regions (as per the IEC’s latest proposal) or just for one region and nationally (like for political parties). The IEC submission in point 27 refers to “draft item 3(4)” Would this mean that Clause 4 (31A) on independent candidates would be redrafted to be on par with Clause 11 3(4) of the bill on Political Parties which provides “*that the name of the same party candidate may appear on a list for one region and the national list of a party but may not appear on more than one regional list?*

**Section E: Signatures and Deposits**

1. In point 29, the IEC now proposes that the number of signatures required for establishment be **a percentage of the votes** in the equivalent elections based on previous election results. Is this only for Independents or for parties too? What is this percentage likely to be if it is not the 50% required for a seat in the IEC’s previous proposal?
2. Can the IEC provide more details on how deposits are calculated at present and how they are likely to appear in the regulations in the future. In particular, will party and independent candidates have the same deposits?

**Section F: Number of Ballots**

1. How will the definition of region be defined to avoid confusion with the reference in item F and G where “multi-member regional constituencies” are referred to?

**Clause 11**

1. The Committee need to decide on the ratio of 200 to 200 as in the current and revised bill or the 300 to 100 of Regional to Compensatory seats preferred by several members.
2. The IEC did not respond to the proposal that clause 11 (16) should be removed in favour ensuring compliance prior to elections rather than forfeiting seats if parties don’t have enough candidates on their list after an election.