

PARLIAMENT (PETITIONS) ACT

ACT No. 8 of 2013



I ASSENT

.....
MSWATI III
KING OF SWAZILAND
.....**2013**

AN ACT
Entitled

An Act to make provision with respect to applications to the High Court for the determination of questions whether a person has been validly elected or appointed as a Member of the Senate, House of Assembly, Indvuna yeNkhundla or Bucopho; whether a person has been validly elected as President or Deputy President of the Senate, or Speaker or Deputy Speaker of the House of Assembly; or whether any person having been validly elected as President, Deputy President, Speaker or Deputy Speaker has validly vacated office; and to provide for matters incidental thereto.

ENACTED by the King and the Parliament of Swaziland.

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

1. Short title.
2. Interpretation.

PART II

SENATE

3. Avoidance of election, or appointment of candidate on petition.
4. Who may present petition.
5. Time for presentation of petition.
6. Votes to be struck off at scrutiny.

PART III

HOUSE OF ASSEMBLY

7. Avoidance of election, or appointment of candidate on petition.
8. Who may present petition.
9. Time for presentation of petition.
10. When court may hold certain acts or omissions to be exempt from the provisions of the Elections Act.
11. Votes to be struck off at scrutiny.

PART IV

SENATE AND HOUSE OF ASSEMBLY

12. Report of court as to corrupt practice or other offence in connection with election.
13. Exoneration of candidate in certain cases of corrupt practice or other offence by an agent.
14. Disciplinary action on report of corrupt practice.
15. Relief which may be claimed.
16. Where failure to comply with the Senate Act and the Elections Act does not affect result of election.
17. Trial of petition.
18. Witnesses required to answer questions.
19. Certificate of court as to validity of election or appointment.

PART V

PRESIDENT AND SPEAKER AND THEIR DEPUTIES

20. Petition relating to election of person as President or Deputy President of Senate.
21. Petition relating to election of person as Speaker or Deputy Speaker of House of Assembly.

PART VI

VACANT SEAT

22. Petition relating to vacant seat.

PART VII

INDVUNA YENKHUNDLA AND BUCOPHO

23. Avoidance of election or appointment of candidate on petition.
24. Who may present petition.
25. Time for presentation of petition.
26. When court may hold certain acts or omissions to be exempt from the provisions of the Elections Act.
27. Votes to be struck off at scrutiny.

PART VIII

GENERAL

28. Respondent not opposing petition.
29. Special case.
30. Practice and procedure.
31. Extension of time.
32. Repeal.

AN ACT

Entitled

An Act to make provision with respect to applications to the High Court for the determination of questions whether a person has been validly elected or appointed as a Member of the Senate, House of Assembly, Indvuna yeNkhundla or Bucopho; whether a person has been validly elected as President or Deputy President of the Senate, or Speaker or Deputy Speaker of the House of Assembly; or whether any person having been validly elected as President, Deputy President, Speaker or Deputy Speaker has validly vacated office; and to provide for matters incidental thereto.

ENACTED by the King and the Parliament of Swaziland.

PART I

PRELIMINARY

Short title and commencement

1. (1) This Act may be cited as the Parliament (Petitions) Act, 2013.
- (2) This Act shall come into force on the date of publication in the Gazette.

Interpretation

2. (1) In this Act, unless the context otherwise requires—

“Bucopho” means the executive committee of an Inkhundla referred to under section 81 of the Constitution;

“Commission” means the Elections and Boundaries Commission established in terms of section 3 of the Elections and Boundaries Commission Act, 2013;

“court” means the High Court;

“Elections Act” means the Elections Act, 2013;

“Indvuna yeNkhundla” means the chairperson of Bucopho referred to under section 81(3) of the Constitution;

“Member” means a Member of the House of Assembly;

“Minister” means the Minister responsible for Elections;

“petition” means a petition under this Act;

“satisfied”, in relation to the court, means satisfied on a balance of probabilities;

“Senator” means a Member of the Senate;

“Senate Act” means the Senate (Elections) Act, 2013.

(2) In this Act, unless the context otherwise requires, expressions used with reference to—

- (a) the Elections Act, 2013; or
- (b) the Senate (Elections) Act, 2013

have the same meaning as in those Acts, respectively.

PART II

SENATE

Avoidance of election, or appointment of candidate on petition.

