

● **MULTI-PARTY NEGOTIATING PROCESS**

P O Box 307 Isando 1600

Tel : 011 397-1198 Fax : 011 397-2211

**TO ALL GOVERNMENTS / POLITICAL PARTIES / ORGANISATIONS /
ADMINISTRATIONS PREVIOUSLY OR CURRENTLY INVOLVED IN
THE MULTI-PARTY NEGOTIATION PROCESS**

The Delegation
Inkatha Freedom Party

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The Transitional Executive Council (TEC)

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If your Government/Political Party/Organisation/Administration intends participating in the Council, you are hereby requested to forward the names of the delegate and alternate member who would represent you in the Transitional Executive Council. You are kindly requested to forward these nominations by not later than 12 November 1993 and it will be assumed that your nominees have accepted the nomination. Please also provide a contact address, telephone number and, if possible, fax number for each of your nominees.

Independent Electoral Commission (IEC)

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African National Congress

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Democratic Party

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The Delegation
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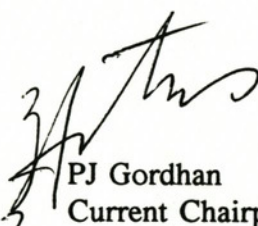
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PJ Gordhan
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03 November 1993

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SA Communist Party

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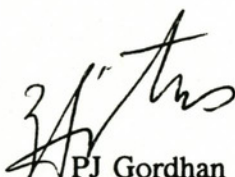
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Venda Government

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As you are no doubt aware, these structures of the transition - up to the holding of the elections - are provided for in four Acts which were passed by Parliament during its recent session. The precise date on which these Acts will come into operation will be determined by the Multi-Party Negotiating Process. In the meantime, it is necessary to ensure that when the decision is taken, the establishment of the institutions is effected rapidly and without delay.

The Transitional Executive Council (TEC)

The Transitional Executive Council Act provides for the setting up of a Transitional Executive Council. In particular, Section 4 deals with the constitution of the Council.

If your Government/Political Party/Organisation/Administration intends participating in the Council, you are hereby requested to forward the names of the delegate and alternate member who would represent you in the Transitional Executive Council. You are kindly requested to forward these nominations by not later than 12 November 1993 and it will be assumed that your nominees have accepted the nomination. Please also provide a contact address, telephone number and, if possible, fax number for each of your nominees.

Independent Electoral Commission (IEC)

In terms of Section 5(1) of the Independent Electoral Commission Act, the Independent Electoral Commission shall consist of not fewer than 7 and not more than 11 members "who shall be impartial, respected and suitably qualified men and women, who do not have a high party-political profile, are themselves voters, and represent a broad cross section of the population".

If your Government/Political Party/Organisation/Administration wishes to submit nominations for the Independent Electoral Commission, you are kindly requested to forward these by not later than 17 November 1993. It will be assumed that your nominees have accepted nomination. Please also provide a contact address, telephone and, if possible, fax number for each of your nominees.


Independent Media Commission (IMC)

Section 4 of the Independent Media Commission Act provides that the Commission shall be composed of not more than 7 members. The qualifications required of persons nominated for this position are outlined in Section 5 of the Act.

If your Government/Political Party/Organisation/Administration wishes to do so, you are hereby requested to forward your nominations for the Independent Media Commission by not later than 17 November 1993. It will be assumed that your nominees have accepted nomination. Please provide a contact address, telephone and, if possible, fax number for each of your nominees.

Finally

The nominations for the IEC and IMC are called for in order to facilitate the task of the TEC with regard to the establishment of the Independent Electoral Commission and the Independent Media Commission. Attached are copies of the various adverts regarding these Commissions for your information.


PJ Gordhan

7 Current Chairperson : Planning Committee

03 November 1993

MULTI-PARTY NEGOTIATING PROCESS

P O Box 307 Isando 1600

Tel : 011 397-1198 Fax : 011 397-2211

**TO ALL GOVERNMENTS / POLITICAL PARTIES / ORGANISATIONS /
ADMINISTRATIONS PREVIOUSLY OR CURRENTLY INVOLVED IN
THE MULTI-PARTY NEGOTIATION PROCESS**

The Delegation
Ximoko Progressive Party

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PJ Gordhan

Current Chairperson : Planning Committee

03 November 1993

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**TO ALL GOVERNMENTS / POLITICAL PARTIES / ORGANISATIONS /
ADMINISTRATIONS PREVIOUSLY OR CURRENTLY INVOLVED IN
THE MULTI-PARTY NEGOTIATION PROCESS**

The Delegation
Inyandza National Movement

The Negotiating Council instructed the Planning Committee to take steps in preparation for the effective and timeous installation of the Transitional Executive Council, the Independent Media Commission and the Independent Electoral Commission, as and when this is effected by a plenary session of the Multi-Party Negotiating Process. Approval and confirmation of some of the steps taken will rest with the Transitional Executive Council once it assumes office.

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PJ Gordhan
Current Chairperson : Planning Committee

03 November 1993

ESTABLISHMENT OF THE INDEPENDENT ELECTORAL COMMISSION

In preparation for the establishment of the Independent Electoral Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of member of the Independent Electoral Commission.

The objectives of the Commission are to

- (a) administer, organise, supervise and conduct, whether directly or indirectly, free and fair elections for the National Assembly and all other legislatures in terms of the Constitution and the Electoral Act;
- (b) promote conditions conducive to free and fair elections;
- (c) determine and certify the results of elections, and to certify to what extent such elections have been free and fair;
- (d) conduct voter education; and
- (e) make and enforce regulations for the achievement of such objectives.

REQUIREMENTS:

Nominees should be impartial, respected and suitably qualified, should not have a high party-political profile, and should themselves be voters.

CONDUCT REQUIRED OF MEMBERS:

1. Every member of the Commission shall
 - (a) be appointed in his or her individual capacity, and shall notwithstanding any personal opinion, preference or party affiliation, serve impartially and independently and perform his or her functions in good faith and without fear, favour, bias or prejudice;
 - (b) serve in a full-time capacity to the exclusion of any other duty or obligation arising out of any other employment or occupation or the holding of any other office.
2. No member of the Commission shall
 - (a) during his or her term of office be eligible for appointment or nomination to any political or public office, whether involving remuneration or not; such ineligibility in respect of such public office shall continue for a period of 18 months reckoned from the date upon which the term of office as a member terminated, save in respect of the resumption of any previously held public office at the same level;
 - (b) whether directly or indirectly, in any manner support or oppose any of the parties or candidates participating in the elections, or any of the issues in contention between such parties or candidates;

- (c) by his or her membership, association, statement, conduct or in any other manner, jeopardise his or her perceived independence, or in any other manner harm the credibility, impartiality, independence or integrity of the Commission;
- (d) make private use of or profit from any confidential information gained as a result of his or her appointment and functions as such member;
- (e) divulge any such information to any third party save in the course and scope of his or her official functions and with the prior approval of the Commission;
- (f) accept any remuneration, emolument or benefit, of whatever nature, arising from any other employment or occupation or the holding of any other office, unless specifically authorised thereto by the State President, acting upon the advice of the Transitional Executive Council;
- (g) during his or her term of office be eligible to serve as a member of the Transitional Executive Council, Parliament or any other legislature, and such ineligibility shall continue for a period of 18 months reckoned from the date upon which the term of office has terminated; and
- (h) after having served as such member, be eligible to serve as a member of Parliament or any other legislature for which that Commission was responsible to conduct elections, during the term of such Parliament or legislature.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
2. A signed acceptance of the nomination by the nominee.
3. A brief *curriculum vitae* providing at least the following information:
 - (a) Full name, date of birth and sex;
 - (b) contact address and telephone number;
 - (c) previous experience, quoting dates and organisations concerned;
 - (d) academic qualifications; and
 - (e) names, addresses and telephone numbers of two references.

CLOSING DATE FOR NOMINATIONS:

Nominations must reach: The Planning Committee, Multiparty Negotiating Process, Private Bag X878, Pretoria, 0001 or fax (011) 397-2918 not later than 17 November 1993.

Further information may be obtained by calling (011) 397-2074 between 08:00 and 16:30.

ESTABLISHMENT OF THE INDEPENDENT MEDIA COMMISSION

In preparation for the establishment of the Independent Media Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of Chairperson and/or Commissioner of the Independent Media Commission.

The primary objectives of the Commission are to

- (a) ensure equitable treatment of all political parties by all broadcast services; and
- (b) ensure that State-financed publications and State information services are not used to advance the interests of any political party, whether directly or indirectly,

during the election period.

REQUIREMENTS:

The chairperson of the Commission shall be

- (a) a judge or retired judge of the Supreme Court of South Africa, or
- (b) a practising advocate or practising attorney of at least 5 year's standing or a magistrate with at least 10 year's appropriate experience.

At least two of the commissioners shall have experience in the field of the broadcasting media and at least one in the field of the printed media. The commissioners shall be persons

- (a) of high standing and merit, suited to serve on the Commission by virtue of their qualifications, expertise and experience;
- (b) who are committed to fairness, freedom of expression, the right of the public to be informed, and openness and accountability on the part of those holding public office; and
- (c) who are committed to the objectives and principles of the Independent Media Commission Act, 1993.

