



# **OBSERVER HANDBOOK**



# **OBSERVER HANDBOOK**

# 2021 Municipal Elections in South Africa



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# 1 MESSAGE FROM THE CHAIRPERSON





### Message from the Chairperson

On behalf of the Electoral Commission of South Africa, it is a great honour to welcome domestic and international observers to the 6th Local Government Elections in South Africa since the dawn of democracy in 1994.



These elections are taking place in an era of a deadly COVID-19 pandemic. It is for this reason that we express our most sincere appreciation for the sacrifice you have made to participate in these elections and to perform this critical task. Elections observation is after all an integral part of the free, fair and credible democratic and electoral processes in South Africa.

The 2021 Local Government Elections are taking place in just over 27 years of a constantly stable and peaceful constitutional democracy. Successful and well-managed elections are a cornerstone for peace and stability in this country. The Electoral Commission therefore endeavours to maintain and even exceed its mandate of managing and delivering credible, free and fair elections.

In the same spirit, as you go through this publication, you will find that we have introduced new technologies to improve and simplify management of the voters' roll and other pertinent elements of the electoral process. The Voter

Management Device (VMD) was custom developed using the specifications of the Electoral Commission to ensure that voter information on Election Day is easily accessible and on time thereby ensuring a smooth e voting process.

With the COVID-19 pandemic still ravaging our country and many other parts of the world, we encourage observers to abide by the protocols designed to eliminate the spread of the virus at the voting stations. Our voting station staff will guide observers, voters, party agents, and all other stakeholders entering the voting stations on these protocols. The voting station staff have also been provided with personal protective equipment to safeguard their lives, those of voters and everyone who enters and utilizes our voting facilities.

Local Government Elections in South Africa are complex in that they are a hybrid between two electoral systems: the first past the post system and the proportional representation system. As you interact with this Handbook, other publications of the Electoral Commission, and participate in briefing sessions on these elections and on other platforms, you will acquire valuable information on the processes that will unfold at the voting stations.

It is our wish that at the end of the voting day, we will receive your well-considered reports on the performance of the Electoral Commission in these elections. These reports assist us in determining changes that we need in order to improve our systems.

We look forward to interacting with you during this period and are confident that you will find the period leading to the 2021 Local Government Elections and the actual Election Day an enriching and fulfilling opportunity.

Yours sincerely

Glen Mashinini Chairperson

**Electoral Commission of South Africa** 





# 2 | THE ELECTORAL COMMISSION





### **The Electoral Commission**

### 2.1 THE COMMISSION

The Electoral Commission was established in terms of the Constitution of the Republic of South Africa, 1996. The Commission is independent and subject only to the Constitution and the law. In performing its functions and duties, the Commission must do so without fear, favour or prejudice in an impartial manner at all times.

Commissioners are nominated through a public process, which culminate in appointment by the President of the Republic for a seven-year term, and may be reappointed for one additional term. The Commission consists of five members, one of whom must be a judge. Only South African citizens are eligible for appointment, and they must not have a high party-political profile. Nominated candidates are recommended by the National Assembly, composed of all represented parties.

A list of recommended candidates is submitted to the committee or panel, which is composed as follows:

- a) The President of the Constitutional Court, as the chairperson
- b) A representative of the South African Human Rights Commission as provided for in the Constitution
- c) A representative of the Commission on Gender Equality as provided for in the Constitution
- d) The Public Protector, established by section 110(1) of the Constitution

The Electoral Commission is accountable to the National Assembly and must report on its activities and the performance of its functions at least once a year.

### 2.2 COMMISSIONERS



### Chairperson - Glen Mashinini

Glen Mashinini was part of the founding Executive Management team that established the Electoral Commission in 1998. He was responsible for conceptualisation, business processes and organisational design, among others. He jointly established a highly respected consultancy that provided electoral advisory and management services across the continent, including in Angola, Mozambique and Nigeria. In 2012, he was appointed as Special Projects Advisor to the President of South Africa to help implement the recommendations of the Presidential Review Committee on State-owned Entities, of which he was the Deputy Chairperson.



### Vice-Chairperson - Janet Love

Janet Love joined the Electoral Commission first as a part-time Commissioner and then as full-time Vice-Chairperson. She served as a Member of Parliament in the first democratic Parliament, and as a member of the Constitutional Committee of the Constitutional Assembly. After working as head of strategic analysis of the South African Reserve Bank (SARB) for five years, she was National Director of the Legal Resources Centre and she served a seven-year term as a part-time member of the South African Human Rights Commission (SAHRC). She holds post –graduate degree in public management from Wits and an MSc from the University of London.

### 2.2 COMMISSIONERS (CONTINUED)



#### **Commissioner -** Dr Nomsa Masuku

Year of appointment: May 2015

Dr Nomsa Masuku joined the Electoral Commission as a Commissioner in November 2018. She is the Commission's former Deputy Chief Electoral Officer (DCEO) responsible for Outreach. She had previously spent eight years at the Commission, where her portfolio included the strategic development of programmes that assisted the Commission to contribute to the entrenchment of constitutional democracy. Before returning to the Commission as DCEO, she headed Standard Bank's Corporate Social Investment Unit. She has worked with a number of women's groups, including Women and the Law in South Africa.



### Commissioner - Mosotho Moepya

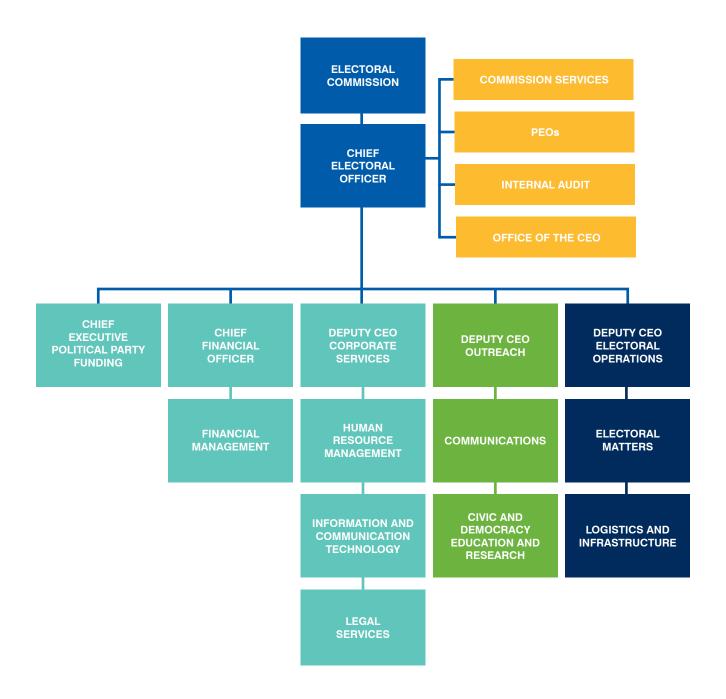
Mosotho Moepya joined the Electoral commission as a Commissioner in November 2018. He had previously served as the Chief Executive Officer (CEO) for five years, where he oversaw both the 2014 National and Provincial Elections and the 2016 Municipal Elections. He first joined the Electoral Commission in 1998 as Director of Electoral Logistics, and was promoted to Senior Manager: Electoral Logistics, Planning and Voting Station Infrastructure in 1999. In 2001, he was promoted to Deputy CEO. He holds an honours degree in Business Administration and a Master's in Business Administration (MBA) from the University of Stellenbosch's Business School.



### **Commissioner - Judge Dhaya Pillay**

Judge Dhaya Pillay joined the Electoral Commission as a Commissioner in November 2018. She holds the position of Extraordinary Professor at the University of Pretoria, while serving as a judge of the High Court in Pietermaritzburg and Durban. After turning to labour law and industrial relations, she was involved in drafting key pieces of nation allegislation, including the new Labour Relations Act and clauses of the Constitution relating to the Public Service Commission and the Electoral Commission. She had been a judge of the Labour Court of South Africa for 10 years until 2010.

### 2.3. THE ORGANIZATIONAL STRUCTURE



### 2.4. VISION, MISSION AND VALUES

### 2.4.1 **Vision**

To be a pre-eminent leader in electoral democracy.

#### 2.4.2 Mission

The Electoral Commission is an independent constitutional body which manages elections of legislative bodies and ensures that those elections are free and fair through the participation of citizens, political parties and civil society in order to strengthen electoral democracy.

### 2.4.3 Impact Statement

Manage free and fair elections of public representatives into legislative bodies to strengthening electoral democracy.

#### **2.4.4 Values**

To enable the Electoral Commission to serve the needs of all stakeholders, including the electorate, political parties and candidates, permanent and temporary staff, the media, civil society and others, the organisation subscribes to the following organisational values:

- 1. Impartiality to act free of favour
- 2. Integrity the quality of being honest and having strong moral principles
- Accountability to take responsibility for one's actions
- 4. Transparency invite trust by revealing that one has nothing to hide
- 5. Responsiveness the quality of reacting quickly and positively





# THE CONSTITUTION AND THE LEGAL FRAMEWORK GOVERNING ELECTIONS IN SOUTH AFRICA





# The Constitution and the legal framework governing elections in South Africa

### 3.1 THE CONSTITUTION

The Constitution of the Republic of South Africa is the supreme law of the country. It enshrines the rights of voters, establishes the Electoral Commission as one of the pillars of democracy, requires the establishment of a national common voters' roll, prescribes the use of an electoral system based on proportional representation in all spheres of government, and provides the foundation for the election of members to the National Assembly, provincial legislatures and municipal councils.

The government must follow the Constitution in the running of the country and cannot make any new laws that go against the provisions of the Constitution. Old or new laws or parts of laws can be challenged in court if they go against the Constitution.

The Constitution creates the framework for the managing of free, fair and regular elections as part of its founding provisions.

