



TRANSPARENCY, ACCESSIBILITY & ACCOUNTABILITY
Stellenbosch University

**STUDENT COURT
OF STELLENBOSCH UNIVERSITY**

REPUBLIC OF SOUTH AFRICA

**IN THE MATTER BETWEEN
ELECTORAL COMMISSION**

Applicant

And

**GOLDFIELDS ELECTION COMMITTEE
GOLDFIELDS DISCIPLINARY COMMITTEE
MALAZA
SITHOLE**

**First Respondent
Second Respondent
Third Respondent
Fourth Respondent**

Neutral Citation: *Electoral Commission v Goldfields Residence (Interim Order)*
03/09/24

Judgment: Steyn DCJ (Bryant CJ, Swanepoel, Bester & Mudzingiranwa JJ
concurring)

Decided on: 03 September 2024

INTERIM ORDER

STEYN DCJ

[1] The Applicant approached this Honourable Court on Monday, 19 August 2024, on an urgent basis, seeking this Honourable Court to set aside the decision taken by the Goldfields Election Committee.

[2] The decision in question was to disqualify Ms Matale, from the Goldfields Residence Primaria/us election which was set to take place later that week on 21 August 2024.

[3] The Goldfields Election Committee came to this decision after Ms Matale approached the Applicant, the Electoral Commission, with complaints regarding the first Goldfields Residence Primaria/us election which took place on 1 August 2024. The Electoral Commission, after investigation, declared that election as invalid.

[4] This Honourable Court was, and still is, of the opinion that the facts averred by the Applicant were of a serious enough nature for this Honourable Court to hand down an interdict, preventing the second election from taking place. This Honourable Court handed down said interdict on 20 August 2024.

[5] After following a hastened court process, the matter was heard by the full bench of this Honourable Court on 28 August 2024. This Honourable Court decided to withhold judgment until a later date.

[6] Despite the Goldfields Residence Primaria/us election still being interdicted, it took place later that evening on 28 August 2024. This Honourable Court, after careful consideration, has decided to hand down the following interim order before final judgement is made.

Order

[7] This Honourable Court orders as follows:

[1] The results of the election which took place on 28 August 2024 are hereby upheld as valid insofar as the election be procedurally fair;

[2] This Honourable Court will not find the results of the first election as binding.


STEYN DCJ



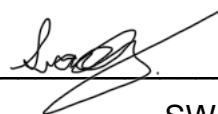
STEYN DCJ



BRYANT CJ



BESTER J



SWANEPOEL J



MUDZINGIRANWA J