Persons disqualified from being commissioners:

1. A person shall not be appointed or remain a commissioner if such person
 - (a) is not a citizen of and not permanently resident in the Republic;
 - (b) at the relevant time holds, or during the preceding 12 months held, an office of profit under the State, subject to the provisions of section 5(1) of the Independent Media Commission Act, 1993;
 - (c) at the relevant time is, or during the preceding 12 months was, a member of the Transitional Executive Council or Parliament or of any provincial government, or the legislature of the Republic of Transkei, the Republic of Bophuthatswana, the Republic of Venda or the Republic of Ciskei or any self-governing territory, or if he or she so is or was a member of any local authority;
 - (d) at the relevant time is, or during the preceding 12 months was, an office-bearer or employee of any party, movement, organisation or body of a party-political nature;
 - (e) directly or indirectly, whether personally or through his or her spouse, partner or associate, has a direct or indirect financial interest in the telecommunications, broadcasting or printed media industry;

(f) or his or her spouse, partner or associate, holds an office in or with, or is employed by, any person or company, organisation or other body, whether corporate or incorporate, which has a direct or indirect financial interest of the nature contemplated in paragraph (e);

(g) is an unrehabilitated insolvent;

(h) is subject to an order of a competent court declaring him or her to be mentally ill or disordered;

(i) is convicted, after the commencement of the Independent Media Commission Act, 1993, whether in the Republic or elsewhere, of an offence for which he or she has been sentenced to imprisonment without the option of a fine;

(j) at any time prior to the commencement of the said Act was convicted, or at any time after such commencement is convicted

(i) in the Republic, of theft, fraud, forgery and uttering a forged document, perjury or an offence in terms of the Corruption Act, 1992 (Act No 94 of 1992); or

(ii) elsewhere, of any offence corresponding materially with any offence referred to in subparagraph (i); or

(iii) whether in the Republic or elsewhere, of any other offence involving dishonesty; or

(k) is or has been convicted of any offence under the Independent Media Commission Act, 1993.

2. For the purpose of paragraph 1, 'spouse' includes a *de facto* spouse.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
2. A signed acceptance of the nomination by the nominee.
3. A brief *curriculum vitae* providing at least the following information:
 - (a) Full name, date of birth and sex;
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MULTI-PARTY NEGOTIATING PROCESS

P O Box 307, Isando, 1600

Telephone: 011-397-1198 Fax: 011-397-2211

TO : BOPHUTHATSWANA DELEGATION
FAX NO : 0140 - 842733
FROM : ADMIN.
DATE : 03. 11. 93
PAGES : 5 including cover sheet.
RE :

IF THE MESSAGE OR COPY YOU RECEIVE IS INCOMPLETE OR INDISTINCT, PLEASE ADVISE US IMMEDIATELY AT THE ABOVE NUMBER.

TRANSMISSION REPORT

THIS DOCUMENT WAS CONFIRMED
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TOTAL 0:03'46" 5

NOTE:

No. : OPERATION NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION
PD : POLLED BY REMOTE SF : STORE & FORWARD RI : RELAY INITIATE RS : RELAY STATION
MB : SEND TO MAILBOX PG : POLLING A REMOTE MP : MULTI-POLLING RM : RECEIVE TO MEMORY

MULTI-PARTY NEGOTIATING PROCESS

P O Box 307, Isando, 1600

Telephone: 011-397-1198 Fax: 011-397-2211

TO : THE INKATHA DELEGATION
FAX NO : (0358) 202 167
FROM : ADMIN
DATE : 03. 11. 93
PAGES : 5 including cover sheet
RE :

IF THE MESSAGE OR COPY YOU RECEIVE IS INCOMPLETE OR INDISTINCT, PLEASE ADVISE US IMMEDIATELY AT THE ABOVE NUMBER.

TRANSMISSION REPORT

THIS DOCUMENT WAS CONFIRMED
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TOTAL 0:03'07" 5

NOTE:

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PD : POLLED BY REMOTE SF : STORE & FORWARD RI : RELAY INITIATE RS : RELAY STATION
MB : SEND TO MAILBOX PG : POLLING A REMOTE MP : MULTI-POLLING RM : RECEIVE TO MEMORY

MULTI-PARTY NEGOTIATING PROCESS

P O Box 307 Isando 1600

Tel : 011 397-1198 Fax : 011 397-2211

TO ALL TRADITIONAL LEADER DELEGATIONS IN THE MULTI-PARTY NEGOTIATING PROCESS

The Delegation

Orange Free State Traditional Leaders

1. The Negotiating Council instructed the Planning Committee to take steps in preparation for the effective and timeous installation of the Transitional Executive Council, the Independent Media Commission and the Independent Electoral Commission, as and when this is effected by a plenary session of the Multi-Party Negotiating Process. Approval and confirmation of some of the steps taken will rest with the Transitional Executive Council once it assumes office.
2. As you are no doubt aware, these structures of the transition - up to the holding of the elections - are provided for in four Acts which were passed by Parliament during its recent session. The precise date on which these Acts will come into operation will be determined by the Multi-Party Negotiating Process. In the meantime, it is necessary to ensure that when the decision is taken, the establishment of the institutions can come about rapidly and without delay.
3. In the light of the above, it has been decided that parties in the Multi-Party Negotiating Process be invited to
 - (a) nominate their delegate and alternate to the TEC; and
 - (b) suggest names for the IEC and IMC.

However, in the case of traditional leaders a problem has arisen with regard to whether the TEC Act, as it stands, enables them to participate in the TEC and its subcouncils. If an amendment to the TEC Act is necessary to clarify this, it can be effected by a Negotiating Council decision taken prior to the November parliamentary session. Whilst the suggested amendment is being considered, traditional leaders will have to be given the opportunity to nominate their delegate and alternate on the TEC. In this regard we refer you to the discussions you had with a Planning Committee member on 2 November instant. Until the Multi-Party Negotiating Process has been

4. This therefore serves to inform you that the invitation meant for the traditional leader delegations from the Transvaal, Cape and Orange Free State can only be sent out after the traditional leaders in each of the said provinces have convened meetings of all traditional leaders in each of these areas in order to set up a formal and identifiable structure to facilitate contact.
5. In this regard we refer you to the discussions you had with a member of the Planning Committee on 2 November 1993. The Multi-Party Negotiating Process should be advised formally by each traditional leaders' delegation of the above process and of the duly appointed contact person of the formal structure including her/his address, telephone or fax number.

The Multi-Party Negotiating Process will then submit the invitation to the contact person for consideration by the formal structure established by the traditional leaders.



PJ Gordhan
Current Chairperson : Planning Committee

04 November 1993

MULTI-PARTY NEGOTIATING PROCESS

P O Box 307 Isando 1600

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The Delegation
Transvaal Traditional Leaders

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PJ Gordhan
Current Chairperson : Planning Committee

04 November 1993

VEELPARTY ONDERHANDELINGSPROSES

Posbus 307 Isando 1600

Tel : 011 397-1198 Faks : 011 397-2211

**AAN ALLE REGERINGS / POLITIEKE PARTYE / ORGANISASIES /
ADMINISTRASIES WAT BY DIE VEELPARTYONDERHANDELINGSPROSES
BETROKKE WAS OF STEEDS IS**

Die Afvaardiging
Afrikaner Volksunie

Die Onderhandelingsraad het die Beplanningskomitee opdrag gegee om stappe te neem om die effektiewe en tydige instelling van die Uitvoerende Oorgangsraad, die Onafhanklike Media Kommissie en die Onafhanklike Verkiesingskommissie te verseker soos en wanneer die Veelparty Onderhandelingsproses op 'n algemene vergadering so sou besluit. Goedkeuring en bevestiging van sommige van dié stappe sal by die Uitvoerende Oorgangsraad berus sodra dit totstand gekom het.

Soos u ongetwyfeld weet, word daar in vier Wette wat deur die Parlement tydens die onlangse sitting aanvaar is, tot en met die verkiesing, voorsiening gemaak vir die oorgangstrukture. Die presiese dag en datum waarop hierdie Wette in werking gestel sal word, sal deur die Veelparty Onderhandelingsproses bepaal word. Intussen is dit nodig om te verseker dat wanneer daardie besluit geneem word, die onderskeie instansies vinnig en sonder vertraging totstand sal kom.

Die Uitvoerende Oorgangsraad (UOR)

Die Wet op die Uitvoerende Oorgangsraad maak voorsiening vir die instelling van so 'n Raad en artikel 4 van die Wet handel in besonder oor die samestelling van die Raad.

Indien u Regering/Politieke Party/Organisasie/Administrasie van voornemens is om aan die Raad deel te neem, word u hiermee versoek om die name van die afgevaardigde en plaasvervangende lid wat u op die Raad gaan verteenwoordig, in te dien. U word vriendelik versoek om hierdie nominasies nie later as 12 November 1993 in te dien nie en dit sal aanvaar word dat u genomineerdes die nominasies aanvaar het. Voorsien asseblief ook 'n kontak-adres, telefoonnommer en indien moontlik 'n telefaksnommer vir albei genomineerdes.