3. (1) The election or appointment of a candidate as a Senator shall not be questioned except on a petition presented to the court requesting that the election or appointment be declared void.

(2) The election or appointment of a candidate as a Senator shall be declared void on any of the following grounds, which are proved to the satisfaction of the court, namely—

- (a) that, by reason of corrupt practices or other circumstances, the majority of the Members entitled to vote were or may have been prevented from voting for the candidate they preferred;
- (b) that, in connection with the election or appointment, an offence was committed by the candidate;
- (c) subject to section 16, that there was a non-compliance with either the Constitution or the Senate (Elections) Act; or
- (d) that the candidate was, at the time of the election or appointment, a person not qualified, or was a person disqualified, for election or appointment as a Senator.

Who may present petition.

4. A petition under this Part may, in terms of section 105(3) of the Constitution, be presented to the court by the Attorney-General, a Senator or any aggrieved person.

Time for presentation of petition.

5. (1) A petition under this Part shall be presented within fourteen days from the date of publication in the Gazette of a notice published in accordance with section 17 of the Senate (Elections) Act.

(2) Notwithstanding subsection (1), a petition questioning the election upon the ground of an offence in connection with the election of the Senator whose election is questioned and specifically alleging a payment of valuable consideration or any other act to have been done by the Senator, or with the knowledge or concurrence of the Senator, in pursuance or in furtherance of such an offence, may, with respect to that offence, be presented at any time within twenty eight days after the payment or act.

(3) A petition may, with the leave of the court, be amended within the time during which it may be presented.

Votes to be struck off at scrutiny.

6. On a scrutiny at the trial of a petition under this Part, the following votes only shall be struck off, namely—

- (a) the vote of a person who was not a Member entitled to vote in the manner prescribed by section 94(2) of the Constitution;
- (b) the vote of a person whose vote was procured by bribery, treating or undue influence;
- (c) subject to section 16 of the Senate (Elections) Act, the vote of a person proved to have voted more than once at the election; and
- (d) the vote of a person convicted of an offence in connection with the election.

PART III

HOUSE OF ASSEMBLY

Avoidance of election or appointment of candidate on petition.

7. (1) The election or appointment of a candidate as a Member shall not be questioned except on a petition presented to the court requesting that the election or appointment be declared void.

(2) The election or appointment of a candidate as a Member shall be declared void on any of the following grounds, which are proved to the satisfaction of the court, namely—

- (a) that, by reason of corrupt practices or other circumstances, the majority of voters were or may have been prevented from electing the candidate they preferred;
- (b) subject to sections 10 and 13, that an offence in connection with the election was committed by the candidate;
- (c) subject to section 16, that there was a non-compliance with the Constitution and the Elections Act;
- (d) that the candidate was, at the time of the election or appointment of the candidate, a person not qualified, or was a person disqualified, for election or appointment as a Member.

Who may present petition.

8. A petition under this Part may, in terms of section 105(3) of the Constitution, be presented to the court by the Attorney-General, any Member or any aggrieved person.

Time for presentation of petition.

9. (1) A petition relating to the election of an elected Member shall be presented within fourteen calendar days from the date of publication of the result of the election under the provisions of section 69 of the Elections Act.

(2) Notwithstanding subsection (1), a petition questioning the election upon the ground of a corrupt practice and specifically alleging a payment of valuable consideration or any other act to have been made or done since the date referred to in subsection (1) by the Member whose election is questioned may, with respect to that corrupt practice, be presented at any time within fourteen days after the payment or act.

(3) A petition relating to the appointment of a Member shall be presented within fourteen days from the date of publication, in the Gazette, of a notice by the Attorney-General of the appointment of the nominated Member.

(4) A petition presented in due time may, for the purpose of questioning the nomination or the election upon an allegation of a corrupt or an illegal practice or any other offence in connection with the election, be amended with the leave of the court within the time within which a petition, questioning the return or the election upon that ground, may be presented.

When court may hold certain acts or omissions to be exempt from the provisions of the Elections Act.

10. (1) If it is shown to the court, either on application or upon a petition, by such evidence as to the court seems sufficient—

- (a) that the act or omission of a person would, apart from this section, be an offence under the Elections Act; or
- (b) that the act or omission referred to in paragraph (a) arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith; and that, under the circumstances, it seems to the court to be just that such person shall not be subject to any of the consequences, under the Elections Act,

the court may make an order allowing the act or omission to be an exception from the provisions of the Elections Act which would otherwise make the act or omission an offence and, thereupon, that person shall not be subject to any of the consequences of that act or omission.

