

# REGULATIONS ON THE ACCREDITATION OF OBSERVERS, 1999

## Published under

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## Schedule A ACCREDITATION OF OBSERVERS

### 1 Definitions

In these Regulations any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context otherwise indicates—

'**accredited person**' means any juristic person accredited by the Commission under these Regulations;

'**the Act**' means the Electoral Act, 1998 (Act 73 of 1998).

### 2 Application for accreditation of observers

A juristic person applying for accreditation as an observer of an election must complete an application form similar to Appendix 1 and deliver the completed form together with any documentation in support of the application at the office of the Commission in Pretoria.

### 3 Certificate of accreditation

The certificate of accreditation to be issued to a successful applicant, must be similar to Appendix 2.

### 4 Reports and breach of conditions

(1) The Commission may from time to time, require an accredited person in writing to submit information concerning the performance of a function by that person.

(2) The Commission may convene a hearing to investigate whether an accredited person has complied with conditions contemplated in sections 84(5) of the Act, and may call upon any person to appear before the Commission to give evidence or to make written submissions.

(3) If the Commission finds that an accredited person to a material extent failed to comply with such conditions, the Commission may cancel the accreditation.

#### **5 Identification of persons appointed by accredited person**

The identification that a person appointed by an accredited person is in terms of section 85(2) of the Act obliged to wear while observing an election is an identification apparel, approved by the Commission, on which—

- (a) the words 'Election Observer' is clearly indicated on the back and front in black letters, at least 10 cm high, on a white background; and
- (b) the identification mark or symbol of the accredited person, at least 10cm high, is clearly indicated on the back and front.

#### **6 Fee for certified copy of or extract from register or copy of a certificate of accreditation**

The fee to be paid in terms of section 84(7) of the Act for a certified copy of, or extract from the register of persons accredited as observers, or a copy of a certificate of accreditation is R1-00 (One Rand) per page.

#### **7 Short title**

These regulations are called the Regulations on the Accreditation of Observers, 1999.

## APPENDIX 1

**Electoral Commission**  
**APPLICATION FOR ACCREDITATION**  
**AS OBSERVER**



2.1 Name of Applicant: ..... ..... .....		2.2 Address of Registered Office Applicant ..... ..... .....		
2.3 Telephone Number: .....		2.4 Telefax Number (if any): .....		
2.5 E-mail Address (if any): .....				
2.6 Registration Number of Applicant: (if applicable) .....		2.7 Date of Founding: .....		
2.8 Number of persons that will be appointed as observers: .....		2.9 Person in charge of co-ordinating the applicant's observers: .....		
2.10 Mark or symbol of applicant: .....				
2.11 Particulars of persons appointed by applicant:				
Name	Capacity	Identity/ Passport Number	Nationality	Date of arrival in and departure from South Africa (if applicable)
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

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2.11 Particulars of persons appointed by applicant:

Name	Capacity	Identity/ Passport Number	Nationality	Date of arrival in and departure from South Africa (if applicable)
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
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.....	.....	.....	.....	.....

NB. If the space is insufficient, fullscap paper on which the necessary columns have been drawn, may be used.

- Supporting Documents:**  
**The application must be accompanied by the following:**
- (a) Copy of deed of foundation or constitution of the applicant.
  - (b) A statement of the reasons why the applicant is suitable for accreditation to observe the election process.
  - (c) An affirmation that the applicant commits itself to cooperate with the Commission in relation to the training, conduct and deployment of persons.

We hereby apply for accreditation as observer and certify that the particulars furnished in this form and the supporting documents are true and correct, and certify that all persons appointed by us will subscribe to the Code of Conduct for Observers.

..... Date  
 Signature of duly authorised person on behalf of applicant

Name .....  
 Capacity: .....

APPENDIX 2  
CERTIFICATE OF ACCREDITATION AS AN OBSERVER

<b>Certificate of Accreditation as an Observer</b>	
Number: _____	
This is to Certify that	
.....	
has in terms of section 84 of the Electoral Act, 1998 been accredited for one year to observe an election on condition that the Code of Conduct for Accredited Observers is adhered to at all times	
Signed: _____	Date of Issue: _____
.....	
Chief Electoral Officer	

**Schedule B  
CODE OF CONDUCT FOR ACCREDITED OBSERVERS**

**1 Every accredited observer and person appointed by that observer must—**

- 1.1. Observe the election impartially and independently of any registered party or candidate contesting the election.
- 1.2 Remain non-partisan and neutral.
- 1.3 Be competent and professional in observing the election.
- 1.4 Provide the Commission with a comprehensive review of the elections taking into account all relevant circumstances including—
  - (a) the degree of impartiality shown by the Commission;
  - (b) the degree of freedom of political parties to organise, move, assemble and express their views publicly;
  - (c) the opportunity for political parties to have their agents observe all aspects of the electoral process;
  - (d) the fairness of access for political parties to national media and other resources of the state;

- (e) the proper conduct of polling and counting of votes; and
- (f) any other issue that concerns the essential freedom and fairness of the election.

- 1.5 Comply with all instructions given and every obligation imposed by—
- (a) the Commission;
  - (b) any electoral officer; or
  - (c) any employee or officer of the Commission; or
  - (d) a member of the security services acting on the instructions of an officer.

**2 The accredited observer and any person appointed by that observer should—**

- 2.1 Avoid doing anything that would indicate or be seen as indicating partisan support for a candidate or registered party.
- 2.2 Act in a strictly neutral and unbiased manner.
- 2.3 Disclose to the Commission any relationship that could lead to conflict of interest regarding the performance of their duties as observers or with the process of observation or assessment of the election.
- 2.4 Not accept any gifts or favour from a political party, organisation or person involved in the election process.
- 2.5 Not participate in any function or activity that could lead to a perception of sympathy for a particular candidate or political party.
- 2.6 Not express a view or opinion on any matter which is the subject of electoral campaigning.
- 2.7 Not influence or attempt to influence the choice of a voter regarding any registered party or candidate in an election.
- 2.8 Not wear, carry, or display any registered party's symbols or colours.