Onafhanklike Verkiesingskommissie (OVK)

In terme van Artikel 5(1) van die Wet op die Onafhanklike Verkiesingskommissie moet die OVK uit 7 tot 11 lede bestaan "wat onpartydige, gerespekteerde en toepaslik gekwalifiseerde mans en vroue is, nie 'n hoë partypolitieke profiel het nie, self kiesers is, en 'n breë deursnee van die bevolking verteenwoordig".

Indien u Regering/Politieke Party/Organisasie/Administrasie van voornemens is om persone vir die OVK te nomineer, word u vriendelik versoek om dit nie later as 17 November 1993 te doen nie. Dit sal aanvaar word dat u genomineerdes tot hulle nominasies ingestem het. Voorsien asseblief ook 'n kontak-adres, telefoonnommer en indien moontlik, 'n telefaksnommer vir u genomineerdes.

Onafhanklike Mediakommissie (OMK)

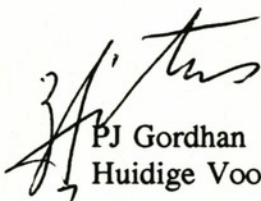
Artikel 4 van die Wet op die Onafhanklike Mediakommissie maak voorsiening daarvoor dat die Kommissie uit hoogstens 7 lede sal bestaan. Die vereistes waaraan persone wat vir hierdie posisies genomineer word, moet voldoen, word in Artikel 5 van die Wet uiteengesit.

Indien u Regering/Politieke Party/Organisasie/Administrasie van voornemens is om persone vir die OMK te benoem, word u vriendelik versoek om dit nie later as 17 November 1993 te doen nie. Dit sal aanvaar word dat u genomineerdes tot hulle nominasies ingestem het. Voorsien asseblief ook 'n kontak-adres, telefoonnommer en indien moontlik, 'n telefaksnommer vir u genomineerdes.

Afsluiting

Die nominasies vir die OVK en OMK word versoek ten einde die taak van die UOR met die skepping van die twee liggame te vergemaklik.

Aangeheg vir u inligting is kopieë van artikel 4 van die Wet op die Oorgangsraad asook van die advertensies wat betrekking het op die twee kommissies, wat op 7 November 1993 gaan verskyn.



PJ Gordhan
Huidige Voorsitter : Beplanningskomitee

03 November 1993

● **VEELPARTY ONDERHANDELINGSPROSES**

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**AAN ALLE REGERINGS / POLITIEKE PARTYE / ORGANISASIES /
ADMINISTRASIES WAT BY DIE VEELPARTYONDERHANDELINGSPROSES
BETROKKE WAS OF STEEDS IS**

Die Afvaardiging
Konservatiewe Party

Die Onderhandelingsraad het die Beplanningskomitee opdrag gegee om stappe te neem om die effektiewe en tydige instelling van die Uitvoerende Oorgangsraad, die Onafhanklike Media Kommissie en die Onafhanklike Verkiesingskommissie te verseker soos en wanneer die Veelparty Onderhandelingsproses op 'n algemene vergadering so sou besluit. Goedkeuring en bevestiging van sommige van dié stappe sal by die Uitvoerende Oorgangsraad berus sodra dit totstand gekom het.

Soos u ongetwyfeld weet, word daar in vier Wette wat deur die Parlement tydens die onlangse sitting aanvaar is, tot en met die verkiesing, voorsiening gemaak vir die oorgangstrukture. Die presiese dag en datum waarop hierdie Wette in werking gestel sal word, sal deur die Veelparty Onderhandelingsproses bepaal word. Intussen is dit nodig om te verseker dat wanneer daardie besluit geneem word, die onderskeie instansies vinnig en sonder vertraging totstand sal kom.

Die Uitvoerende Oorgangsraad (UOR)

Die Wet op die Uitvoerende Oorgangsraad maak voorsiening vir die instelling van so 'n Raad en artikel 4 van die Wet handel in besonder oor die samestelling van die Raad.

Indien u Regering/Politieke Party/Organisasie/Administrasie van voornemens is om aan die Raad deel te neem, word u hiermee versoek om die name van die afgevaardigde en plaasvervangende lid wat u op die Raad gaan verteenwoordig, in te dien. U word vriendelik versoek om hierdie nominasies nie later as 12 November 1993 in te dien nie en dit sal aanvaar word dat u genomineerdes die nominasies aanvaar het. Voorsien asseblief ook 'n kontak-adres, telefoonnommer en indien moontlik 'n telefaksnommer vir albei genomineerdes.

Onafhanklike Verkiesingskommissie (OVK)

In terme van Artikel 5(1) van die Wet op die Onafhanklike Verkiesingskommissie moet die OVK uit 7 tot 11 lede bestaan "wat onpartydige, gerespekteerde en toepaslik gekwalifiseerde mans en vroue is, nie 'n hoë partypolitiese profiel het nie, self kiesers is, en 'n breë deursnee van die bevolking verteenwoordig".

Indien u Regering/Politiese Party/Organisasie/Administrasie van voornemens is om persone vir die OVK te nomineer, word u vriendelik versoek om dit nie later as 17 November 1993 te doen nie. Dit sal aanvaar word dat u genomineerdes tot hulle nominasies ingestem het. Voorsien asseblief ook 'n kontak-adres, telefoonnommer en indien moontlik, 'n telefaksnommer vir u genomineerdes.

Onafhanklike Mediakommissie (OMK)


Artikel 4 van die Wet op die Onafhanklike Mediakommissie maak voorsiening daarvoor dat die Kommissie uit hoogstens 7 lede sal bestaan. Die vereistes waaraan persone wat vir hierdie posisies genomineer word, moet voldoen, word in Artikel 5 van die Wet uiteengesit.

Indien u Regering/Politiese Party/Organisasie/Administrasie van voornemens is om persone vir die OMK te benoem, word u vriendelik versoek om dit nie later as 17 November 1993 te doen nie. Dit sal aanvaar word dat u genomineerdes tot hulle nominasies ingestem het. Voorsien asseblief ook 'n kontak-adres, telefoonnommer en indien moontlik, 'n telefaksnommer vir u genomineerdes.

Afsluiting

Die nominasies vir die OVK en OMK word versoek ten einde die taak van die UOR met die skepping van die twee liggame te vergemaklik.

Aangeheg vir u inligting is kopieë van artikel 4 van die Wet op die Oorgangsraad asook van die advertensies wat betrekking het op die twee kommissies, wat op 7 November 1993 gaan verskyn.


PJ Gordhan
Huidige Voorsitter : Beplanningskomitee

03 November 1993

● **MULTI-PARTY NEGOTIATING PROCESS**

P O Box 307 Isando 1600

Tel : 011 397-1198 Fax : 011 397-2211

**TO ALL GOVERNMENTS / POLITICAL PARTIES / ORGANISATIONS /
ADMINISTRATIONS PREVIOUSLY OR CURRENTLY INVOLVED IN
THE MULTI-PARTY NEGOTIATION PROCESS**

The Delegation
Bophuthatswana Government

The Negotiating Council instructed the Planning Committee to take steps in preparation for the effective and timeous installation of the Transitional Executive Council, the Independent Media Commission and the Independent Electoral Commission, as and when this is effected by a plenary session of the Multi-Party Negotiating Process. Approval and confirmation of some of the steps taken will rest with the Transitional Executive Council once it assumes office.

As you are no doubt aware, these structures of the transition - up to the holding of the elections - are provided for in four Acts which were passed by Parliament during its recent session. The precise date on which these Acts will come into operation will be determined by the Multi-Party Negotiating Process. In the meantime, it is necessary to ensure that when the decision is taken, the establishment of the institutions is effected rapidly and without delay.

The Transitional Executive Council (TEC)

The Transitional Executive Council Act provides for the setting up of a Transitional Executive Council. In particular, Section 4 deals with the constitution of the Council.

If your Government/Political Party/Organisation/Administration intends participating in the Council, you are hereby requested to forward the names of the delegate and alternate member who would represent you in the Transitional Executive Council. You are kindly requested to forward these nominations by not later than 12 November 1993 and it will be assumed that your nominees have accepted the nomination. Please also provide a contact address, telephone number and, if possible, fax number for each of your nominees.

Independent Electoral Commission (IEC)

In terms of Section 5(1) of the Independent Electoral Commission Act, the Independent Electoral Commission shall consist of not fewer than 7 and not more than 11 members "who shall be impartial, respected and suitably qualified men and women, who do not have a high party-political profile, are themselves voters, and represent a broad cross section of the population".

If your Government/Political Party/Organisation/Administration wishes to submit nominations for the Independent Electoral Commission, you are kindly requested to forward these by not later than 17 November 1993. It will be assumed that your nominees have accepted nomination. Please also provide a contact address, telephone and, if possible, fax number for each of your nominees.

Independent Media Commission (IMC)

Section 4 of the Independent Media Commission Act provides that the Commission shall be composed of not more than 7 members. The qualifications required of persons nominated for this position are outlined in Section 5 of the Act.

If your Government/Political Party/Organisation/Administration wishes to do so, you are hereby requested to forward your nominations for the Independent Media Commission by not later than 17 November 1993. It will be assumed that your nominees have accepted nomination. Please provide a contact address, telephone and, if possible, fax number for each of your nominees.