(2) Subsection (1) does not apply in relation to an offence under sections 78, 82 and 84 of the Elections Act.

(3) Where an application is made for relief in terms of this section—

- (a) the court, before hearing the application, shall be satisfied that reasonable notice of the application has been given in the Umphakatsi or Inkhundla in which the election was held; and
- (b) no criminal proceedings for an offence under the Elections Act shall be commenced in respect of the act or omission that is the subject of the application, and any such proceedings already commenced shall be stayed until the application has been finally disposed of.

(4) Evidence tendered under subsection (1) may, subject to a right of cross-examination, be proved in criminal proceedings for an offence under the Elections Act.

Votes to be struck off at scrutiny.

11. (1) On a scrutiny at the trial of a petition, the following votes only shall be struck off, namely—

- (a) the vote of a person whose name was not on the register of voters assigned to the polling station at which the vote was recorded or who has not been authorised to vote at the station under the provisions of section 48 (1) (a) of the Elections Act;
- (b) the vote of a person whose vote was procured by bribery, treating or undue influence;
- (c) the vote of a person who committed or aided, abetted, counselled or procured the commission of the offence of personation at the election;
- (d) the vote of a person proved to have voted more than once at the election; and
- (e) the vote of a person who was disqualified, under section 89 of the Constitution, from voting at the election.

(2) The vote of a registered voter shall not, except in the case specified in subsection (1)(e), be struck off at a scrutiny by reason only of the voter not having been, or not being, qualified to have the name of that voter entered on the register of voters.

(3) On a scrutiny, a tendered vote proved to be a valid vote not added to the poll shall, on the application of a party to the petition, be added to the poll.

PART IV

SENATE AND HOUSE OF ASSEMBLY

Report of court as to corrupt practice or other offence in connection with election.

12. (1) At the conclusion of the trial of a petition relating to the election of a Senator or an elected Member, the court shall also report in writing to the Commission—

- (a) whether a corrupt practice or any other offence in connection with the election has or has not been proved, to the satisfaction of the court, to have been committed by or with the knowledge and consent of a candidate at the election or by the agent of that candidate and the nature of the corrupt practice or offence, if any; and

- (b) the names and descriptions of all persons, if any, who were proved at the trial to have committed a corrupt practice or any other offence in connection with the election.

(2) Before a person, not being a party to a petition nor a candidate on behalf of whom the seat is claimed by a petition, is reported under this section by the court, the court shall give that person an opportunity of being heard and of giving and calling evidence to show why that person should not be so reported.

(3) Where the court reports that a corrupt practice or any other offence in connection with the election has been committed by a person, that person is subject to the same incapacities as if at the date of the report that person had been convicted of that practice or other offence and a candidate at the election is subject to the same incapacities if the court reports that a corrupt practice or any other offence in connection with the election was committed with the knowledge or consent of the candidate or, subject to section 13, by the agent of that candidate.

(4) The Chairperson of the Commission shall cause a copy of the report to be published in the Gazette, and the Chairperson shall with fourteen days of the publication of the report peruse the report, after which the Chairperson shall immediately delete from the register of voters the name of every person appearing from the report to be disqualified from voting at an election.

Exoneration of candidate in certain cases of corrupt practice or other offence by an agent.

13. (1) Where upon the trial of a petition respecting an election, the court is satisfied that the agent or agents of a candidate at the election have committed a corrupt or an illegal practice or any other offence in connection with the election and the court further finds, after giving the Attorney-General an opportunity of being heard, that the candidate has proved to the satisfaction of the court—

- (a) that no corrupt or illegal practice or other offence was committed at the election by the candidate and the corrupt or illegal practice or other offence was committed contrary to the Acts and without the knowledge or consent of the candidate;
- (b) that the candidate took all reasonable steps to prevent the commission of any corrupt or illegal practice or other offence at the election;
- (c) that the offence was of a trivial, unimportant and limited character; and
- (d) that, in all other respects, the election was free from corrupt or illegal practices or other offences on the part of the candidate or of the agents of that candidate;

then the election of the candidate shall not, by reason of the offence, be declared void nor shall

the candidate be subject to any incapacity.

(2) Where, under subsection (1), the court makes a finding, the registrar of the court shall issue a certificate accordingly, and report the matter to the Attorney-General.

