

# Implementation of Political Party Funding Act

Media Conference

29 January 2021

**OPENING REMARKS BY THE CHAIRPERSON OF THE ELECTORAL  
COMMISSION OF SOUTH AFRICA  
MR GLEN MASHININI**



# ACKNOWLEDGEMENTS

- Programme Director Commissioner Dr Nomsa Masuku
- Vice Chairperson Ms Janet Love and fellow Commissioners:
  - Commissioner Mr Mosotho Moepya
  - Commissioner Judge Dhaya Pillay
- Chief Electoral Officer Mr Sy Mamabolo
- Chief Executive for Party Funding Mr George Mahlangu
- Deputy Chief Electoral Officer for Electoral Operations Mr Masego Sheburi
- Deputy Chief Electoral Officer for Corporate Services Ms Akhtari Henning
- Acting Deputy Chief Electoral Officer for Outreach Mr Mawethu Mosery
- Members of staff of the Electoral Commission watching this broadcast
- Members of the media present in person and online
- Ladies and gentlemen
- On behalf of the Commission let me welcome you here today and express our gratitude for your attendance today

# WELCOME THE ACT

- The Electoral Commission welcomes the proclamation by the Honourable President His Excellency Mr Cyril Ramaphosa that the Political Party Funding Act (6 of 2018) will come into effect from 1 April this year
- The Act is one of the most important and far-reaching enhancements to our electoral democracy since the adoption of the Constitution in 1996 and the subsequent passing of the Electoral Commission Act and Electoral Act and is a major milestone in the evolution of democracy in our country
- In this respect it is a continuation of the journey which we started in 1994 to establish South Africa as a leader in the family of democratic nations on our continent and beyond

# CORE ASPECTS OF THE ACT

- Ladies and gentlemen this new regulatory regime provides three key measures:
  1. It requires all political parties to disclose and divulge the sources and amounts of private and public funding they receive. These must then be periodically made public and reported to Parliament by the Electoral Commission
  2. It sets annual limits for the amounts of funding provided to a party by institutions and prohibits the funding of political parties by organs of state, state-owned enterprises and foreign governments and entities
  3. It provides a more equitable process for the distribution of public funds from the Represented Political Party Fund
  4. It provides a new vehicle via the establishment of a new Multiparty Democracy Fund through which individuals and organisations can support political parties “at an arms’ length”
- Together these will help to strengthen key Constitutional principles of transparency, accountability, accessibility and fairness

# CONSULTATION PROCESS

- Ladies and gentlemen
- Consultation has been at the heart of the development of this new Political Party Funding Act and its associated regulations which we published today
- Widespread engagements were held between Parliament, civil society, members of the public the Electoral Commission and many other stakeholders to help design a regulatory framework which would be effective and efficient
- This engagement process is by no means complete
- The Electoral Commission will continue to work closely with all stakeholders as we prepare over the next two months to implement the changes
- And we will continue to consult and engage as we continue on our evolutionary journey to deepen and strengthen this and other aspects of our electoral democracy in the future

# THANK STAKEHOLDERS

- Allow me to express the gratitude of the Electoral Commission to all those who have participated in this collective process to bring us to this historic point
- Time does not allow us to name each person and all organisations which have contributed to the preparations to date
- But allow me to thank the following groups:
  - Parliament, the Ad Hoc Committee on Party Funding, the Portfolio Committee on Home Affairs and other Parliamentary officials for their work in drafting and approving the Act
  - The National Treasury who made funding available to the Electoral Commission to begin building our new Party Funding Unit and capacity
  - Political parties which have participated eagerly in the process and continue to work with us to make this new regime a reality

# THANK STAKEHOLDERS cont.

- Civil society organisations and other individual stakeholders who have pushed for these changes and provided many valuable inputs into the process
  - The business community and labour which also provided input and assistance in this process
  - And the media for its continued attention to this issue
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- I would also like to express our gratitude to the Chief Electoral Officer and the staff of the Electoral Commission who have worked very hard in preparing for this expanded mandate over the past few years while still meeting their existing responsibilities

# NOT A PANACEA

- Ladies and gentlemen
- In conclusion let me issue a word of caution against viewing the Political Party Funding Act as a panacea to all the dangers and risks associated with the funding of political parties, with corruption and with other forms of undue influence
- It is not
- But it is a strong and positive start to address some of the challenges which have emerged over the past two and a half decades of our democracy
- The April implementation is also just the first phase of implementation
- The current fiscal constraints mean that the Electoral Commission is not yet capacitated to undertake the full ambit of responsibilities under the Act
- It will take time and additional resources to build this capacity and specifically to develop a capable and skilled enforcement capability
- Until then we remain vulnerable to anyone who seeks to exploit any loopholes or ambiguities

# CONCLUSION

- In conclusion let me appeal to all political parties, prospective donors and anyone else affected to commit themselves to complying with both the spirit and letter of this new law
- We hope they do so not only because they are required to and face penalties and sanctions if they don't
- We hope they embrace the intent and purpose behind the new party funding system – namely to open all aspects of private and public funding of political parties to transparency, scrutiny and accessibility so that democracy continues to thrive and flourish in our country
- With these short opening remarks, allow me to hand back to the Programme Director for the continuation of the programme
- I thank you