Finally

The nominations for the IEC and IMC are called for in order to facilitate the task of the TEC with regard to the establishment of the Independent Electoral Commission and the Independent Media Commission. Attached are copies of the various adverts regarding these Commissions for your information.


P. Gordhan

Current Chairperson : Planning Committee

03 November 1993

ESTABLISHMENT OF THE INDEPENDENT MEDIA COMMISSION

In preparation for the establishment of the Independent Media Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of Chairperson and/or Commissioner of the Independent Media Commission.

The primary objectives of the Commission are to

- (a) ensure equitable treatment of all political parties by all broadcast services; and
- (b) ensure that State-financed publications and State information services are not used to advance the interests of any political party, whether directly or indirectly,

during the election period.

REQUIREMENTS:

The chairperson of the Commission shall be

- (a) a judge or retired judge of the Supreme Court of South Africa, or
- (b) a practising advocate or practising attorney of at least 5 year's standing or a magistrate with at least 10 year's appropriate experience.

At least two of the commissioners shall have experience in the field of the broadcasting media and at least one in the field of the printed media. The commissioners shall be persons

- (a) of high standing and merit, suited to serve on the Commission by virtue of their qualifications, expertise and experience;
- (b) who are committed to fairness, freedom of expression, the right of the public to be informed, and openness and accountability on the part of those holding public office; and
- (c) who are committed to the objectives and principles of the Independent Media Commission Act, 1993.

Persons disqualified from being commissioners:

1. A person shall not be appointed or remain a commissioner if such person
 - (a) is not a citizen of and not permanently resident in the Republic;
 - (b) at the relevant time holds, or during the preceding 12 months held, an office of profit under the State, subject to the provisions of section 5(1) of the Independent Media Commission Act, 1993;
 - (c) at the relevant time is, or during the preceding 12 months was, a member of the Transitional Executive Council or Parliament or of any provincial government, or the legislature of the Republic of Transkei, the Republic of Bophuthatswana, the Republic of Venda or the Republic of Ciskei or any self-governing territory, or if he or she so is or was a member of any local authority;
 - (d) at the relevant time is, or during the preceding 12 months was, an office-bearer or employee of any party, movement, organisation or body of a party-political nature;
 - (e) directly or indirectly, whether personally or through his or her spouse, partner or associate, has a direct or indirect financial interest in the telecommunications, broadcasting or printed media industry;

(f) or his or her spouse, partner or associate, holds an office in or with, or is employed by, any person or company, organisation or other body, whether corporate or incorporate, which has a direct or indirect financial interest of the nature contemplated in paragraph (e);

(g) is an unrehabilitated insolvent;

(h) is subject to an order of a competent court declaring him or her to be mentally ill or disordered;

(i) is convicted, after the commencement of the Independent Media Commission Act, 1993, whether in the Republic or elsewhere, of an offence for which he or she has been sentenced to imprisonment without the option of a fine;

(j) at any time prior to the commencement of the said Act was convicted, or at any time after such commencement is convicted

(i) in the Republic, of theft, fraud, forgery and uttering a forged document, perjury or an offence in terms of the Corruption Act, 1992 (Act No 94 of 1992); or

(ii) elsewhere, of any offence corresponding materially with any offence referred to in subparagraph (i); or

(iii) whether in the Republic or elsewhere, of any other offence involving dishonesty; or

(k) is or has been convicted of any offence under the Independent Media Commission Act, 1993.

2. For the purpose of paragraph 1, 'spouse' includes a *de facto* spouse.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
2. A signed acceptance of the nomination by the nominee.
3. A brief *curriculum vitae* providing at least the following information:
 - (a) Full name, date of birth and sex;
 - (b) contact address and telephone number;
 - (c) previous experience, quoting dates and organisations concerned;
 - (d) academic qualifications; and
 - (e) names, addresses and telephone numbers of two references.

CLOSING DATE FOR NOMINATIONS:

Nominations must reach: The Planning Committee, Multiparty Negotiating Process, Private Bag X878, Pretoria, 0001 or fax (011) 397-2918 not later than 17 November 1993.

Further information may be obtained by calling (011) 397-2074 between 08:00 and 16:30.

ESTABLISHMENT OF THE INDEPENDENT ELECTORAL COMMISSION

In preparation for the establishment of the Independent Electoral Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of member of the Independent Electoral Commission.

The objectives of the Commission are to

- (a) administer, organise, supervise and conduct, whether directly or indirectly, free and fair elections for the National Assembly and all other legislatures in terms of the Constitution and the Electoral Act;
- (b) promote conditions conducive to free and fair elections;
- (c) determine and certify the results of elections, and to certify to what extent such elections have been free and fair;
- (d) conduct voter education; and
- (e) make and enforce regulations for the achievement of such objectives.

REQUIREMENTS:

Nominees should be impartial, respected and suitably qualified, should not have a high party-political profile, and should themselves be voters.

CONDUCT REQUIRED OF MEMBERS:

1. Every member of the Commission shall
 - (a) be appointed in his or her individual capacity, and shall notwithstanding any personal opinion, preference or party affiliation, serve impartially and independently and perform his or her functions in good faith and without fear, favour, bias or prejudice;
 - (b) serve in a full-time capacity to the exclusion of any other duty or obligation arising out of any other employment or occupation or the holding of any other office.
2. No member of the Commission shall
 - (a) during his or her term of office be eligible for appointment or nomination to any political or public office, whether involving remuneration or not; such ineligibility in respect of such public office shall continue for a period of 18 months reckoned from the date upon which the term of office as a member terminated, save in respect of the resumption of any previously held public office at the same level;
 - (b) whether directly or indirectly, in any manner support or oppose any of the parties or candidates participating in the elections, or any of the issues in contention between such parties or candidates;

- (c) by his or her membership, association, statement, conduct or in any other manner, jeopardise his or her perceived independence, or in any other manner harm the credibility, impartiality, independence or integrity of the Commission;
- (d) make private use of or profit from any confidential information gained as a result of his or her appointment and functions as such member;
- (e) divulge any such information to any third party save in the course and scope of his or her official functions and with the prior approval of the Commission;
- (f) accept any remuneration, emolument or benefit, of whatever nature, arising from any other employment or occupation or the holding of any other office, unless specifically authorised thereto by the State President, acting upon the advice of the Transitional Executive Council;
- (g) during his or her term of office be eligible to serve as a member of the Transitional Executive Council, Parliament or any other legislature, and such ineligibility shall continue for a period of 18 months reckoned from the date upon which the term of office has terminated; and
- (h) after having served as such member, be eligible to serve as a member of Parliament or any other legislature for which that Commission was responsible to conduct elections, during the term of such Parliament or legislature.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
2. A signed acceptance of the nomination by the nominee.
3. A brief *curriculum vitae* providing at least the following information:
 - (a) Full name, date of birth and sex;
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MULTI-PARTY NEGOTIATING PROCESS

P O Box 307, Isando, 1600

Telephone: 011-397-1198 Fax: 011-397-2211

TO : THE CISKEI GOVERNMENT
FAX NO : 0401 - 92651
FROM : ADMIN
DATE : 03. 11. 93
PAGES : 5 including cover sheet
RE :

IF THE MESSAGE OR COPY YOU RECEIVE IS INCOMPLETE OR INDISTINCT, PLEASE ADVISE US IMMEDIATELY AT THE ABOVE NUMBER.

TRANSMISSION REPORT

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TOTAL PAGES SCANNED : 5
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No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
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TOTAL 0:03'04" 5

NOTE:

No. : OPERATION NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION
PD : POLLED BY REMOTE SF : STORE & FORWARD R1 : RELAY INITIATE RS : RELAY STATION
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MULTI-PARTY NEGOTIATING PROCESS

P O Box 307 Isando 1600

Tel : 011 397-1198 Fax : 011 397-2211

**TO ALL GOVERNMENTS / POLITICAL PARTIES / ORGANISATIONS /
ADMINISTRATIONS PREVIOUSLY OR CURRENTLY INVOLVED IN
THE MULTI-PARTY NEGOTIATION PROCESS**

The Delegation
Ciskei Government

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As you are no doubt aware, these structures of the transition - up to the holding of the elections - are provided for in four Acts which were passed by Parliament during its recent session. The precise date on which these Acts will come into operation will be determined by the Multi-Party Negotiating Process. In the meantime, it is necessary to ensure that when the decision is taken, the establishment of the institutions is effected rapidly and without delay.

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In terms of Section 5(1) of the Independent Electoral Commission Act, the Independent Electoral Commission shall consist of not fewer than 7 and not more than 11 members "who shall be impartial, respected and suitably qualified men and women, who do not have a high party-political profile, are themselves voters, and represent a broad cross section of the population".

If your Government/Political Party/Organisation/Administration wishes to submit nominations for the Independent Electoral Commission, you are kindly requested to forward these by not later than 17 November 1993. It will be assumed that your nominees have accepted nomination. Please also provide a contact address, telephone and, if possible, fax number for each of your nominees.

