



# home affairs

Department:  
Home Affairs  
**REPUBLIC OF SOUTH AFRICA**

## **PRESS STATEMENT BY DEPUTY MINISTER GIGABA ON REFUGEE AMENDMENT BILL AND LOCAL GOVERNMENT MUNICIPAL ELECTORAL BILL**

Tuesday, 19 October 2010

This morning we briefed the National Council of Provinces (NCOP) Select Committee on Social Services about 2 of the Bills that we have brought to Parliament. The Bills are the Refugees Amendment Bill and the Local Government Municipal Electoral Bill.

We have distributed the details of the amendments for each of these Bills. Allow me to point out the highlights.

### **Refugees Amendment Bill**

There were technical errors that were contained in the 2008 Amendment Act that was passed by parliament. So, among other things, the Refugees Amendment Bill seeks to correct those technical errors.

In addition to that it also seeks to;

- Introduce collective decision making in determining the status of asylum seekers by replacing the Refugee Status Determination Officers (RSDO) with Refugee Status Determination Committees (RSDC)
- Establish the Refugee Appeals authority that will be decentralised and located in each Refugee Reception Office in order to speed up the appeals process.
- Make provision for the registration of a child born of asylum seekers in terms of the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992)
- Make provision for a registered child of an asylum seeker or refugee to submit the birth certificate at any Refugee Reception Office for inclusion of a child as a dependent to the asylum seeker or refugee

- Give the Minister a function to certify that a person would remain a refugee indefinitely, which is currently a function of the Director-General
- Give the Minister the function to withdraw a refugee status

## **Local Government Municipal Electoral Bill**

As you would know, we are meant to have the Local Government Elections sometime next year, 2011. Hence there are amendments to the Act that have been proposed based on the experience in the previous elections.

However, the amendments are not that much substantial as to alter the electoral process itself. They are meant to close gaps for disputes and ease the process.

The proposed amendments relate to;

- Insertion of a prescribed election timetable outline
- Revision of provisions relating to nomination of candidates
- Insertion of new provisions to regulate central payment of prescribed deposits by parties contesting an election
- Revisions of powers of presiding officers to alter boundaries of voting stations when necessary
- Revision of provisions regulating the number of party agents permissible in a voting station
- Clarification of provisions relating to assistance of voters
- Insert new provisions to allow for special votes and procedure related thereto
- Enhancement of powers and functions of the Commission and the Electoral Court in relation to determination and declaration of results
- Revision of provisions relations to objections and the procedure related to submission, handling and resolution of such objection by the Commission and/or Electoral Court

In summary, these are the matters we have brought to Parliament for consideration.

Thank you.