Disciplinary action on report of corrupt practice.

14. Where a legal practitioner is found by the Court to have been guilty of a corrupt practice with reference to an election, the registrar of the court shall report the matter to the Law Society and Attorney-General who shall take such disciplinary action, in accordance with the law relating to legal practitioners, as maybe appropriate.

Relief which may be claimed.

15. All or any of the following reliefs to which the petitioner may be entitled, may be claimed in a petition under Part II or III, namely—

- (a) a declaration that the election or appointment was void;
- (b) a declaration that the nomination of the person elected was void;
- (c) a declaration that a candidate was duly elected or appointed; and,
- (d) where the seat is claimed for an unsuccessful candidate on the ground that the unsuccessful candidate had a majority of lawful votes, a scrutiny.

Where failure to comply with Constitution, Senate Act and Elections Act does not affect result of election.

16. For the purposes of sections 3(2)(c) and 7(2)(c) where, upon the trial of a petition respecting an election, the court finds that there was a failure to comply with a provision of the Constitution, the Senate Act or of the Elections Act and the court is satisfied, after giving the Attorney-General an opportunity of being heard, that the election was conducted in accordance with the principles laid down in the appropriate Act, and that the failure did not affect the result of the election, then, by reason of the failure, the court shall not declare the election of the successful candidate void nor shall the successful candidate be subjected to any incapacity.

Trial of petition.

17. (1) A petition under Part II or III shall be tried by the court in open court.

(2) Witnesses shall be subpoenaed and sworn in the same manner as nearly as circumstances admit as in a trial by the court in the exercise of its original civil jurisdiction and are subject to the same penalties for the giving of false evidence or for non-attendance.

(3) On the trial of a petition under Part II or III, the court may, by order, compel the attendance of a person as a witness and a person who refuses to obey such an order commits the offence of contempt of court and is liable to punishment for such offence.

(4) The court may examine a witness so compelled to attend, or any other person in court, although the witness is not called and examined by a party to the petition.

(5) After the examination of a witness by the court, the witness may be cross-examined by or on behalf of the petitioner or respondent or both of them.

Witnesses required to answer questions.

18. (1) A witness at the trial of a petition under Part II or III shall not be excused from answering a question relating to a corrupt or an illegal practice or any other offence connected with the election or appointment forming the subject of inquiry, on the ground of privilege, or that the answer may incriminate or tend to incriminate the witness.

(2) If a witness answers every such question as the witness is required by the court to answer and an answer may incriminate or tend to incriminate the witness, the witness shall receive, from the court, under the hand of the registrar, a certificate stating that the witness was upon the examination of the witness required by the court to answer questions, the answer to which incriminated or tended to incriminate the witness, and that the witness answered every such question.

(3) Where proceedings are, at any time after the trial, pending in any court against the witness for an offence—

- (a) committed by that witness prior to the time of giving evidence by that witness; and
- (b) at, or in relation to, the election or appointment concerning, or in relation to, which the witness was so examined,

then the court shall, on production and proof of the certificate, stay the proceedings.

(4) A statement made by a person in answer to a question put to that person by or before the court is inadmissible in evidence against that person in criminal or civil proceedings except on a charge of perjury.

Certificate of court as to validity of election or appointment.

19. (1) At the conclusion of the trial of a petition under Part II or III, the court shall determine whether—

- (a) the Senator, Member, Indvuna yeNkhundla or Bucopho whose nomination or election or appointment is complained of was duly nominated or elected or appointed; or
- (b) the election or appointment of the Senator, Member, Indvuna yeNkhundla or Bucopho referred to in paragraph (a) was void,

and shall certify the determination of the court to the President of the Senate, the Speaker of the House or the Minister responsible for Tinkhundla administration, as the case may be.

(2) Upon receipt of the certification referred to in subsection (1), the President of the Senate, in the case of an elected Senator shall refer the matter to the Commission for appropriate action.

(3) The Commission shall confirm or alter, as may be required, the notice published, in accordance with section 17 of the Senate (Elections) Act, 2013 by like notice in the Gazette and, as the case may require, order, the holding of an election in accordance with the certificate, and in the case of an appointed Senator, shall advise the King accordingly, and cause that advice to be notified in the Gazette.