### Chapter 1, Section 1:

### Republic of South Africa

The Republic of South Africa is one, sovereign, democratic state founded on the following values:

- (a) human dignity, the achievement of equality and the advancement of human rights and freedoms:
- (b) non-racialism and non-sexism;
- (c) supremacy of the Constitution and the rule of law; and
- (d) universal adult suffrage, a national common voters' roll, regular elections and a multi-party system of democratic government to ensure accountability, responsiveness and openness.

It also includes all the civil and political rights relating to elections such as the freedom of the media and the right to vote.

### 3.2 THE BILL OF RIGHTS

The Bill of Rights, which forms part of the Constitution, lists the rights for all the people of South Africa and enshrines the democratic values of equality, human dignity and freedom.

The Bill of Rights includes civil rights and freedoms that directly affect rights around elections, including the following:

- freedom of conscience, religion, thought, belief and opinion (Section 15)
- freedom of expression (Section 16), including:
  - o freedom of the press and other media
  - o freedom to receive or give out information or ideas
- freedom of assembly, demonstration, pickets and protest (Section 17)
- freedom of association (Section 18)
- political rights including the right to form and participate in a political party, to vote and to stand for election (Section 19).

## 3.3 THE ELECTORAL COMMISSION ACT

The Electoral Commission Act, Act No 51 of 1996, regulates the establishment of the Electoral Commission to manage national, provincial and municipal elections. It details the composition of the Commission, the creation of an administrative structure, and the powers, duties and functions of the Commission.

### 3.4 THE ELECTORAL ACT

The Electoral Act, Act No 73 of 1998, with its associated regulations governs the operation of national, provincial and municipal elections. It is often described as the instruction manual for elections. The Electoral Commission is responsible for administering the terms of this Act, which includes the registration of voters and the voters' roll, the proclamation of and preparation for elections, the delineation of voting districts with voting stations, forms of voting material, the appointment of voting and counting officers and additional persons, the accreditation of observers,

and the determination and declaration of final results. Several regulations and amendments have been published in terms of the Electoral Act.

# 3.5 LOCAL GOVERNMENT: MUNICIPAL ELECTORAL ACT

The Municipal Electoral Act, Act No 27 of 2000, regulates the specific nature of Municipal Elections. The Act provides for the administration of the voters' roll, parties and candidates and all other related voting and counting procedures with respect to all Municipal Elections. Electoral Regulations have also been published to support this Act.

## 3.6 LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT

The Local Government: Municipal Structures Act, Act No 117 of 1998, deals with the establishment, management and functions of the various municipalities, as well as the formulas to convert votes into council seats.

# 3.7 ELECTORAL CODE OF CONDUCT AND ELECTORAL OFFENCES

The purpose of the Electoral Code of Conduct comes into effect from the time that an election date is proclaimed. It is to promote conditions that are conducive to free and fair elections, including the following:

- tolerance of democratic political activity; and
- free political campaigning and open public debate.

Every registered party and every candidate is bound by this Code and must do the following:

- promote the purposes of the Code during the conducting of an election;
- publicise the Code widely in any election campaigns; and
- promote and support efforts in terms of the Electoral Act to educate voters and promote conditions conducive to free and fair elections.

If a complaint is lodged with the Electoral Commission about a breach of the Electoral Code,

the Commission will investigate the complaint and, if it finds grounds for a breach, may refer the matter to the Electoral Court for the appropriate sanctions to be imposed by that Court. A political party or candidate who breaches the code can:

- be fined;
- be stopped from working in an area; and/or
- have their votes in an area cancelled.

The Electoral Court has jurisdiction in respect of all electoral disputes and complaints about infringements of the Code of Conduct, subject to section 20(4) of the Electoral Commission Act and can also be approached directly.

Electoral fraud refers to illegal interference with the process of an election through deliberate wrongdoing. Electoral fraud can take place prior to an election taking place and throughout the election period, both inside and outside voting stations. Electoral fraud is a crime in South Africa.

### 3.7.1 Reporting of offences

If a political party or candidate has breached the Electoral Code of Conduct, the matter can be:

- reported to the Electoral Court;
- reported to the nearest branch of the South African Police Service (SAPS); or
- reported to the Electoral Commission through its municipal, provincial or national office.

For the Electoral Court's rules that regulate electoral disputes and complaints relating to infringements of the Electoral Code of Conduct, and its rules regulating the conduct of the proceedings of the Electoral Court, please refer to: http://www.elections.org.za/content/Documents/Laws-and-regulations/Electoral-Court/Electoral-Court-Rules-Proceedings and http://www.elections.org.za/content/Documents/Laws-and-regulations/Electoral-Court/Electoral-Court-Rules-Disputes-and-Complaints

#### It is an electoral offence to force anybody to:

- register to vote or not register to vote;
- vote or not vote in an election;
- support or not support a political party or candidate;
- vote or not vote for a political party or candidate;
- attend or not attend a political event or rally of a political party; or
- interfere with the fairness or independence of

the Electoral Commission or any officer of the Electoral Commission.

### No person may:

- prevent a political event or rally from being held if they do not have the authority to do so;
- damage or remove election posters, billboards or placards – this is not allowed from the date that an election is proclaimed (announced) until the election results have been given out by the Electoral Commission;
- use the voters' roll or election materials for purposes other than for the election;
- provide false information, such as an incorrect physical address, when registering as a voter;
- register to vote or vote using the name of another person (living or dead);
- register to vote in a voting district in which the person does not reside;
- vote in an election when one is not allowed to vote;
- vote in a voting station where one is not allowed to vote;
- vote more than once in an election;
- pretend to be one of the following:
  - an official of the Electoral Commission
  - a representative of a registered political party
  - a candidate in an election

- an accredited (qualified) observer
- an accredited (qualified) voter education official;
- prevent someone from speaking to other voters;
- interfere with a voter's right to secrecy when he or she is voting;
- bribe or influence officials of the Electoral Commission while they are doing their duty;
- misinform the Electoral Commission when asked to provide a statement;
- publish false information about an election that may disrupt, prevent or influence the election results;
- publish false information that may create anger or fear and could change the election results;
- provide information about voting or the counting of votes unless authorised to do so;
- interfere with any voting material;
- make, produce or supply election material when a person is by law not allowed to do so;
- remove, hide or destroy election material when a person is by law not allowed to do so;
- prevent the Electoral Commission from performing its duties in running the election; and/or
- harm the integrity, honesty and dignity of the Electoral Commission.

### **Breach of the Code of Conduct**

Any person who breaches the Code of Conduct is guilty of a crime and can be fined up to R200 000.00 or sent to prison for up to 10 years.







# 4 THE ELECTORAL SYSTEMS OF SOUTH AFRICA





### The Electoral Systems of South Africa

## 4.1 ELECTORAL SYSTEMS USED IN SOUTH AFRICA

### 4.1.1 National and Provincial Elections

South Africa has a parliamentary system of government. The National Assembly consists of 400 members who are elected on the basis of proportional representation that is based on a candidate lists of political parties using a closed-list approach. Two hundred members are elected from national lists of political parties; the other 200 are elected from parties' provincial lists for each of the nine provinces. The President of South Africa is elected by the National Assembly after the election.

The provincial legislatures, which vary in size from 30 to 90 members, are also elected based on proportional representation with closed lists. After the election, at its first sitting, the members of the legislature must elect the premiers of that province from amongst its members.

The National Council of Provinces (NCOP) consists of 90 members. Each provincial legislature, on the basis of the proportional representation of the political parties that comprise that legislature, elect ten of its members to serve as NCOP members. National and Provincial elections are held together and take place every five years. Voters vote for the national and provincial legislatures on separate ballot papers.

### 4.1.2 Municipal Elections

Elections for Municipal Councils involve electing

some representatives on the basis of the proportional representation system while others are elected on the basis of direct representation for particular geographic areas. The country is divided into constituencies or wards in which one votes. The party or independent candidate with the highest number of votes in a constituency or ward wins the election for that particular constituency.

There are 3 types of **Municipal Councils** in South

- Category A: Metropolitan Councils;
- Category B: Local Councils (LC); and
- Category C: **District** Councils (DC) (which have executive and legislative powers in areas that include more than one local municipality)
- For **metropolitan municipalities**, there are 2 types of elections in each ward:
  - o Metropolitan **council ward** representative, and
  - o Metropolitan **council proportional** representatives.
- In all local municipalities other than metropolitan municipalities, there are 3 types of elections in each ward:
  - Local council ward representative;
  - o Local council proportional representatives; and
  - O District council proportional representatives.

### 4.1.3 Municipal By-Elections

By-elections must take place within 90 days after a municipal ward council seat becomes vacant due to the death, expulsion or resignation of a ward councillor.







# 5 MUNICIPAL ELECTIONS IN SOUTH AFRICA





## **Municipal Elections in South Africa**

### 5.1 LOCAL GOVERNMENT

Local government in South Africa is made up of municipalities. The objects of local government seek to encourage the involvement of communities and community organisations in the matters of local government.

Municipal elections are held every five years to elect councillors who will be responsible for governing a municipality for the next five years. They will serve on the town, city, metropolitan and/or district councils that are responsible to ensure that services are provided to the people in their areas, including providing water, electricity, sewerage and sanitation services, waste removal and other services that directly impact on the daily lives of citizens.

The largest metropolitan areas of the country are governed by metropolitan municipalities, while the rest of the country is divided into district municipalities, each of which, in turn, consists of several local municipalities. South Africa's local government is currently made up of eight metropolitan municipalities, 44 district municipalities and 207 local municipalities.

The Municipal Structures Act divides South Africa up into three kinds of municipalities:

#### 5.2 Category A or metropolitan municipalities

Metropolitan municipalities are normally big cities with a complex and diverse economy. Integrated development planning is desirable for this single area. Such municipalities have legislative and executive authority within their boundaries.