Independent Media Commission (IMC)

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If your Government/Political Party/Organisation/Administration wishes to do so, you are hereby requested to forward your nominations for the Independent Media Commission by not later than 17 November 1993. It will be assumed that your nominees have accepted nomination. Please provide a contact address, telephone and, if possible, fax number for each of your nominees.

Finally

The nominations for the IEC and IMC are called for in order to facilitate the task of the TEC with regard to the establishment of the Independent Electoral Commission and the Independent Media Commission. Attached are copies of the various adverts regarding these Commissions for your information.


PJ Gordhan

Current Chairperson : Planning Committee

03 November 1993

ESTABLISHMENT OF THE INDEPENDENT MEDIA COMMISSION

In preparation for the establishment of the Independent Media Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of Chairperson and/or Commissioner of the Independent Media Commission.

The primary objectives of the Commission are to

- (a) ensure equitable treatment of all political parties by all broadcast services; and
- (b) ensure that State-financed publications and State information services are not used to advance the interests of any political party, whether directly or indirectly,

during the election period.

REQUIREMENTS:

The chairperson of the Commission shall be

- (a) a judge or retired judge of the Supreme Court of South Africa, or
- (b) a practising advocate or practising attorney of at least 5 year's standing or a magistrate with at least 10 year's appropriate experience.

At least two of the commissioners shall have experience in the field of the broadcasting media and at least one in the field of the printed media. The commissioners shall be persons

- (a) of high standing and merit, suited to serve on the Commission by virtue of their qualifications, expertise and experience;
- (b) who are committed to fairness, freedom of expression, the right of the public to be informed, and openness and accountability on the part of those holding public office; and
- (c) who are committed to the objectives and principles of the Independent Media Commission Act, 1993.

Persons disqualified from being commissioners:

1. A person shall not be appointed or remain a commissioner if such person
 - (a) is not a citizen of and not permanently resident in the Republic;
 - (b) at the relevant time holds, or during the preceding 12 months held, an office of profit under the State, subject to the provisions of section 5(1) of the Independent Media Commission Act, 1993;
 - (c) at the relevant time is, or during the preceding 12 months was, a member of the Transitional Executive Council or Parliament or of any provincial government, or the legislature of the Republic of Transkei, the Republic of Bophuthatswana, the Republic of Venda or the Republic of Ciskei or any self-governing territory, or if he or she so is or was a member of any local authority;
 - (d) at the relevant time is, or during the preceding 12 months was, an office-bearer or employee of any party, movement, organisation or body of a party-political nature;
 - (e) directly or indirectly, whether personally or through his or her spouse, partner or associate, has a direct or indirect financial interest in the telecommunications, broadcasting or printed media industry;

(f) or his or her spouse, partner or associate, holds an office in or with, or is employed by, any person or company, organisation or other body, whether corporate or incorporate, which has a direct or indirect financial interest of the nature contemplated in paragraph (e);

(g) is an unrehabilitated insolvent;

(h) is subject to an order of a competent court declaring him or her to be mentally ill or disordered;

(i) is convicted, after the commencement of the Independent Media Commission Act, 1993, whether in the Republic or elsewhere, of an offence for which he or she has been sentenced to imprisonment without the option of a fine;

(j) at any time prior to the commencement of the said Act was convicted, or at any time after such commencement is convicted

(i) in the Republic, of theft, fraud, forgery and uttering a forged document, perjury or an offence in terms of the Corruption Act, 1992 (Act No 94 of 1992); or

(ii) elsewhere, of any offence corresponding materially with any offence referred to in subparagraph (i); or

(iii) whether in the Republic or elsewhere, of any other offence involving dishonesty; or

(k) is or has been convicted of any offence under the Independent Media Commission Act, 1993.

2. For the purpose of paragraph 1, 'spouse' includes a *de facto* spouse.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
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ESTABLISHMENT OF THE INDEPENDENT ELECTORAL COMMISSION

In preparation for the establishment of the Independent Electoral Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of member of the Independent Electoral Commission.

The objectives of the Commission are to

- (a) administer, organise, supervise and conduct, whether directly or indirectly, free and fair elections for the National Assembly and all other legislatures in terms of the Constitution and the Electoral Act;
- (b) promote conditions conducive to free and fair elections;
- (c) determine and certify the results of elections, and to certify to what extent such elections have been free and fair;
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REQUIREMENTS:

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 - (b) whether directly or indirectly, in any manner support or oppose any of the parties or candidates participating in the elections, or any of the issues in contention between such parties or candidates;

- (c) by his or her membership, association, statement, conduct or in any other manner, jeopardise his or her perceived independence, or in any other manner harm the credibility, impartiality, independence or integrity of the Commission;
- (d) make private use of or profit from any confidential information gained as a result of his or her appointment and functions as such member;
- (e) divulge any such information to any third party save in the course and scope of his or her official functions and with the prior approval of the Commission;
- (f) accept any remuneration, emolument or benefit, of whatever nature, arising from any other employment or occupation or the holding of any other office, unless specifically authorised thereto by the State President, acting upon the advice of the Transitional Executive Council;
- (g) during his or her term of office be eligible to serve as a member of the Transitional Executive Council, Parliament or any other legislature, and such ineligibility shall continue for a period of 18 months reckoned from the date upon which the term of office has terminated; and
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MULTI-PARTY NEGOTIATING PROCESS

P O Box 307, Isando, 1600

Telephone: 011-397-1198 Fax: 011-397-2211

TO : KWAZULU DELEGATION
FAX NO : 0358 - 202439
FROM : Admin.
DATE : 03.11.93
PAGES : 5 including cover sheet.
RE :

IF THE MESSAGE OR COPY YOU RECEIVE IS INCOMPLETE OR INDISTINCT, PLEASE ADVISE US IMMEDIATELY AT THE ABOVE NUMBER.

TRANSMISSION REPORT

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No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
1	0358 202470	3-11-93 16:40	3'27"	5/ 5		COMPLETED 9600

TOTAL 0:03'27" 5

NOTE:

No. : OPERATION NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION
PD : POLLED BY REMOTE SF : STORE & FORWARD R1 : RELAY INITIATE RS : RELAY STATION
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**TO ALL GOVERNMENTS / POLITICAL PARTIES / ORGANISATIONS /
ADMINISTRATIONS PREVIOUSLY OR CURRENTLY INVOLVED IN
THE MULTI-PARTY NEGOTIATION PROCESS**

The Delegation
KwaZulu Government

The Negotiating Council instructed the Planning Committee to take steps in preparation for the effective and timeous installation of the Transitional Executive Council, the Independent Media Commission and the Independent Electoral Commission, as and when this is effected by a plenary session of the Multi-Party Negotiating Process. Approval and confirmation of some of the steps taken will rest with the Transitional Executive Council once it assumes office.

As you are no doubt aware, these structures of the transition - up to the holding of the elections - are provided for in four Acts which were passed by Parliament during its recent session. The precise date on which these Acts will come into operation will be determined by the Multi-Party Negotiating Process. In the meantime, it is necessary to ensure that when the decision is taken, the establishment of the institutions is effected rapidly and without delay.

The Transitional Executive Council (TEC)

The Transitional Executive Council Act provides for the setting up of a Transitional Executive Council. In particular, Section 4 deals with the constitution of the Council.

If your Government/Political Party/Organisation/Administration intends participating in the Council, you are hereby requested to forward the names of the delegate and alternate member who would represent you in the Transitional Executive Council. You are kindly requested to forward these nominations by not later than 12 November 1993 and it will be assumed that your nominees have accepted the nomination. Please also provide a contact address, telephone number and, if possible, fax number for each of your nominees.

Independent Electoral Commission (IEC)

In terms of Section 5(1) of the Independent Electoral Commission Act, the Independent Electoral Commission shall consist of not fewer than 7 and not more than 11 members "who shall be impartial, respected and suitably qualified men and women, who do not have a high party-political profile, are themselves voters, and represent a broad cross section of the population".

If your Government/Political Party/Organisation/Administration wishes to submit nominations for the Independent Electoral Commission, you are kindly requested to forward these by not later than 17 November 1993. It will be assumed that your nominees have accepted nomination. Please also provide a contact address, telephone and, if possible, fax number for each of your nominees.

Independent Media Commission (IMC)

Section 4 of the Independent Media Commission Act provides that the Commission shall be composed of not more than 7 members. The qualifications required of persons nominated for this position are outlined in Section 5 of the Act.

If your Government/Political Party/Organisation/Administration wishes to do so, you are hereby requested to forward your nominations for the Independent Media Commission by not later than 17 November 1993. It will be assumed that your nominees have accepted nomination. Please provide a contact address, telephone and, if possible, fax number for each of your nominees.

Finally

The nominations for the IEC and IMC are called for in order to facilitate the task of the TEC with regard to the establishment of the Independent Electoral Commission and the Independent Media Commission. Attached are copies of the various adverts regarding these Commissions for your information.



PJ Gordhan
Current Chairperson : Planning Committee

03 November 1993

ESTABLISHMENT OF THE INDEPENDENT MEDIA COMMISSION

In preparation for the establishment of the Independent Media Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of Chairperson and/or Commissioner of the Independent Media Commission.