(4) Upon receipt of the certification referred to in subsection (1), the Speaker of the House of Assembly, in the case of—

- (a) an elected member, shall confirm or alter the endorsement of the writ referred to in section 68(2)(b) of the Elections Act, 2013 and not later than one month after the certification, by notice published in the Gazette order the holding of an election in the constituency concerned in accordance with the certificate; and
- (b) a nominated member shall advise the King accordingly, and cause that advice to be notified in the Gazette.

PART V

PRESIDENT AND SPEAKER AND THEIR DEPUTIES

Petition relating to election of a person as President or Deputy President of Senate.

20. (1) A question arising as to whether a person, who was elected as President or Deputy President of the Senate from among persons who were not Members of the Senate, was qualified to be so elected shall be referred to and determined by the court on petition presented by a Senator, the Attorney-General or any aggrieved person.

(2) Where, under subsection (1), the court decides a question, the registrar of the court shall certify the decision of the court, to the Clerk of Parliament who shall cause a new election to be conducted as soon as practically possible.

Petition relating to election of person as Speaker or Deputy Speaker of House of Assembly.

21. (1) A question arising as to whether a person, who was elected as Speaker or Deputy Speaker of the House of Assembly from among persons who were not Members, was qualified to be so elected shall be referred to and determined by the court on petition presented by a Member, the Attorney-General or any aggrieved person.

(2) Where, under subsection (1), the court decides a question, the registrar of the court shall certify the decision of the court to the Clerk of Parliament who shall cause a new election to be conducted as soon as practically possible.

PART VI

VACANT SEAT

Petition relating to vacant seat.

22. (1) A question arising as to whether a Senator, Member, Indvuna yeNkhundla or Bucopho, has validly vacated office, other than a question arising from the election or appointment of the Senator, Member, Indvuna yeNkhundla or Bucopho, shall be referred to and determined by the court on petition presented by a Senator, Member, the Attorney-General or any aggrieved person.

(2) Where the court decides a question, under subsection (1), the registrar of the court shall certify the decision of the court to the President of the Senate, the Speaker of House of Assembly or Minister responsible for Tinkhundla administration, as the case may be.

(3) Where the court decides that the seat of a Senator, Member, Indvuna ye-Nkhundla or Bucopho has become vacant, that seat shall become vacant as soon as the decision of the court is certified.

PART VII

INDVUNA YENKHUNDLA AND BUCOPHO

Avoidance of election or appointment of candidate on petition.

23. (1) The nomination or election of a candidate as Indvuna yeNkhundla or Bucopho shall not be questioned except on a petition presented to the court requesting that the nomination or election be declared void.

(2) The nomination or election of a candidate as Indvuna yeNkhundla or Bucopho shall be declared void on any of the following grounds, which are proved to the satisfaction of the court, namely–

- (a) that, by reason of corrupt practices or other circumstances, the majority of voters were or may have been prevented from electing the candidate they preferred;
- (b) subject to sections 10 and 13, that an offence in connection with the election was committed by the candidate;
- (c) subject to section 16, that there was a non-compliance with the Constitution and the Elections Act;
- (d) that the candidate was, at the time of the nomination or election of the candidate, a person not qualified, or was a person disqualified, for nomination or election as Indvuna yeNkhundla or Bucopho.

Who may present petition.

24. A petition under this Part may, in terms of section 105(3) of the Constitution, be presented to the court by the Attorney-General or any aggrieved person.

Time for presentation of petition.

25. (1) A petition relating to the election of an elected Indvuna yeNkhundla or Bucopho shall be presented within fourteen calendar days from the date of publication of the result of the election under the provisions of section 69 of the Elections Act.

(2) Notwithstanding subsection (1), a petition questioning the election upon the ground of a corrupt practice and specifically alleging a payment of valuable consideration or any other act to have been made or done since the date referred to in subsection (1) by the Indvuna yeNkhundla or Bucopho whose election is questioned may, with respect to that corrupt practice, be presented at any time within fourteen days after the payment or act.

(3) A petition presented in due time may, for the purpose of questioning the nomination or the election upon an allegation of a corrupt or an illegal practice or any other offence in connection with the election, be amended with the leave of the court within the time within which a petition, questioning the return or the election upon that ground, may be presented.

When court may hold certain acts or omissions to be exempt from the provisions of the Elections Act.