There are currently eight metropolitan municipalities:

- Buffalo City (East London)
- City of Cape Town
- City of Johannesburg
- City of Tshwane (Pretoria)
- Ekurhuleni (East Rand)
- Ethekwini (Durban)
- Mangaung (Bloemfontein)
- Nelson Mandela Bay (Ggeberha/Port Elizabeth)

Voters in metropolitan municipalities will receive 2 (two) ballot papers as follows:

- Ward ballot
   – to elect a ward councillor to the Metropolitan Council.
- b. Metropolitan Council (PR) ballot to elect representatives from political parties to the Metropolitan Council from the list provided by different parties that participate in the PR election for that Metropolitan Council.

### 5.3 Category B or local municipalities

These are local municipalities for towns and their surrounding rural areas. Most of the country falls under local municipalities. There are 205 local municipalities, which share legislative and executive authority with a Category C municipality.

#### 5.4 Category C or district municipalities

District municipalities exist outside the metropolitan areas and are responsible for the coordination of a number of local municipalities (Category B) within a region. They are responsible for the provision of bulk public services and share legislative and executive authority with Category B municipalities within their jurisdiction. There are 44 district municipalities.

District Councils are made up of a number of Local Councils.

Voters in local (Category B) and district municipalities (Category C) will receive 3 (three) ballot papers as follows:

- Ward ballot
   – to elect a ward councillor to the Local Council.
- b. Local Council (PR) ballot— to elect representatives from political parties to the local council from the lists provided by parties that participate in the PR election for that Local Council.
- c. District Council ballot to elect 40% representatives from political parties to the district council from the lists provided by parties that participate in the election for that district council municipality.

#### 5.5 Ward Committees

Metropolitan and local council municipalities in the country are divided into wards. Ward Committees are a system of participation for citizens in the matters of local government. This is the right of all citizens, as legislation recognises the role that communities must play to improve democratic local governance.

The Municipal Systems Act, (Act 32 of 2000), gives local communities the right to contribute to the decision-making process of the municipality and to submit oral or written recommendations, representations and complaints to the Local Council.

Municipalities must encourage and create conditions for community participation and must establish appropriate mechanisms, processes and procedures to enable local communities to participate in the affairs of the municipality. They must provide for public meetings and hearings by the municipal council, conduct consultative sessions with locally recognised community organisations and, when establishing these

mechanisms, processes and procedures, take into account the special needs of people with disabilities.

Municipal Councils must also establish Ward Committees, whose objective is to enhance participatory democracy in local government. Municipal Councils must provide for procedures to elect members of the Ward Committee, taking into account the diversity of interests within the ward.

The law also provides for the representation of communities by their traditional leadership in the Local Council meetings where a system of customary law is observed and where these communities live within a rural area that is inside the municipal boundaries.





# 6 THE ELECTORAL CYCLE IN SOUTH AFRICA





## The Electoral Cycle in South Africa

### 6.1 PRE-ELECTIONS

### 6.1.1 Municipal demarcation and delimitation

In South Africa, different agencies have different roles to play in the municipal demarcation and delimitation process, including the Minister of Cooperative Governance and Traditional Affairs (COGTA), the Members of the Executive Council (MECs), the Municipal Demarcation Board (MDB) and the Electoral Commission. The process is effectively a relay in which each agency has defined legal functions that are true to that office only.

The first step in determining municipal boundaries for municipal elections is in the hands of the Minister of COGTA, who has to define the formula for determining the number of councillors for the various municipal Councils. The Minister can opt to maintain the current formulas or to publish new formulas for determining the number of councillors in the three types of municipal councils.

The number of councillors determines the configuration of each municipal ward. This may lead to the changing of the current boundaries which, in turn, may necessitate the re-delimitation of at least some voting districts.

### **6.1.1.1 Factors affecting demarcation**

In deciding on boundaries, the MDB considers factors such as the following:

- existing municipal and provincial boundaries.
- existing functional boundaries, for example, voting districts, magisterial districts, census boundaries and police districts.
- the movement of people, and the existence of employment and services in the area.
- the financial and administrative ability of a municipality to carry out municipal functions.
- the need for coordinated municipal, provincial and national programmes, for example, around health care.
- the need to combine neighbouring areas into integrated municipalities.
- geographical and environmental factors.

## 6.1.2 Voting districts and voting stations

One of the key activities of the Electoral Commission is the aligning of the voting district boundaries with the ward boundaries. Voting districts can change shape between elections due to various population and geopolitical changes that take place. Voting districts are principally determined on the basis of geographical size and the number of registered voters for National and Provincial and Municipal Elections.

Voting districts are generally delimited to minimise voter inconvenience and to assist in logistical planning. Urban voting districts typically contain some 3 000 voters located within a radius of about 6.5 km of the voting station. Rural voting districts accommodate some 1 200 voters located within a radius of about 12.5 km of the voting station. There are, however, anomalies that do not conform to the norm for various reasons.

Once the Electoral Commission receives the final set of ward boundaries from the Municipal Demarcation Board (MDB), it assesses the impact of these new ward boundaries on its current voting district boundaries and the associated network of voting stations. When a new ward boundary 'splits' a voting district, maps have to be prepared showing the splits. These maps need to be discussed with the relevant municipal electoral offices and the political parties in affected municipalities to determine whether new voting districts need to be created.

The Electoral Commission's Geographic Information System (GIS) Department updates the voting district data-sets after these consultations. Where necessary, targeted registration activities are undertaken to update the registration details of all the affected voters in time for the election in question.

This voting district re-delimitation exercise can take up to 18 weeks from when the final wards are received from the MDB to the updating the voting district delimitation database, which takes place after receiving input from the Municipal Party Liaison committees, and provincial and local offices.

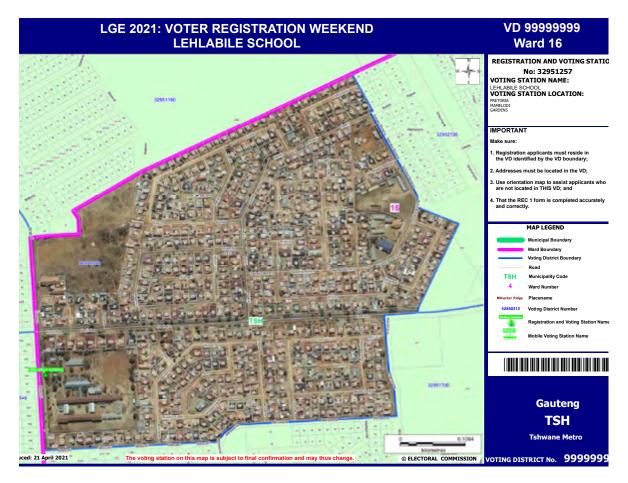


Figure 1a - Voting registration map - Urban

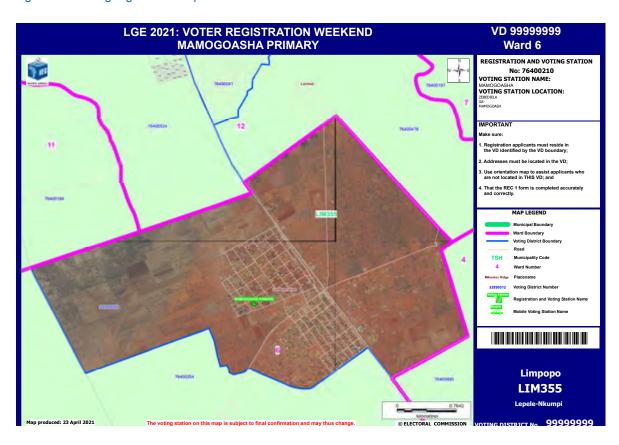


Figure 1b - Voting registration map - Rural

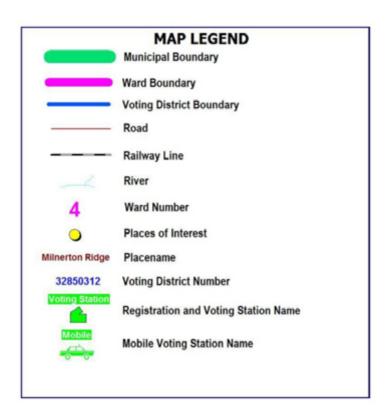




Figure 1d – Map barcode

Figure 1c - Map Legends



#### 6.1.2.1 Current voting station count

The table below represents the number of municipalities, wards and voting stations per province.

| SA MUNICIPAL WARD AND VD COUNT |                 |            |          |  |  |  |  |  |
|--------------------------------|-----------------|------------|----------|--|--|--|--|--|
| Province                       | Municipal Count | Ward Count | VD Count |  |  |  |  |  |
| Eastern Cape                   | 33              | 710        | 4 809    |  |  |  |  |  |
| Free State                     | 19              | 319        | 1 564    |  |  |  |  |  |
| Gauteng                        | 9               | 529        | 2 816    |  |  |  |  |  |
| KwaZulu-Natal                  | 44              | 901        | 4 940    |  |  |  |  |  |
| Mpumalanga                     | 17              | 400        | 1 788    |  |  |  |  |  |
| Northern Cape                  | 26              | 232        | 728      |  |  |  |  |  |
| Limpopo                        | 22              | 568        | 3 186    |  |  |  |  |  |
| North West                     | 18              | 403        | 1 743    |  |  |  |  |  |
| Western Cape                   | 25              | 406        | 1 577    |  |  |  |  |  |
| TOTAL                          | 213             | 4 468      | 23 151   |  |  |  |  |  |

#### 6.1.3 Registration of voters

The Constitution stipulates that all elections must be based on a national common voters' roll. Citizens must apply to register in the area where they are ordinarily resident, and are placed on the appropriate geographic segment of the voters' roll.