The primary objectives of the Commission are to

- (a) ensure equitable treatment of all political parties by all broadcast services; and
- (b) ensure that State-financed publications and State information services are not used to advance the interests of any political party, whether directly or indirectly,

during the election period.

REQUIREMENTS:

The chairperson of the Commission shall be

- (a) a judge or retired judge of the Supreme Court of South Africa, or
- (b) a practising advocate or practising attorney of at least 5 year's standing or a magistrate with at least 10 year's appropriate experience.

At least two of the commissioners shall have experience in the field of the broadcasting media and at least one in the field of the printed media. The commissioners shall be persons

- (a) of high standing and merit, suited to serve on the Commission by virtue of their qualifications, expertise and experience;
- (b) who are committed to fairness, freedom of expression, the right of the public to be informed, and openness and accountability on the part of those holding public office; and
- (c) who are committed to the objectives and principles of the Independent Media Commission Act, 1993.

Persons disqualified from being commissioners:

1. A person shall not be appointed or remain a commissioner if such person
 - (a) is not a citizen of and not permanently resident in the Republic;
 - (b) at the relevant time holds, or during the preceding 12 months held, an office of profit under the State, subject to the provisions of section 5(1) of the Independent Media Commission Act, 1993;
 - (c) at the relevant time is, or during the preceding 12 months was, a member of the Transitional Executive Council or Parliament or of any provincial government, or the legislature of the Republic of Transkei, the Republic of Bophuthatswana, the Republic of Venda or the Republic of Ciskei or any self-governing territory, or if he or she so is or was a member of any local authority;
 - (d) at the relevant time is, or during the preceding 12 months was, an office-bearer or employee of any party, movement, organisation or body of a party-political nature;
 - (e) directly or indirectly, whether personally or through his or her spouse, partner or associate, has a direct or indirect financial interest in the telecommunications, broadcasting or printed media industry;

- (f) or his or her spouse, partner or associate, holds an office in or with, or is employed by, any person or company, organisation or other body, whether corporate or incorporate, which has a direct or indirect financial interest of the nature contemplated in paragraph (e);
- (g) is an unrehabilitated insolvent;
- (h) is subject to an order of a competent court declaring him or her to be mentally ill or disordered;
- (i) is convicted, after the commencement of the Independent Media Commission Act, 1993, whether in the Republic or elsewhere, of an offence for which he or she has been sentenced to imprisonment without the option of a fine;
- (j) at any time prior to the commencement of the said Act was convicted, or at any time after such commencement is convicted
 - (i) in the Republic, of theft, fraud, forgery and uttering a forged document, perjury or an offence in terms of the Corruption Act, 1992 (Act No 94 of 1992); or
 - (ii) elsewhere, of any offence corresponding materially with any offence referred to in subparagraph (i); or
 - (iii) whether in the Republic or elsewhere, of any other offence involving dishonesty; or
- (k) is or has been convicted of any offence under the Independent Media Commission Act, 1993.

2. For the purpose of paragraph 1, 'spouse' includes a *de facto* spouse.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
2. A signed acceptance of the nomination by the nominee.
3. A brief *curriculum vitae* providing at least the following information:
 - (a) Full name, date of birth and sex;
 - (b) contact address and telephone number;
 - (c) previous experience, quoting dates and organisations concerned;
 - (d) academic qualifications; and
 - (e) names, addresses and telephone numbers of two references.

CLOSING DATE FOR NOMINATIONS:

Nominations must reach: The Planning Committee, Multiparty Negotiating Process, Private Bag X878, Pretoria, 0001 or fax (011) 397-2918 not later than 17 November 1993.

Further information may be obtained by calling (011) 397-2074 between 08:00 and 16:30.

ESTABLISHMENT OF THE INDEPENDENT ELECTORAL COMMISSION

In preparation for the establishment of the Independent Electoral Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of member of the Independent Electoral Commission.

The objectives of the Commission are to

- (a) administer, organise, supervise and conduct, whether directly or indirectly, free and fair elections for the National Assembly and all other legislatures in terms of the Constitution and the Electoral Act;
- (b) promote conditions conducive to free and fair elections;
- (c) determine and certify the results of elections, and to certify to what extent such elections have been free and fair;
- (d) conduct voter education; and
- (e) make and enforce regulations for the achievement of such objectives.

REQUIREMENTS:

Nominees should be impartial, respected and suitably qualified, should not have a high party-political profile, and should themselves be voters.

CONDUCT REQUIRED OF MEMBERS:

1. Every member of the Commission shall
 - (a) be appointed in his or her individual capacity, and shall notwithstanding any personal opinion, preference or party affiliation, serve impartially and independently and perform his or her functions in good faith and without fear, favour, bias or prejudice;
 - (b) serve in a full-time capacity to the exclusion of any other duty or obligation arising out of any other employment or occupation or the holding of any other office.
2. No member of the Commission shall
 - (a) during his or her term of office be eligible for appointment or nomination to any political or public office, whether involving remuneration or not; such ineligibility in respect of such public office shall continue for a period of 18 months reckoned from the date upon which the term of office as a member terminated, save in respect of the resumption of any previously held public office at the same level;
 - (b) whether directly or indirectly, in any manner support or oppose any of the parties or candidates participating in the elections, or any of the issues in contention between such parties or candidates;

- (c) by his or her membership, association, statement, conduct or in any other manner, jeopardise his or her perceived independence, or in any other manner harm the credibility, impartiality, independence or integrity of the Commission;
- (d) make private use of or profit from any confidential information gained as a result of his or her appointment and functions as such member;
- (e) divulge any such information to any third party save in the course and scope of his or her official functions and with the prior approval of the Commission;
- (f) accept any remuneration, emolument or benefit, of whatever nature, arising from any other employment or occupation or the holding of any other office, unless specifically authorised thereto by the State President, acting upon the advice of the Transitional Executive Council;
- (g) during his or her term of office be eligible to serve as a member of the Transitional Executive Council, Parliament or any other legislature, and such ineligibility shall continue for a period of 18 months reckoned from the date upon which the term of office has terminated; and
- (h) after having served as such member, be eligible to serve as a member of Parliament or any other legislature for which that Commission was responsible to conduct elections, during the term of such Parliament or legislature.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
2. A signed acceptance of the nomination by the nominee.
3. A brief *curriculum vitae* providing at least the following information:
 - (a) Full name, date of birth and sex;
 - (b) contact address and telephone number;
 - (c) previous experience, quoting dates and organisations concerned;
 - (d) academic qualifications; and
 - (e) names, addresses and telephone numbers of two references.

CLOSING DATE FOR NOMINATIONS:

Nominations must reach: The Planning Committee, Multiparty Negotiating Process, Private Bag X878, Pretoria, 0001 or fax (011) 397-2918 not later than 17 November 1993.

Further information may be obtained by calling (011) 397-2074 between 08:00 and 16:30.

MULTI-PARTY NEGOTIATING PROCESS

P O Box 307 Isando 1600

Tel : 011 397-1198 Fax : 011 397-2211

TO ALL TRADITIONAL LEADER DELEGATIONS IN THE MULTI-PARTY NEGOTIATING PROCESS

The Delegation
Cape Traditional Leaders

1. The Negotiating Council instructed the Planning Committee to take steps in preparation for the effective and timeous installation of the Transitional Executive Council, the Independent Media Commission and the Independent Electoral Commission, as and when this is effected by a plenary session of the Multi-Party Negotiating Process. Approval and confirmation of some of the steps taken will rest with the Transitional Executive Council once it assumes office.
2. As you are no doubt aware, these structures of the transition - up to the holding of the elections - are provided for in four Acts which were passed by Parliament during its recent session. The precise date on which these Acts will come into operation will be determined by the Multi-Party Negotiating Process. In the meantime, it is necessary to ensure that when the decision is taken, the establishment of the institutions can come about rapidly and without delay.
3. In the light of the above, it has been decided that parties in the Multi-Party Negotiating Process be invited to
 - (a) nominate their delegate and alternate to the TEC; and
 - (b) suggest names for the IEC and IMC.

However, in the case of traditional leaders a problem has arisen with regard to whether the TEC Act, as it stands, enables them to participate in the TEC and its subcouncils. If an amendment to the TEC Act is necessary to clarify this, it can be effected by a Negotiating Council decision taken prior to the November parliamentary session. Whilst the suggested amendment is being considered, traditional leaders will have to be given the opportunity to nominate their delegate and alternate on the TEC. In this regard we refer you to the discussions you had with a Planning Committee member on 2 November instant. Until the Multi-Party Negotiating Process has been

4. This therefore serves to inform you that the invitation meant for the traditional leader delegations from the Transvaal, Cape and Orange Free State can only be sent out after the traditional leaders in each of the said provinces have convened meetings of all traditional leaders in each of these areas in order to set up a formal and identifiable structure to facilitate contact.

5. In this regard we refer you to the discussions you had with a member of the Planning Committee on 2 November 1993. The Multi-Party Negotiating Process should be advised formally by each traditional leaders' delegation of the above process and of the duly appointed contact person of the formal structure including her/his address, telephone or fax number.

The Multi-Party Negotiating Process will then submit the invitation to the contact person for consideration by the formal structure established by the traditional leaders.