26. (1) If it is shown to the court, either on application or upon a petition, by such evidence as to the court seems sufficient–

- (a) that the act or omission of a person would, apart from this section, be an offence under the Elections Act; or
- (b) that the act or omission referred to in paragraph (a) arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith; and that, under the circumstances, it seems to the court to be just that such person shall not be subject to any of the consequences, under the Elections Act,

the court may make an order allowing the act or omission to be an exception from the provisions of the Elections Act which would otherwise make the act or omission an offence and, thereupon, that person shall not be subject to any of the consequences of that act or omission.

(2) Subsection (1) does not apply in relation to an offence under sections 78, 82 and 84 of the Elections Act.

(3) Where an application is made for relief in terms of this section—

- (a) the court, before hearing the application, shall be satisfied that reasonable notice of the application has been given in the Umphakatsi or Inkhundla in which the election was held; and
- (b) no criminal proceedings for an offence under the Elections Act shall be commenced in respect of the act or omission that is the subject of the application, and any such proceedings already commenced shall be stayed until the application has been finally disposed of.

(4) Evidence tendered under subsection (1) may, subject to a right of cross-examination, be proved in criminal proceedings for an offence under the Elections Act.

Votes to be struck off at scrutiny.

27. (1) On a scrutiny at the trial of a petition, the following votes only shall be struck off, namely—

- (a) the vote of a person whose name was not on the register of voters assigned to the polling station at which the vote was recorded or who has not been authorised to vote at the station under the provisions of section 48 (1) (a) of the Elections Act;
- (b) the vote of a person whose vote was procured by bribery, treating or undue influence;

- (c) the vote of a person who committed or aided, abetted, counselled or procured the commission of the offence of personation at the election;
- (d) the vote of a person proved to have voted more than once at the election; and
- (e) the vote of a person who was disqualified, under section 89 of the Constitution, from voting at the election.

(2) The vote of a registered voter shall not, except in the case specified in subsection (1)(e), be struck off at a scrutiny by reason only of the voter not having been, or not being, qualified to have the name of that voter entered on the register of voters.

(3) On a scrutiny, a tendered vote proved to be a valid vote not added to the poll shall, on the application of a party to the petition, be added to the poll.

PART VIII

GENERAL

Respondent not opposing petition.

28. (1) A respondent who gives notice that that respondent does not intend to oppose the petition shall not, pending the result of the trial of the petition be allowed to appear or to act as a party against the petition in any proceedings on the petition nor sit nor vote in Parliament.

(2) Where notice is given under subsection (1), the registrar of the court shall report the fact to the President of the Senate, Speaker of the House of Assembly or Minister responsible for Tinkhundla administration, as the case may be.

Special case.

29. (1) If, on the application in the prescribed manner of a party to a petition under this Act, it appears to the court that the case raised by the petition can be conveniently stated in a special case, the court may direct it to be stated accordingly and the special case shall be heard before the court.

(2) The court shall certify to the President of Senate, Speaker of the House or Minister Responsible for Tinkhundla administration the decision of the court with reference to the special case.

Practice and procedure.

30. (1) The practice and procedure of the court relating to petitions and applications under section 10, and special cases under section 29, shall be in accordance with rules made by the Chief Justice.

(2) Rules made under subsection (1) shall, among other things, provide for the following—

- (a) the keeping, by the registrar of the court, of a list of petitions and for their trial, unless otherwise directed, in the Act in which they stand;
- (b) the giving, by the petitioner, of security for costs and the serving, by the petitioner, or the respondent, of notice of presentation of the petition and the nature of the proposed security and a copy of the petition;
- (c) the service of notice by the respondent, on the petitioner as to whether or not the respondent intends to oppose the petition and of any notice of objection to the security and the grounds of objection;
- (d) the quorum of the court on the trial of a petition, or application under section 10 or a special case under section 29, the giving of notice of the trial, application or special case, the adjournment of the court and the awarding of costs of the petition, application or special case, including the allowance of reasonable witness expenses; and,
- (e) subject to subsection (3), the withdrawal and abatement of a petition, the substitution of a petitioner and the costs of withdrawn petitions.

(3) Where there are more petitioners than one, an application to withdraw a petition shall not be made without the consent of all the petitioners.

Extension of time.

31. The court may, where it considers justice so requires, extend any period of time within which any act is required or permitted to be done in terms of this Act.

Repeal.

32. The Parliament Petitions Act, No. 16 of 1968, is hereby repealed.