South Africa uses a continuous voters' roll, which means that voters will be added to and removed from the voters' roll on a continuous basis. Voters do not have to re-register or change registration details every time there is an election, unless:

- i. the voter has changed their place of residence;i.e. has a new address;
- ii. the voter has an incomplete or no address;
- a voter has been issued with a new ID number which is different from the old one; and
- iv. the Electoral Commission has changed the voting district boundaries

#### 6.1.3.1 Principles of voter registration

The following principles ensure that each applicant registers in the correct voting district within the ward:

 Voters must apply for registration in a voting district within the ward in which they ordinarily reside.

- In order to accept the application, at a specific voting station, the physical address provided must be located inside a voting district (VD) within the ward.
- c. If the applicant has come to the wrong station to register, he/ she must be redirected to the correct voting station by checking on the voting station orientation map.
- d. If the voter's personal details are incorrect in the ID document or ID smartcard, he or she must be advised to effect the necessary change at the Home Affairs Department.

#### 6.1.3.2 Who can register?

A person can register to vote in South Africa if he/she:

- is a South African citizen;
- is at least 16 years old (but can only vote from the age of 18); and
- has a green, bar-coded identity document (ID), smart card ID or valid temporary identity certificate (TIC) not older than 3 months from the date of registration), as illustrated below:

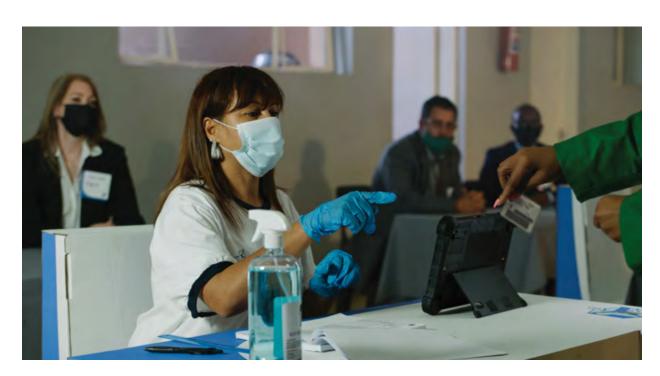


Figure 2a: Green bar coded Id.





Figure 2b: Smart Card ID



#### Voters can lodge their registrations or check their registration status through

- i. WEBSITE: www.elections.org.za
- ii. SMS ID number to 32810;
- iii. Toll-free phone call from a landline to the call centre (0800 11 8000) this is only available during specific periods announced by the Commission;
- iv. Walk in (to Electoral Commission local IEC offices) Monday to Friday;
- v. Registration Weekends determined by the IEC (Voting Station);
- vi. IEC Application on smart phone.

#### Obtaining and validating registration information

Two type of forms are used to obtain and validate registration information

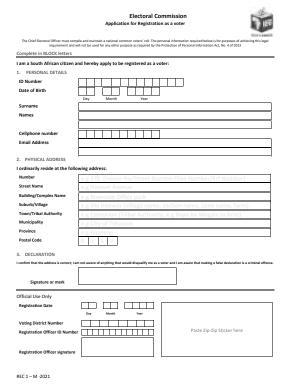


Figure 3: sample of the REC 1

When voters complete the REC1 form, they are giving the Electoral Commission all the necessary information about their place of ordinary residence. This will enable the Electoral Commission to include their names in the correct segment of the voters' roll.

#### REC1 forms are given to all voters who:

- have not previously registered;
- are registering in a different voting district (e.g. if they have moved since they registered); or
- have inspected the voters' roll and determined that the address details captured for them are incorrect or incomplete.

The REC AS form is given to all potential voters who do not have a formal or sufficiently descriptive address, for example, people living in:

- informal settlements:
- rural areas with no house or stand number;
- · traditional leaders' homesteads; or
- areas with no formal address where, instead, a community box number is used or where citizens collect their mail from local stores, clinics or schools.



Figure 4: Voter Registration Process

#### 6.1.3.3 Online voter registration

The online voter registration facility is part of the Electoral Commission's on-going commitment to provide greater accessibility and convenience to voters. It is part of the implementation of a range of other digital service channels accumulated

over the past 5 years including online candidate nominations, online special vote applications and online party funding declarations.

The new online voter registration facility has been in development for a number of years. The first phase was the introduction of an online service known as "Click, Check, Confirm" ahead of the 2019 National and Provincial Elections through which existing voters were able to check and amend their registration details. More than 350 000 voters have made use of this system since its introduction.

The second phase launched in 2021 and it allows all eligible voters – whether registered or not – to register and update their details via a computer, smart mobile device or tablet.

The system utilises a number of security checks to ensure the integrity of the voters' roll. These include the use of a One-Time-Pin (OTP) verification and the submission of a scanned image or photograph of the voter's ID document showing its barcode.

The online registration complements all the other existing registration options including on-going voter registration at all local IEC offices and various outreach initiatives including at schools, tertiary education institutions and general voter registration weekends that are arranged ahead of elections.

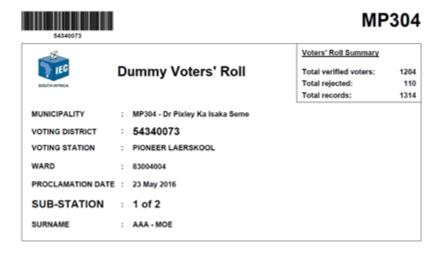
Due to the 24/7 nature of online registration, it allows voters to register and update their registration details up to the last possible moment ahead of the proclamation of the election date.

#### 6.1.4 Voters' Roll

The voters' roll is segmented into voting districts and names are alphabetically arranged according to surnames. Each segment of the voters' roll is divided into two sections:

Verified section: This contains the names of all eligible voters who are qualified to vote, and includes a voter's full name and ID number. In accordance with the requirements of the legislation and to protect the personal information of voters, it is only the printed segments of the voter's roll that are available at each VD for the management of registration and elections in that voting station, which contain the full ID numbers of voters. All other versions of the voters' roll – including those that may be in the hands of Candidate and Party Agents - have 5 digits redacted. Four of these redacted digits come after the first 6 digits which indicate the date of birth and the last digit of the ID is also redacted. The redacted digits are replaced with an asterix.

Names of these persons who have successfully applied for registration will appear in the front part of the relevant segment of the Voters' Roll.



|       |                     |   | Dummy Voters' Roll               |  |   |  |  |  |  |  |
|-------|---------------------|---|----------------------------------|--|---|--|--|--|--|--|
| DOT!  |                     | Names of persons who have applied for registration 23 May |                                  |  |   |  |  |  |  |  |
| PROVI | NCE:<br>G DISTRICT: | Mpumalanga<br>54340073                                    | MUNICIPALITY:<br>VOTING STATION: | MP304 - Dr Pixley Ka Isaka Seme<br>PIONEER LAERSKOOL | WARD: 8300400   |  |  |  |  |  |
| No    | LAST NA             | AME/SURNAME   |                                  | FULL NAME(S)   | ID NUMBER ADDRESS                                       |  |  |  |  |  |
| 1     | ABOO                |   |                                  | AHMED  | 831222 5153 084   |  |  |  |  |  |
| 2     | ABOO                |   |                                  | SHAYIDA  | 720330 0033 083 NOT MOUNTAIN STREET VOLKSRUST           |  |  |  |  |  |
| 3     | ACKERN              | IAN   |                                  | ISMAIL   | 560504 5076 084 VOLKSRUST 28 VOLKSRUST VOLKSRUST        |  |  |  |  |  |
| 4     | ACKRON              | V   |                                  | MARK   | 580704 0076 081 24 TONTELBOS VOLKSAUST VOLKSAUST VOLKSA |  |  |  |  |  |
| 5     | ADLAM               |   |                                  | ANNATJIE   | 540520 0153 083   |  |  |  |  |  |
| 6     | ADLAM               |   |                                  | DANIEL   | 500727 5063 086 PROEPHEIN OD NOTEN VOLKSRUST            |  |  |  |  |  |
| 7     | ALANT               |   |                                  | ANDREAS  | 590506 0155 085 OROBINGLO OP NOLEN VOLKSRUST            |  |  |  |  |  |

Figure 5a: Cover and dummy segment of voters' roll

**Rejected section** of the voters' roll (this section is found at the back of the voters' roll):

This consists of voters who are not allowed to vote for one of the following reasons:

- i. a person is under age (he or she applied for registration at the age of 16 as is permitted, but cannot vote because he or she had not yet turned 18 on the date of the election).
- ii. a person is deceased.

- iii. a person has been deleted from the national population register.
- iv. a person is a non-South African citizen.
- v. a new ID number has been issued to the person, but with a different number to the old ID
- vi. a person has applied to be de-registered as a voter.