PJ Gordhan
Current Chairperson : Planning Committee

04 November 1993

MULTI-PARTY NEGOTIATING PROCESS

P O Box 307, Isando, 1600

Telephone: 011-397-1198 Fax: 011-397-2211

TO : *KONSERWATIEWE PARTY*
FAX NO : *012 - 342 - 3912*
FROM : *ADMIN.*
DATE : *03. 11. 93*
PAGES : *5 including cover sheet.*
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PD : POLLED BY REMOTE SF : STORE & FORWARD R1 : RELAY INITIATE RS : RELAY STATION
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● **VEELPARTY ONDERHANDELINGSPROSES**

Posbus 307 Isando 1600

Tel : 011 397-1198 Faks : 011 397-2211

**AAN ALLE REGERINGS / POLITIEKE PARTYE / ORGANISASIES /
ADMINISTRASIES WAT BY DIE VEELPARTYONDERHANDELINGSPROSES
BETROKKE WAS OF STEEDS IS**

Die Afvaardiging
Konservatiewe Party

Die Onderhandelingsraad het die Beplanningskomitee opdrag gegee om stappe te neem om die effektiewe en tydige instelling van die Uitvoerende Oorgangsraad, die Onafhanklike Media Kommissie en die Onafhanklike Verkiesingskommissie te verseker soos en wanneer die Veelparty Onderhandelingsproses op 'n algemene vergadering so sou besluit. Goedkeuring en bevestiging van sommige van dié stappe sal by die Uitvoerende Oorgangsraad berus sodra dit totstand gekom het.

Soos u ongetwyfeld weet, word daar in vier Wette wat deur die Parlement tydens die onlangse sitting aanvaar is, tot en met die verkiesing, voorsiening gemaak vir die oorgangstrukture. Die presiese dag en datum waarop hierdie Wette in werking gestel sal word, sal deur die Veelparty Onderhandelingsproses bepaal word. Intussen is dit nodig om te verseker dat wanneer daardie besluit geneem word, die onderskeie instansies vinnig en sonder vertraging totstand sal kom.

Die Uitvoerende Oorgangsraad (UOR)

Die Wet op die Uitvoerende Oorgangsraad maak voorsiening vir die instelling van so 'n Raad en artikel 4 van die Wet handel in besonder oor die samestelling van die Raad.

Indien u Regering/Politieke Party/Organisasie/Administrasie van voornemens is om aan die Raad deel te neem, word u hiermee versoek om die name van die afgevaardigde en plaasvervangende lid wat u op die Raad gaan verteenwoordig, in te dien. U word vriendelik versoek om hierdie nominasies nie later as 12 November 1993 in te dien nie en dit sal aanvaar word dat u genomineerdes die nominasies aanvaar het. Voorsien asseblief ook 'n kontak-adres, telefoonnommer en indien moontlik 'n telefaksnommer vir albei genomineerdes.

Onafhanklike Verkiesingskommissie (OVK)

In terme van Artikel 5(1) van die Wet op die Onafhanklike Verkiesingskommissie moet die OVK uit 7 tot 11 lede bestaan "wat onpartydige, gerespekterde en toepaslik gekwalifiseerde mans en vroue is, nie 'n hoë partypolitieke profiel het nie, self kiesers is, en 'n breë deursnee van die bevolking verteenwoordig".

Indien u Regering/Politieke Party/Organisasie/Administrasie van voornemens is om persone vir die OVK te nomineer, word u vriendelik versoek om dit nie later as 17 November 1993 te doen nie. Dit sal aanvaar word dat u genomineerdes tot hulle nominasies ingestem het. Voorsien asseblief ook 'n kontak-adres, telefoonnommer en indien moontlik, 'n telefaksnommer vir u genomineerdes.

Onafhanklike Mediakommissie (OMK)

Artikel 4 van die Wet op die Onafhanklike Mediakommissie maak voorsiening daarvoor dat die Kommissie uit hoogstens 7 lede sal bestaan. Die vereistes waaraan persone wat vir hierdie posisies genomineer word, moet voldoen, word in Artikel 5 van die Wet uiteengesit.

Indien u Regering/Politieke Party/Organisasie/Administrasie van voornemens is om persone vir die OMK te benoem, word u vriendelik versoek om dit nie later as 17 November 1993 te doen nie. Dit sal aanvaar word dat u genomineerdes tot hulle nominasies ingestem het. Voorsien asseblief ook 'n kontak-adres, telefoonnommer en indien moontlik, 'n telefaksnommer vir u genomineerdes.

Afsluiting

Die nominasies vir die OVK en OMK word versoek ten einde die taak van die UOR met die skepping van die twee liggame te vergemaklik.

Aangeheg vir u inligting is kopieë van artikel 4 van die Wet op die Oorgangsraad asook van die advertensies wat betrekking het op die twee kommissies, wat op 7 November 1993 gaan verskyn.



PJ Gordhan
Huidige Voorsitter : Beplanningskomitee

03 November 1993

ESTABLISHMENT OF THE INDEPENDENT MEDIA COMMISSION

In preparation for the establishment of the Independent Media Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of Chairperson and/or Commissioner of the Independent Media Commission.

The primary objectives of the Commission are to

- (a) ensure equitable treatment of all political parties by all broadcast services; and
- (b) ensure that State-financed publications and State information services are not used to advance the interests of any political party, whether directly or indirectly,

during the election period.

REQUIREMENTS:

The chairperson of the Commission shall be

- (a) a judge or retired judge of the Supreme Court of South Africa, or
- (b) a practising advocate or practising attorney of at least 5 year's standing or a magistrate with at least 10 year's appropriate experience.

At least two of the commissioners shall have experience in the field of the broadcasting media and at least one in the field of the printed media. The commissioners shall be persons

- (a) of high standing and merit, suited to serve on the Commission by virtue of their qualifications, expertise and experience;
- (b) who are committed to fairness, freedom of expression, the right of the public to be informed, and openness and accountability on the part of those holding public office; and
- (c) who are committed to the objectives and principles of the Independent Media Commission Act, 1993.

Persons disqualified from being commissioners:

1. A person shall not be appointed or remain a commissioner if such person
 - (a) is not a citizen of and not permanently resident in the Republic;
 - (b) at the relevant time holds, or during the preceding 12 months held, an office of profit under the State, subject to the provisions of section 5(1) of the Independent Media Commission Act, 1993;
 - (c) at the relevant time is, or during the preceding 12 months was, a member of the Transitional Executive Council or Parliament or of any provincial government, or the legislature of the Republic of Transkei, the Republic of Bophuthatswana, the Republic of Venda or the Republic of Ciskei or any self-governing territory, or if he or she so is or was a member of any local authority;
 - (d) at the relevant time is, or during the preceding 12 months was, an office-bearer or employee of any party, movement, organisation or body of a party-political nature;
 - (e) directly or indirectly, whether personally or through his or her spouse, partner or associate, has a direct or indirect financial interest in the telecommunications, broadcasting or printed media industry;

- (f) or his or her spouse, partner or associate, holds an office in or with, or is employed by, any person or company, organisation or other body, whether corporate or incorporate, which has a direct or indirect financial interest of the nature contemplated in paragraph (e);
- (g) is an unrehabilitated insolvent;
- (h) is subject to an order of a competent court declaring him or her to be mentally ill or disordered;
- (i) is convicted, after the commencement of the Independent Media Commission Act, 1993, whether in the Republic or elsewhere, of an offence for which he or she has been sentenced to imprisonment without the option of a fine;
- (j) at any time prior to the commencement of the said Act was convicted, or at any time after such commencement is convicted
 - (i) in the Republic, of theft, fraud, forgery and uttering a forged document, perjury or an offence in terms of the Corruption Act, 1992 (Act No 94 of 1992); or
 - (ii) elsewhere, of any offence corresponding materially with any offence referred to in subparagraph (i); or
 - (iii) whether in the Republic or elsewhere, of any other offence involving dishonesty; or
- (k) is or has been convicted of any offence under the Independent Media Commission Act, 1993.

2. For the purpose of paragraph 1, 'spouse' includes a *de facto* spouse.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
2. A signed acceptance of the nomination by the nominee.
3. A brief *curriculum vitae* providing at least the following information:
 - (a) Full name, date of birth and sex;
 - (b) contact address and telephone number;
 - (c) previous experience, quoting dates and organisations concerned;
 - (d) academic qualifications; and
 - (e) names, addresses and telephone numbers of two references.

CLOSING DATE FOR NOMINATIONS:

Nominations must reach: The Planning Committee, Multiparty Negotiating Process, Private Bag X878, Pretoria, 0001 or fax (011) 397-2918 not later than 17 November 1993.

Further information may be obtained by calling (011) 397-2074 between 08:00 and 16:30.

ESTABLISHMENT OF THE INDEPENDENT ELECTORAL COMMISSION

In preparation for the establishment of the Independent Electoral Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of member of the Independent Electoral Commission.

