**Insertion of section 114A in Act 73 of 1998**

The principal Act is hereby amended by the insertion of the following provision after section 114:

**“114A Electoral Reform Consultation Panel**

(1) Within four months after the commencement of this provision, the Minister must establish the Electoral Reform Consultation Panel.

(2) The objects of the Panel shall be:

*(a)* to independently investigate, consult on, report on and make recommendations in respect of potential reforms of the electoral system for the election of members of the National Assembly and members of the provincial legislatures, in respect of the elections to be held after the 2024 elections;

*(b)* to do so in a manner that enables Parliament to exercise its constitutional powers to determine the electoral system for the election of members of the National Assembly and members of the provincial legislatures, in respect of the elections to be held after the 2024 elections;

(3) The Panel must investigate, consider and report on—

*(a)* whether reforms are necessary to the electoral system;

*(b)* the possible options for reforms; and

*(c)* the potential advantages and disadvantages for each option identified by the Panel.

(4) The Panel must:

*(a)* prior to the 2024 elections, engage in research and consideration of the issues falling within its mandate;

*(b)* after the 2024 elections, engage in a process of public consultation and consultation with interested parties regarding the issues falling within its mandate;

*(c)* submit its report to the Minister within 12 months of the date of the 2024 elections.

(5) Upon receipt of the report of the Panel, the Minister must forthwith table the report in Parliament for its consideration and make the report available to the public.

(6) The Panel is authorised to do all things necessary or incidental to achieve its objects, including—

*(a)* to call for and receive written submissions from political parties, independent candidates, civil society organisations and any interested person or party in respect of such potential reforms; and

*(b)* to make such written submissions publicly available and accessible including through electronic and any other means.

 (7) In order to establish and constitute the Panel, the Minister must:

*(a)* call for nominations from the public or interested parties of fit and proper South African citizens who are duly qualified and independent, with expertise in the administration and running of elections or constitutional law or electoral systems;

*(b)* in consultation with the Electoral Commission, appoint nine members to the Panel from such nominated persons who satisfy such qualifications; and

*(c)* appoint one of the Panel members as the Chairperson of the Panel.

(8) *(a)* A member of the Panel may at any time resign by tendering his or her resignation in writing to the Minister.

*(b)* The Minister may, after receiving representations from the member concerned, remove a member of the Panel from office on the grounds of misconduct, incapacity or incompetence.

*(c)* If any member of the Panel tenders his or her resignation under paragraph (b), or is removed from office under paragraph *(c)*, or becomes the deceased, the Minister must fill the vacancy by appointing a person who satisfies the qualifications in subsection (7), in consultation with the Electoral Commission and after a public nominations process.

(9) Members of the Panel who are not officials of the State, shall receive such remuneration, allowances and other employment benefits and shall be appointed on such terms and conditions as the Minister in consultation with the Minister of Finance may determine.

 (10) The Department of Home Affairs must, subject to the laws governing public service—

*(a)* appoint, second or designate persons in its employ; and

*(b)* make available any other necessary resources,

to the Panel to enable it to achieve its objects.

(11) Once the report of the Panel has been tabled with Parliament, the members of the Panel shall be discharged.

 (12) In this section 114A:

*(a)* **“2024 elections”** means the elections for Parliament and the provincial legislatures, due to be held during 2024;

*(b)* “**Minister”** means the Minister of Home Affairs; and

*(c)* “**Panel”** means the Electoral Reform Consultation Panel established in terms of subsection (1).”.