Figure 5b: Sample of rejected registration applications on voters' roll

#### LGE 2021 Certified Voters' Roll: 26 September 2021 - Province and gender breakdown

| Province      | Female                     | % of Prov<br>Total | Male       | % of Prov<br>Total | Prov Total | % of Total |
|---------------|----------------------------|--------------------|------------|--------------------|------------|------------|
| Eastern Cape  | 1 856 005                  | 57,05%             | 1 397 302  | 42,95%             | 3 253 307  | 12,42%     |
| Free State    | 781 768                    | 55,32%             | 631 390    | 44,68%             | 1 413 158  | 5,39%      |
| Gauteng       | 3 238 921                  | 52,28%             | 2 956 832  | 47,72%             | 6 195 753  | 23,64%     |
| KwaZulu-Natal | 3 076 586                  | 56,47%             | 2 371 229  | 43,53%             | 5 447 815  | 20,79%     |
| Limpopo       | 1 526 548                  | 59,05%             | 1 058 532  | 40,95%             | 2 585 080  | 9,86%      |
| Mpumalanga    | 1 044 508                  | 54,88%             | 858 731    | 45,12%             | 1 903 239  | 7,26%      |
| North West    | 884 227                    | 52,90%             | 787 324    | 47,10%             | 1 671 551  | 6,38%      |
| Northern Cape | 334 360                    | 53,69%             | 288 386    | 46,31%             | 622 746    | 2,38%      |
| Western Cape  | 1 715 585 55,13% 1 396 345 |                    | 1 396 345  | 44,87%             | 3 111 930  | 11,88%     |
| Total         | 14 458 508                 | 55,18%             | 11 746 071 | 44,82%             | 26 204 579 |            |

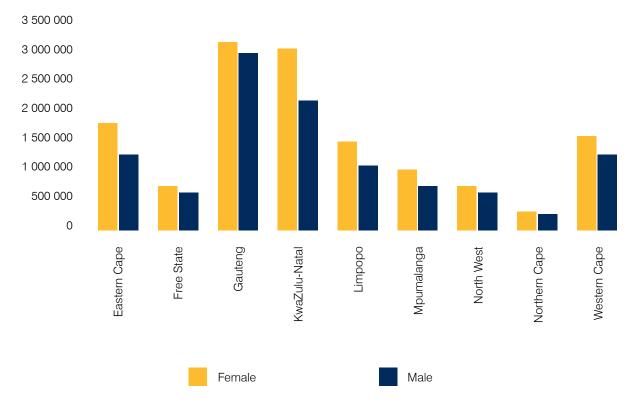


Figure 6: Voter registration statistics

#### 6.1.5 Registration of political parties

Any party intending to participate in elections in South Africa must have registered the political party with the Electoral Commission. Applications for political party registration include an opportunity for the public and existing political parties to express their views. Through the process of registration, a political party determines its name, logo and the abbreviation of its name which can then be included by the Commission on the ballot paper. There are currently 509 registered political parties.

A political party may contest an election by:

- i Submitting a party list containing the names of candidates to stand as its representatives for election through the Proportional Representation ballot as members of the Council:
- ii) Nominating a candidate to stand as representative of the party in the election of a ward representative; or
- iii) Doing both .

# 6.1.5.1 Requirements for political parties contesting election by way of party list

A party may contest an election only if the party has submitted to the Commission not later than the stipulated date and in the prescribed format the following:

- a party list;
- the party identifiers that are the same as those it recorded at the time of registration which may include the name (not more than 60 letters), party logo, and an abbreviated name (not more than eight letters) of the party;
- an undertaking binding the party, its candidates, persons holding political or executive office in the party, its representatives and supporters, to the Code;
- a declaration that none of its of its candidates on the party list is disqualified from standing for election in terms of the Constitution or any other applicable legislation
- payment of the prescribed deposit which is made up as follows:

| Metro            | R3 5000 |
|------------------|---------|
| Local Council    | R2 000  |
| District Council | R1 000  |
| Ward             | R1 000  |

### 6.1.6 Requirements for ward candidates

A person may be nominated to contest an election in a Ward by:

- a registered political party; or
- a person who is ordinarily resident in the municipality in which that Ward falls and who is also a registered voter on that municipality's segment of the roll.

In the event that a Ward candidate is nominated independently of a political party, the Independent Candidate must be a registered voter on that municipality's segment of the roll and the nomination must include the signatures of at least 50 voters who are registered in that Ward and can include a photograph in the specified manner for inclusion on the ballot paper.

#### 6.1.7 Election campaigning

There is no official time for the start of election campaigning. This takes place at any time. However, campaigning must cease one day prior to Election Day. With the prevailing COVID-19 pandemic, political parties and candidates are required to observe the corresponding Covid-19 protocols that apply during the election campaigns. The conduct of contestants is bound by the Electoral Code of Conduct.

#### 6.1.8 Security

The South African security forces play a significant role in the pre-election period in ensuring that the country is stable and that an environment is created that will enable the elections to be held in free and fair conditions. The security forces conduct an analysis and assessment of the potential security challenges particularly in the light of their experiences in the lead up to the elections and the Electoral Commission's observations during past elections in order to establish volatile areas (hot spots) that need more focused attention. Upon completion of the security assessments, the necessary recommendations are made and presented to the National Joint Operational Centre (NATJOC) Forum. Joint Operation Centres (JOC) also function at the provincial and district levels.

The forum is then able to make decisions on how volatile areas should be managed to ensure that the situation is conducive for the voters to exercise

their constitutional right of voting. Security force members can be deployed to hot spots to stabilise these areas prior to the elections taking place. Each provincial JOC is attended by an Electoral Commission conflict and dispute resolution coordinator.

#### 6.1.9 Media

The Electoral Code of Conduct states that political parties and candidates must respect the role of the media during an election period. They must also ensure that they do not prevent access by journalists and other members of the media to public political meetings, marches, rallies and demonstrations. Parties and independent candidates must also take all reasonable steps to ensure that journalists are not subjected to harassment, intimidation, threats or physical assault by their representatives or supporters.

#### 6.1.10 Civic and democracy education

The role of the Civic and Democracy Education in the Electoral Commission is to:

- promote civic and democracy education as an imperative for free and fair elections as it contributes to electoral integrity and the quality of an election;
- ensure the presence of a well-informed electorate particularly about the electoral processes and procedures and to decrease the number of spoilt ballots;
- promote a knowledgeable, active and informed citizenry, which is a prerequisite for democracy;
- conduct voter education programmes which are designed to ensure that voters are informed, ready, willing and able to participate in electoral politics;
- contribute to civic and democracy education content which encompasses knowledge, skills, attitudes and values that assist in the promotion of equality, social cohesion, mutual under standing, inter-cultural and inter-religious dialogues, political tolerance, mutual respect, freedom of expression and association, and peace building;
- contribute to voter participation by creating a conducive climate for free and fair elections;
- promote a culture of democracy and human rights by creating and emphasising an awareness of civic responsibilities and contributing to the upholding of the Constitution with its cornerstones including equality, human dignity and the rule of law;

- empower target groups and areas where voter turnout has been historically low to participate fully in the electoral processes; and
- empower the vulnerable groups to participate fully in the voting process.

For all general elections, the Electoral Commission's internal capacity to conduct voter education is strengthened through the engagement of temporary staff who drive the campaigns and who directly engage with diverse audiences and communities. The Electoral Commission also works with a range of stakeholder groups to undertake this work including tertiary institutions, schools, civil society and faith based organisations to augment its own capacity.

#### 6.2 ELECTION TIMETABLE

In terms of the Electoral Act, the Electoral Commission must publish an election timetable, which clearly outlines all the electoral activities that need to take place by specific dates and times to ensure the smooth running of an election. For all elections, these timetables are published in the Government Gazette.

The key events in the election timetable include the following:

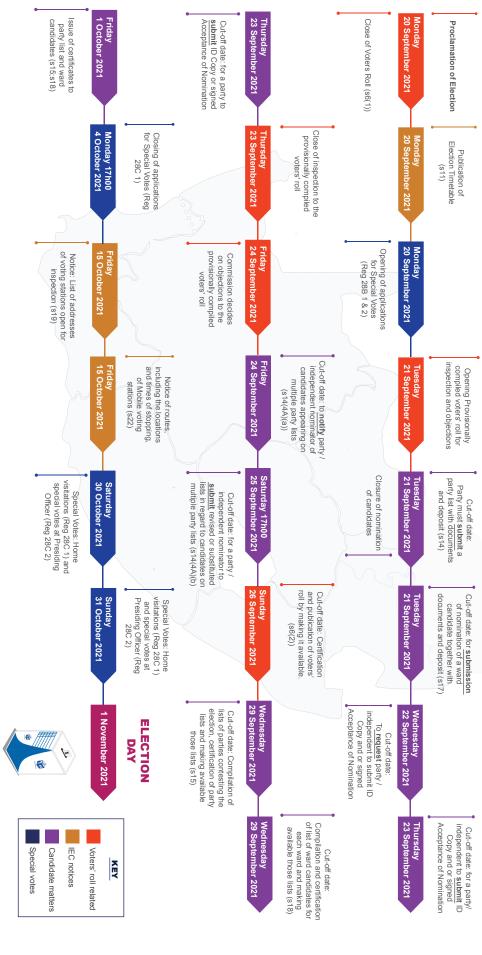
- proclamation of election;
- closing the voters' roll;
- releasing the proposed voting stations ad dresses for inspection;
- releasing of the draft voters roll for inspection and possible objection
- certifying and publishing the final voters' roll;
- publishing the deadline for the submission of lists of candidates and deposits for all candi dates:
- notifying parties and candidates about any non-compliance around documents or deposits;
- publishing the parties contesting elections, party lists and lists of ward candidates;
- inviting applications for special votes;
- publishing voting stations and mobile voting stations routes;
- allowing special votes at voting stations from 08:00 to 17:00:
- allowing special vote visits to voters' homes; and
- ensuring that voting takes place from 07:00 to 21:00, on voting day.





# AMENDED AMENDED

Any act required to be performed in terms of this Act must be performed by no later than a date stated in the election timetable must be performed before 17:00 on that date.







# 7 ELECTION DAY





## 7.1 VOTING STATIONS AND VOTING CENTRES

The Electoral Commission makes use of five types of voting stations namely:

- **Permanent voting stations:** These are permanent structures that are immovable and are used for voting, e.g. schools, churches, libraries, etc.
- Temporary voting stations: These are temporary structures that are used for voting in areas where there are no permanent structures. Usually these take the form of tents that are erected in communities for voting purposes.
- Mobile voting stations: These are mobile stations that are moved from one area to another within the voting district on Election Day for voting purposes. Usually these stations are in the form of vehicles.
- **Voting centres:** A voting centre is a voting station that consists of a number of substations.
  - A voting centre would typically be applicable in voting districts with a high population density and a high number of registered voters. This is a type of 'enforced

- streaming', where each stream operates as a substation at the same venue.
- A typical example of a voting centre would be a school where, instead of using only one classroom for voting, different class rooms are used as substations. Voting centres can make use of either permanent or temporary structures.
- It is important to note that for voting centres, the voters' roll is printed, divided and packed according to the number of substations at that voting centre, i.e. each substation receives a portion of the voters' roll segment for the voting district.