The objectives of the Commission are to

- (a) administer, organise, supervise and conduct, whether directly or indirectly, free and fair elections for the National Assembly and all other legislatures in terms of the Constitution and the Electoral Act;
- (b) promote conditions conducive to free and fair elections;
- (c) determine and certify the results of elections, and to certify to what extent such elections have been free and fair;
- (d) conduct voter education; and
- (e) make and enforce regulations for the achievement of such objectives.

REQUIREMENTS:

Nominees should be impartial, respected and suitably qualified, should not have a high party-political profile, and should themselves be voters.

CONDUCT REQUIRED OF MEMBERS:

1. Every member of the Commission shall
 - (a) be appointed in his or her individual capacity, and shall notwithstanding any personal opinion, preference or party affiliation, serve impartially and independently and perform his or her functions in good faith and without fear, favour, bias or prejudice;
 - (b) serve in a full-time capacity to the exclusion of any other duty or obligation arising out of any other employment or occupation or the holding of any other office.
2. No member of the Commission shall
 - (a) during his or her term of office be eligible for appointment or nomination to any political or public office, whether involving remuneration or not; such ineligibility in respect of such public office shall continue for a period of 18 months reckoned from the date upon which the term of office as a member terminated, save in respect of the resumption of any previously held public office at the same level;
 - (b) whether directly or indirectly, in any manner support or oppose any of the parties or candidates participating in the elections, or any of the issues in contention between such parties or candidates;

- (c) by his or her membership, association, statement, conduct or in any other manner, jeopardise his or her perceived independence, or in any other manner harm the credibility, impartiality, independence or integrity of the Commission;
- (d) make private use of or profit from any confidential information gained as a result of his or her appointment and functions as such member;
- (e) divulge any such information to any third party save in the course and scope of his or her official functions and with the prior approval of the Commission;
- (f) accept any remuneration, emolument or benefit, of whatever nature, arising from any other employment or occupation or the holding of any other office, unless specifically authorised thereto by the State President, acting upon the advice of the Transitional Executive Council;
- (g) during his or her term of office be eligible to serve as a member of the Transitional Executive Council, Parliament or any other legislature, and such ineligibility shall continue for a period of 18 months reckoned from the date upon which the term of office has terminated; and
- (h) after having served as such member, be eligible to serve as a member of Parliament or any other legislature for which that Commission was responsible to conduct elections, during the term of such Parliament or legislature.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
2. A signed acceptance of the nomination by the nominee.
3. A brief *curriculum vitae* providing at least the following information:
 - (a) Full name, date of birth and sex;
 - (b) contact address and telephone number;
 - (c) previous experience, quoting dates and organisations concerned;
 - (d) academic qualifications; and
 - (e) names, addresses and telephone numbers of two references.

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- (a) administer, organise, supervise and conduct, whether directly or indirectly, free and fair elections for the National Assembly and all other legislatures in terms of the Constitution and the Electoral Act;
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- (c) determine and certify the results of elections, and to certify to what extent such elections have been free and fair;
- (d) conduct voter education; and
- (e) make and enforce regulations for the achievement of such objectives.

REQUIREMENTS:

Nominees should be impartial, respected and suitably qualified, should not have a high party-political profile, and should themselves be voters.

CONDUCT REQUIRED OF MEMBERS:

1. Every member of the Commission shall
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 - (b) serve in a full-time capacity to the exclusion of any other duty or obligation arising out of any other employment or occupation or the holding of any other office.
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 - (a) during his or her term of office be eligible for appointment or nomination to any political or public office, whether involving remuneration or not; such ineligibility in respect of such public office shall continue for a period of 18 months reckoned from the date upon which the term of office as a member terminated, save in respect of the resumption of any previously held public office at the same level;
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- (c) by his or her membership, association, statement, conduct or in any other manner, jeopardise his or her perceived independence, or in any other manner harm the credibility, impartiality, independence or integrity of the Commission;
- (d) make private use of or profit from any confidential information gained as a result of his or her appointment and functions as such member;
- (e) divulge any such information to any third party save in the course and scope of his or her official functions and with the prior approval of the Commission;
- (f) accept any remuneration, emolument or benefit, of whatever nature, arising from any other employment or occupation or the holding of any other office, unless specifically authorised thereto by the State President, acting upon the advice of the Transitional Executive Council;
- (g) during his or her term of office be eligible to serve as a member of the Transitional Executive Council, Parliament or any other legislature, and such ineligibility shall continue for a period of 18 months reckoned from the date upon which the term of office has terminated; and
- (h) after having served as such member, be eligible to serve as a member of Parliament or any other legislature for which that Commission was responsible to conduct elections, during the term of such Parliament or legislature.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
2. A signed acceptance of the nomination by the nominee.
3. A brief *curriculum vitae* providing at least the following information:
 - (a) Full name, date of birth and sex;
 - (b) contact address and telephone number;
 - (c) previous experience, quoting dates and organisations concerned;
 - (d) academic qualifications; and
 - (e) names, addresses and telephone numbers of two references.

CLOSING DATE FOR NOMINATIONS:

Nominations must reach: The Planning Committee, Multiparty Negotiating Process, Private Bag X878, Pretoria, 0001 or fax (011) 397-2918 not later than 17 November 1993.

Further information may be obtained by calling (011) 397-2074 between 08:00 and 16:30.

ESTABLISHMENT OF THE INDEPENDENT MEDIA COMMISSION

In preparation for the establishment of the Independent Media Commission, as and when this is effected by the Multiparty Negotiating Process and or the Transitional Executive Council, nominations are invited from members of the public or organisations for the office of Chairperson and/or Commissioner of the Independent Media Commission.

The primary objectives of the Commission are to

- (a) ensure equitable treatment of all political parties by all broadcast services; and
- (b) ensure that State-financed publications and State information services are not used to advance the interests of any political party, whether directly or indirectly,

during the election period.

REQUIREMENTS:

The chairperson of the Commission shall be

- (a) a judge or retired judge of the Supreme Court of South Africa, or
- (b) a practising advocate or practising attorney of at least 5 year's standing or a magistrate with at least 10 year's appropriate experience.

At least two of the commissioners shall have experience in the field of the broadcasting media and at least one in the field of the printed media. The commissioners shall be persons

- (a) of high standing and merit, suited to serve on the Commission by virtue of their qualifications, expertise and experience;
- (b) who are committed to fairness, freedom of expression, the right of the public to be informed, and openness and accountability on the part of those holding public office; and
- (c) who are committed to the objectives and principles of the Independent Media Commission Act, 1993.

Persons disqualified from being commissioners:

1. A person shall not be appointed or remain a commissioner if such person
 - (a) is not a citizen of and not permanently resident in the Republic;
 - (b) at the relevant time holds, or during the preceding 12 months held, an office of profit under the State, subject to the provisions of section 5(1) of the Independent Media Commission Act, 1993;
 - (c) at the relevant time is, or during the preceding 12 months was, a member of the Transitional Executive Council or Parliament or of any provincial government, or the legislature of the Republic of Transkei, the Republic of Bophuthatswana, the Republic of Venda or the Republic of Ciskei or any self-governing territory, or if he or she so is or was a member of any local authority;
 - (d) at the relevant time is, or during the preceding 12 months was, an office-bearer or employee of any party, movement, organisation or body of a party-political nature;
 - (e) directly or indirectly, whether personally or through his or her spouse, partner or associate, has a direct or indirect financial interest in the telecommunications, broadcasting or printed media industry;

- (f) or his or her spouse, partner or associate, holds an office in or with, or is employed by, any person or company, organisation or other body, whether corporate or incorporate, which has a direct or indirect financial interest of the nature contemplated in paragraph (e);
- (g) is an unrehabilitated insolvent;
- (h) is subject to an order of a competent court declaring him or her to be mentally ill or disordered;
- (i) is convicted, after the commencement of the Independent Media Commission Act, 1993, whether in the Republic or elsewhere, of an offence for which he or she has been sentenced to imprisonment without the option of a fine;
- (j) at any time prior to the commencement of the said Act was convicted, or at any time after such commencement is convicted
 - (i) in the Republic, of theft, fraud, forgery and uttering a forged document, perjury or an offence in terms of the Corruption Act, 1992 (Act No 94 of 1992); or
 - (ii) elsewhere, of any offence corresponding materially with any offence referred to in subparagraph (i); or
 - (iii) whether in the Republic or elsewhere, of any other offence involving dishonesty; or
- (k) is or has been convicted of any offence under the Independent Media Commission Act, 1993.

2. For the purpose of paragraph 1, 'spouse' includes a *de facto* spouse.

NOMINATION PARTICULARS:

Nominations must be in writing and contain the following:

1. Full name and address of person or organisation making the nomination.
2. A signed acceptance of the nomination by the nominee.
3. A brief *curriculum vitae* providing at least the following information:
 - (a) Full name, date of birth and sex;
 - (b) contact address and telephone number;
 - (c) previous experience, quoting dates and organisations concerned;
 - (d) academic qualifications; and
 - (e) names, addresses and telephone numbers of two references.

CLOSING DATE FOR NOMINATIONS:

Nominations must reach: The Planning Committee, Multiparty Negotiating Process, Private Bag X878, Pretoria, 0001 or fax (011) 397-2918 not later than 17 November 1993.

Further information may be obtained by calling (011) 397-2074 between 08:00 and 16:30.