

NATIONAL ASSEMBLY

**QUESTION FOR WRITTEN REPLY**

# QUESTION NO. 1275

**DATE OF PUBLICATION: THURSDAY, 26 April 2018**

## INTERNAL QUESTION PAPER 13 OF 2018

**1275. Mr M Waters (DA) to ask the Minister of Home Affairs:**

Whether, with regard to section 7 of the Electoral Commission Act, Act 51 of 1996 (Electoral Act), as amended and section 181 of the Constitution of the Republic of South Africa, 1996, he has sought a legal opinion to ascertain whether section 7 of the Electoral Act is constitutional in that it gives the President powers over the terms and conditions of the Commissioner’s terms; if not, will he seek a legal opinion; if so, what were the findings of the legal opinion(s)? NW1375E

**REPLY:**

No. The Commission has not discussed the matter and therefore has no extent resolution to procure the referenced opinion.