**Prisons:** Prisons are treated as satellite stations to the voting station in the voting district. However, for the purposes of municipal elections where voters are required to vote in the Ward in which they normally reside, it must be noted that in terms of section 7 of the Electoral Act, prisoners are not regarded as ordinarily resident at the prison but, instead, at the last place of residence prior to being imprisoned. Consequently, prisoners do not vote in local government elections.

#### 2021 Voting Station breakdown per Province per Type

|               | Voting Station Type |               |               |             |  |  |  |  |
|---------------|---------------------|---------------|---------------|-------------|--|--|--|--|
| Province      | MOBILE (M)          | PERMANENT (P) | TEMPORARY (T) | Grand Total |  |  |  |  |
| Eastern Cape  | 9                   | 4681          | 119           | 4809        |  |  |  |  |
| Free State    |                     | 1392          | 172           | 1564        |  |  |  |  |
| Gauteng       |                     | 2556          | 260           | 2816        |  |  |  |  |
| KwaZulu-Natal | 7                   | 4801          | 132           | 4940        |  |  |  |  |
| Limpopo       |                     | 3039          | 147           | 3186        |  |  |  |  |
| Mpumalanga    | 11                  | 1705          | 72            | 1788        |  |  |  |  |
| North West    | 1                   | 1610          | 132           | 1743        |  |  |  |  |
| Northern Cape |                     | 721           | 7             | 728         |  |  |  |  |
| Western Cape  |                     | 1540          | 37            | 1577        |  |  |  |  |
| Grand Total   | 28                  | 22045         | 1078          | 23151       |  |  |  |  |

#### 7.2 BALLOT PAPERS DESIGN

The Electoral Act empowers the Electoral Commission to determine the design of the ballot paper to be used in an election. The pre-eminent consideration of the Commission in designing the ballot paper is to enable easy identification of the party or candidate of choice by the voter in order, to facilitate the selection of that contestant with confidence and to minimise risks of mistakes by the voter. To compile the ballot papers, the Commission draws on the identifiers in the documentation supplied by contestants at the point of their registration as political parties and at the time that their nomination information is submitted. The ballot papers have also been designed taking into account the research that was undertaken on behalf of the Commission into the ballot paper design. Ballot papers have security features embedded and uniquely designed for each national election.

The sequence of contestants is based on an alphabetical order. However, the 'top position' is determined after a public draw is undertaken. The only variation that may occur is implemented manually if there is a need to separate parties with confusing party identifiers within the alphabetical cluster. Each book of ballots has a unique serial number and barcode.

#### 7.3 VOTING PARAMETERS

#### 7.3.1 Eligibility to vote

To be eligible to vote in the 2021 Municipal Elections, voters must:

- be a South African citizen;
- be 18 years and older;
- be in possession of a green bar-coded South African identity document, a valid temporary identity certificate or a smart card identity document;
- have their name appear on the Voting District segment of the voters' roll; and
- present himself or herself to vote at the same Voting District.

If the voter's name is not on the rejected portion of the voters' roll and does not appear on the Voting District segment of the voters' roll where the voter claims to have applied to register to vote, he or she must be in possession of proof of registration. This may take the form of a sticker (as indicated below) which previously was provided during registration or through an approved MEC7. A voter who does not appear on the voters roll but is able to provide this proof of registration will be allowed to vote. However they need to complete a form (MEC7) which is required in terms of Section 7(2) of the Municipal Electoral Act.



Figure 11: Proof of application for registration

#### 7.3.2 Hours of voting

The operating hours of voting stations are from 07:00 to 21:00. However, the Commission may determine different voting hours in general or for Voting Districts. If such a determination is made, the relevant Presiding Officers will be informed by the local office of the Electoral Commission.

#### 7.3.3 Hours for special voting

- Voting stations and home visits will take place on the 30th and 31st October 2021 from 08:00 to 17:00.
- All special votes must be cast at the voting station, i.e. in the Voting District, for which that voter appears on the segment of the voters role

#### 7.4 Voting station staffing

The number of staff that work at a voting station varies, depending on the number of voters registered in the Voting District. Staff allocation per voting station is a minimum of five persons. In some limited instances, staff will have to perform more than one role. It is the responsibility of the Presiding Officer and the Deputy Presiding Officer to train the entire team and get them ready for Election Day. The Electoral Commission has also developed an online training programme for the expansion staff and completion of some of the modules informed the staff recruitment process.

A Code of Ethics exists for all voting station staff. The same staff will act as counting staff during the counting process.

#### **ELECTORAL COMMISSION**

# CODE OF ETHICS AND CUSTOMER SERVICE PLEDGE

The purpose of this Code is threefold. First, it provides the broad principles and values to which all electoral staff must subscribe. Secondly, it provides rules for electoral staff to use in many of the situations that they might encounter. Finally, this Code is meant to serve as the foundation for the ethical work standards of staff of the Electoral Commission of South Africa

#### THE FOUR ETHICAL PRINCIPLES

1

#### RESPECT FOR THE RIGHTS AND DIGNITY OF THE VOTER

- All voters will be treated equally with dignity and respect and the voter's right to confidentiality and secrecy will be ensured
- Respect will also be accorded to voters' cultural and individual differences, including those due to age, gender, race, disability and religion.
- No voter will be treated unfairly or discriminated against for whatever reason.
- All voters will be welcomed in a friendly, warm and courteous manner upon arrival.
- · Voters with special needs, such as disability, advanced age and medical condition, will be given first preference.

2

#### COMPETENCE

- Upon entering the station, a voter will be directed to the appropriate work station as soon as possible and should be assisted in not more than 5 minutes.
- Electoral staff will maintain high standards of competence in their work and will develop their work skills and ethical awareness on an ongoing basis.

3

#### RESPONSIBILITY

Electoral staff will aspire to act in a trustworthy and reputable manner towards all voters and political parties.
 They will uphold standards of ethical conduct that reflect well on them as well as the Electoral Commission. They will act appropriately to resolve problems and complaints. In keeping with this, they will listen empathetically to complaints and act on them promptly.



#### INTEGRITY

Electoral staff will carry out their duties in an honest, fair and unbiased manner to
ensure that their work is transparent and impartial. They will treat all voters in a fair, open
and professional manner and take action against any unethical conduct displayed by
colleagues.



Figure 12: Code of Ethics

#### 7.5 SPECIAL VOTING

A special vote is a vote cast before Voting Day. Applications for special votes are administered at the IEC local office prior to the special voting days as per the election timetable.

A special vote allows a registered voter who can't vote at their voting station on election day to apply to vote on a predetermined day before election day. Special voting in South Africa in the 2021 Municipal Elections will take place on 30 and 31 October 2021, as per the election timetable.

Any eligible voter who wishes to cast a special vote will have to obtain prior approval from the Electoral Commission, as stipulated in the election timetable:

- a. after completing an application form (MEC35) or online application process; and
- b. upon receiving approval to cast such a vote.

#### There are 2 categories of special voting namely:

#### Category 1

Voters with a physical infirmity, disability or pregnancy, who successfully applied for special votes, are allowed to cast such a vote at their homes or places of residence within the Voting District where they were registered prior to Election Day and appear on that segment of the Voters' Roll. Voters who were successful in their applications for a special vote home visit will be visited by voting officials at their homes on either 30th or 31st October 2021, and allocated ballot papers which must be appropriate for the Voting District where the voter is registered and allowed to vote.

#### Category 2

A voter who will go to the voting station where the voter is registered on one of the Special Voting days as that voter cannot vote in that Voting District on election day due to:

- i. his/her intended absence from that Voting District;
- ii. being on duty as a member of the security services in connection with the election; or
- iii. serving as an officer in the election concerned.

#### 7.5.1 Who qualifies for Special Vote

- if a person is registered voter;
- has a valid South African identity document (green, barcoded ID book; smart ID card; or a valid Temporary Identity Certificate (TIC).

By law, registered voters can apply for a special vote if they:

Cannot travel to their voting station because they are physically infirm, disabled or pregnant; outside of the country; or can't vote at their voting station on election day.

#### 7.5.2 MEC 7 and special voting

Section 7(2) of the Local Government: Municipal Electoral Act allows for a registered voter to vote in a voting district even if the voter's name does not appear on the voters' roll for that voting district provided that the voter has the following proof:

- a. The voter has proof, in the form of an original receipt issued when a person applied for registration, or other evidence to that effect as may be available to the presiding officer, which constitutes of having applied for registration as a voter in that voting district before the proclamation date of the elections.
- The voter is also not on the rejected portion of the voters' roll.

# 7.5.3 How and when to apply for a special vote?

Registered voters can apply to cast a special vote through the following means between 20 September and 4 October 2021 only, as per the election timetable, in one of the following ways:

- Online via the website https://www.elections. org.za/content/For-Voters/Special-vote-on line-application/;
- An SMS will be sent to the applicant notifying them of the outcome once their application has been processed, they may also check the status of their special vote application online.
- Special voting takes place at the voting station where they are registered, either on 30 or 31 October 2021, between 09:00 to 17:00

#### 7.5.4 Special voting process

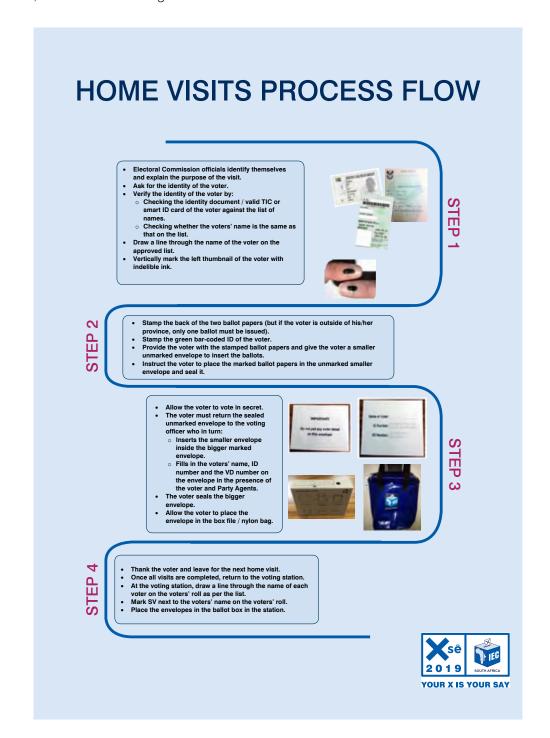
The Special Voting process must be conducted in a very systematic way to avoid confusion and disenfranchising any eligible voter. The process must be followed step by step, as every step is of equal importance to the next.

When casting a special vote, the voter will follow the following processes:

 The voter's hands will be sanitised and the voter will be required to wear a mask.

- The left thumbnail will be marked with indelible ink with a disposable applicator.
- The voter's ID will be checked.
- The voter's name will be crossed off the special voters list for that Voting District.
- Ballot papers appropriate to that Voting District (2 or 3 depending on whether the voter resides in a metropolitan area or not) will be issued to the voter.
- The voter will mark the ballots in secret and place and seal them in an unmarked envelope.
- The unmarked envelope will be placed in an other envelope that is marked with the voter's name, ID number and voting district number.

- The use of two envelopes is to ensure the secrecy of the voter's ballot and the outer envelope is discarded before counting.
- Election officials will take the envelope and place it in a secure ballot box for special votes.
- The voter's name will be marked off the voters' roll segment for that Voting District at the end of the home visits or at the voting station when the voter appears in person. The voter's roll will be marked with the letters SV to indicate that the voter has cast a special vote.



# SPECIAL VOTING AT THE VOTING STATION PROCESS FLOW



- Verify the identity of the voter by:
- Checking the identity document / valid TIC or smart ID card of the voter against the list of names.
- Checking whether the voters' name does appear on the
- If the voter's name does not appear on the list, the voter must not be given a ballot but must be advised to come back on Election Day.



# STEP



- Draw a line through the name of the voter on the voters' list. Draw a line through the name of the voter on the voters' roll.
- Mark SV next to the voters' name on the voters' roll.
- Vertically mark the left thumbnail of the voter with indelible ink.
- Stamp the back of the two ballot papers (if the voter is outside of his / her province, only the National Ballot must
- Stamp the page inside the green bar-coded ID.
- Provide the voter with the stamped ballot paper(s) and give the voter a smaller unmarked envelope to insert the
- Fill in the voters' name, ID number and the VD number on the envelope in the presence of the voter and Party Agents and hand the envelope(s) to the voter

#### SCENARIO A

A VOTER HAS A COMPLETE ADDRESS AND HAS REGISTERED IN THE CORRECT VOTING DISTRICT IN THE CORRECT PROVINCE BEFORE PROCLAMATION DATE

This voter receives both the National and Provincial Ballots.

#### SCENARIO B(1)

A VOTER HAS AN INCOMPLETE ADDRESS OR NO ADDRESS AT ALL ON THE VOTERS' ROLL [ADDRESS PROVIDED AND NOT DISPUTED WITHIN THE PROVINCE]

This voter receives both the National and Provincial Ballots. All voters must be given two envelopes on Special Voting Days.

#### SCENARIO B(2A)

DETERMINATION BY THE PRESIDING OFFICER [SECTION 41 - OBJECTION TO VOTING]

A VOTER HAS AN INCOMPLETE ADDRESS OR NO ADDRESS
AT ALL ON THE VOTERS' ROLL [ADDRESS PROVIDED IS
DISPUTED BUT WITHIN THE PROVINCE]

This voter receives both the National and Provincial Ballots. Section 41- Objection to voting applies in this instance.

#### SCENARIO B(2B)

FRAUD OR EXCEPTIONAL CIRCUMSTANCES [SECTION 41(1A) - OBJECTION TO THE

(SECTION 41(1A) - OBJECTION TO THE ADDRESS PROVIDED)
WHEN THE VOTER HAS AN INCOMPLETE ADDRESS OR NO ADDRESS AT ALL ON THE VOTERS' ROLL [ADDRESS PROVIDED IS DISPUTED BUT WITHIN THE PROVINCE]

This voter receives both the National and Provincial Ballots, VEC 5A form and the address schedule as determinend by the PO is updated. The Special Votes envelopes, for the National Ballot and the Disputed Address envelopes, for the Provincial Ballot must be deposited in a ballot box. NB! The objector must produce proof of fraud as determined by the PO.

WHEN THE VOTER HAS AN INCOMPLETE ADDRESS OR NO ADDRESS ON THE VOTERS' ROLL BUT REFUSES TO PROVIDE THE ADDRESS.

This voter receives a National Ballot only.

# STEP,



- Instruct the voter to place the marked ballot papers in the unmarked smaller envelope and seal it after voting.
- Thereafter the voter must insert the smaller unmarked envelope inside the bigger marked envelope.
- Provide the voter with the stamped ballot papers required
- to cast a special vote. Allow the voter to vote in secret in a voting booth.
- The voter must seal and deposit the bigger marked envelope







Figure 13b: Special Voting at voting station process

#### 7.6 ROLES OF VOTING STAFF

#### 7.6.1 Presiding Officer

In terms of Section 28 of the Local Government: Municipal Electoral Act 27 of 2000, the Presiding Officer has a number of responsibilities including to:

- a. Coordinate and manage the voting station to ensure that the elections are free and fair.
- b. Take all reasonable steps to ensure orderly conduct at a voting station.
- Make staff and stakeholders aware of all processes and procedures within the voting station.
- d. Complete and sign the checklist of all materials received and the ballot paper statement.
- e. Record the opening and closing of voting station in the voting station diary.
- f. Record voter turnout at stipulated times by completing the relevant section of the Voting Station Diary.
- g. Monitor the ballot papers and complete the relevant section of the Voting Station Diary.
- h. Immediately report any ballot shortages and other election material and equipment to the Area Manager.
- Close and seal full ballot boxes and provides new ones by temporarily stopping the voting process (if necessary).
- j. Prepare for the close of voting.
- k. Clarify the assistance to be provided to voters with special needs with Agents beforehand.
- Supervise the administration of MEC7 applications.
- m. Investigate, determine and record his/her decisions in relation to any objection forms and to note any incident in the Voting Station Diary.
- Rotate roles of voting station staff as and when deemed necessary.
- Report any shortage of voting station staff or staff misconduct.

#### 7.6.2 Deputy Presiding Officer/s

In terms of Section 28(5) (a & b) of the Local Government: Municipal Electoral Act 27 of 2000:

- a. The Deputy Presiding Officer must assume all the roles and responsibilities of the Presiding Officer whenever the Presiding Officer is not available. Over and above that, he/she must:
- b. Manage all **MEC7** cases at the voting station.
- c. Reconcile special vote ballots against the special voter list and the voters' roll.
- e. Manage the staff and any administrative duties that the Presiding Officer may have assigned to

- him/her.
- f. Manage address disputes and issue colour-coded double envelopes in this regard. The colour-coding of these envelopes is to distinguish them from the special vote double envelopes which are white.
- yoting officials should avoid handling ID documents, the voter must present the ID in such a manner that the scanner operator is able to scan the barcode without touching the ID. In the event that documents are handled, sanitizer should be used.
- h. Handle all queries and problems and escalate to the Presiding Officer if unable to resolve.
- i. Escalate all objections to the Presiding Officer.

#### 7.6.3 Queue Walker

- Ensures social distancing is in place maintaining 1.5 meters apart. Adhesive tapes or any VS specific measures may be used to enforce social distancing.
- b. Ensures that all voters in the queue are wearing face masks.
- c. Makes regular checks along the queue.
- Using the eZi-skan (Zip-Zip machine), scans the voter's ID book or smart ID card to verify where the voter is registered or manually enters the ID number of the voter in the case of a Temporary ID Certificate (TIC). The eZi-skan will produce a slip with the sequence number of the voter on the voters' roll. This can assist the queue walker to advise the voter in voting centre where streaming of voters is required and is also to enable the voters' roll officer to more quickly locate the position of the voter on the printed voters' roll. Voting officials should avoid handling ID documents, the voter must present the ID in such a manner that the scanner operator is able to scan the barcode without touching the ID.
- e. Checks that voters have come to the correct station and redirects them if necessary.
- f. Gives priority and offers assistance to the elderly, pregnant women and voters living with disabilities.
- g. Checks the voter's ID book, TIC or smart ID card to ensure it is valid for voting purposes.
- h. Checks the voter's fingers for indelible ink and whether his/her ID book or TIC has already been stamped as having voted in that election.

#### 7.6.4 Door Controller:

- Ensures that every voter is wearing a face mask.
- b. Hand sanitises voters entering the station.
- Controls access of voters into the voting station to ensure the proper flow of voters through the voting process.
- d. Controls movement of voters, observers and agents in and out of the voting station to ensure that Covid-19 protocols are being adhered to.
- e. Checks for the voting stamp in the ID book or TIC and refers to the Presiding Officer or Deputy Presiding Officer if stamp is already present in ID book or TIC for that election.
- f. Checks the voter's fingers on both hands, to see whether there is any ink mark on the fingers and refers to the Presiding Officer or Deputy Presiding Officer if there is an indication of having voted already in that election.
- g. Directs voters to the voters' roll table.

#### 7.6.5 Voters Roll Officer (VRO)

The VRO monitors voter turnout, prevents duplicate voting, captures complete addresses. To this end, the VRO:

- Confirms that the correct segment of the voters' roll is being used: voting district and election date.
- b. Checks the voter's ID book, TIC or smart ID card avoiding touching the ID to see whether it is valid (checks if the date on the TIC is valid).
- c. Compares the photograph on the identity document to ensure that the ID document identifies the voter (if in doubt, refers to the Presiding Officer).
- d. Finds the voter's name on the printed voters' roll and also using the VMD checks that the voter is registered at that voting station. If the VMD is not connected to the network and being used in offline mode, the VRO will manually check for the voter's name on both the printed eligible voters as well as on the printed rejected portion of the voters' roll.
- e. If the name appears on the voters' roll, check the voter's ID number to ensure that it corresponds with the ID number recorded on the voters' roll. If satisfied, draw a line across the name of the voter on the printed voters' roll.
- f. If the voter's address details are either absent or incomplete, the voters' roll officer must collect the complete address details for the voter.
- g. In the case of a voter whose full address details were not available and who provides

- these to the VRO prior to being issued with a ballot, the VRO must locate the address on the map using either the VMD or the printed map to ensure that it is in the Ward within which the Voting District is located.
- h. In case of voters whose addresses fall outside of the Ward within which the Voting District is located, these voters will not be able to be issued with a Ward Ballot.
- i. Regularly sanitizes hands

#### **7.6.6** The Inker:

- a. Requests the voter to show his/her hands, checks the fingers to see whether there is any trace of ink. If there is a mark of ink, the Presiding Officer is called.
- b. Checks if the ID book or TIC of the person has the official stamp of that particular election. If it does, the Presiding Officer is called.
- c. The left-hand thumbnail of the voter is marked with an indelible ink (across the point where the nail meets the cuticle) using a disposable bud.
- d. Requests the voter to wait at least 5 seconds to allow the ink to settle before proceeding to the next table.
- e. Disposes the used cotton bud into the disposables bag that is provided.
- f. Refers the matter to the Presiding Officer if the voter refuses to have his/her nail inked.



Figure 15: Marking of a voter thumbnail

#### 7.6.7 Ballot Paper Issuer:

- a. Requests the voter to show the ink mark on his/ her left thumbnail. Removes one ballot in the presence of the voter from each ballot book (either Metropolitan PR and Ward or Local PR, District PR and Ward). He/she turns the ballot papers face down and with the official security stamp of the Electoral Commission stamps each one at the back.
- b. Stamps the ID of the voter on the second or

- third page. In the case of a TIC, he/she must stamp the front, but not on the photo, with the same official security stamp of the Electoral Commission. The Smartcard cannot be stamped.
- Explains to the voter what each ballot paper is for.
- Explains to a voter who has been issued with a double colour-coded envelope how to cast their vote using double envelope system.
- e. Shows the voter how the ballot papers will need to fold after the voter will have voted (with the official security stamp of the Electoral Commission visible when folded).
- f. Directs him/her to a vacant booth. The entrance to the voting booth must be positioned in such a way that it is protected from the possibility of scrutiny by any other person.
- g. In the case of voters who are blind / partially-sighted / have low vision, the Ballot Paper Issuer must offer the voter a Universal Ballot Template (UBT) to assist the voter to select and case his/her vote independently. The Ballot Paper Issuer must explain how the UBT works.

#### 7.6.8 Ballot box/Booth controller

a. Checks if the voter has folded the ballot papers correctly. If not, sends the voter back to the

- voting booth to refold them (Electoral Commission security stamp must be visible).
- Asksthevotertoholdthefoldedballotpapers so that you can see whether they bear the official security stamp of the Electoral Commission.
- c. If a ballot paper does not bear the official security stamp of the Electoral Commission, calls the Presiding Officer.
- d. If the stamp is visible, directs the voter to place the ballot papers in the ballot box.
- e. Directs the voter to the exit after the voter has placed the ballot in the ballot box.
- f. Regularly checks the voting booth when it is vacant to ensure that the pen to mark the ballot papers is still attached, and that nothing was left in the voting booth or written on the booth which may influence voters about how to mark the ballot papers and to sanitise the pens.
- g. Alerts the Presiding Officer if:
  - i) the voter remains in the voting booth for too long; or
  - ii) the voter asks for assistance in marking the ballot paper; or
  - iii) the voter indicates that he/she has made a mistake on the ballot paper.
- h. Regularly santitizes surfaces and booth and pen

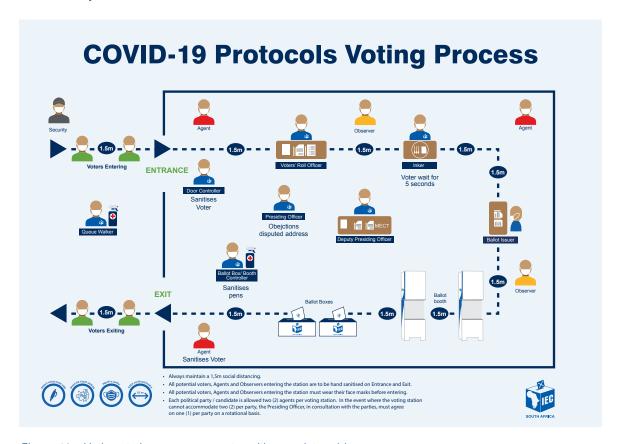


Figure 16a: Voting station process - .voter with complete address

#### 7.6.9 Area Manager (AM)

One of the critical positions in the administration of the elections is that of the Area Manager. The Electoral Commission has clustered a number of voting stations together under the control of one Area Manager. It is therefore of critical importance that the Area Manager and all the Presiding Officers under his/her control, work as a team prior, during and after the election.

#### The role of the AM includes the following:

- Assists with the administration requirement involved in the recruitment of suitable voting officers if required.
- b. Verifies the voting station infrastructure.
- c. Arranges with the landlord of the voting station that the keys will be available to ensure access to the building in the early morning of both special voting days and voting day.
- d. Makes sure that he/she has written down the key holder's telephone number and physical address and keeps these details handy.
- e. Assists with the coordination/logistics for the training of all voting officers.
- f. Confirms that the election material has been appropriately allocated according to the voting station requirements.
- g. Delivers voting material (including special voting material) to the allocated voting stations.
- h. Confirms that available staff have completed and signed the application forms/contracts and attendance registers for payment.
- Checks that the Voting Station Diary of each of the voting stations managed by the AM for accuracy and completeness at different times during voting day.
- j. Checks that all posters are properly displayed in the voting station.
- Collects all attendance registers at the end of each day.
- Deals with replacement staff and collects all documentation (such as contracts) and returns

- these to the IEC Local Office.
- m. Assists in planning for the administration of special votes.
- n. Holds the allocated ballot paper buffers and distributes to voting stations when necessary.
- Ensures that the Presiding Officers report opening and closing of their respective voting stations.
- Ensures that staff attendance is recorded on the VMD.
- q. Assists staff in instances where the VMD needs to be reprogrammed or replaced.

#### 7.7 MOBILE VOTING STATION

A mobile voting station serves more than one venue for voting and moves from one venue to another at predetermined times. Only one of these venues may be open at a time. The reconciliation and counting of votes for all the venues will take place at a predetermined venue, which will be at one of the stopping points (see Figure 6). Mobile voting stations are normally used in voting districts where a small number of voters are spread over a very large area.

In such cases, all practical measures must be taken to ensure that a mobile voting station is managed in exactly the same way as a permanent voting station.

During the day, the mobile voting station will stop / open at different points during specific voting times. The stopping points and times are published in the Government Gazette prior to voting day to notify the affected communities and all contestants. Mobile station times will also be communicated via local media and at nodal points in the local community.

As a Presiding Officer, you are expected to follow the same process of opening and closing at each stopping point that are applied at a voting station and to stick to the times that have been specified.



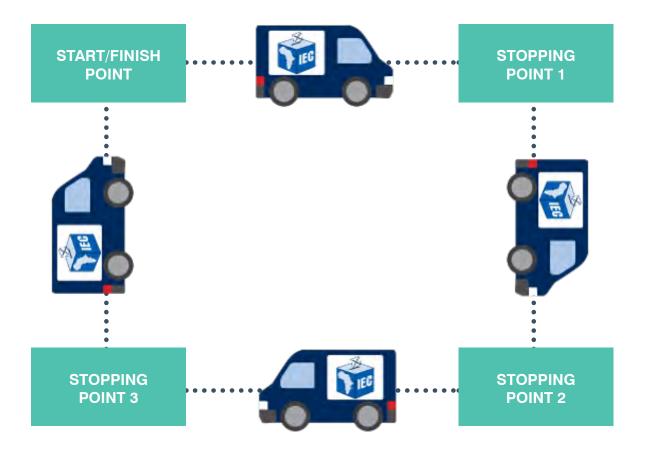


Figure 6: Mobile Voting Station

#### 7.7.1 Voting Station Procedure

- Demarcate the voting station boundary at each voting stop before opening it as the voting station
- At the first location only, show the Agents and observers that each ballot box is empty before sealing it.
- c. Ensure, as far as is practicable, that voting is conducted at each location during the hours that were published in the Government Gazette.
- d. At the conclusion of voting at each location, affix a seal to the opening of each ballot box and append your signature.
- Invite the Agents to add their signatures to the seal before the mobile station leaves for the next voting location.
- f. Prior to the commencement of voting at the next location, allow Agents to inspect the seals on each ballot box.
- g. At the conclusion of voting, at the last voting location, affix the plastic strip seal to the opening of each ballot box and invite the Agents to affix their seals if they so wish.
- h. Complete the ballot paper statement in the Voting Station Diary.

- i. Seal and package all voting material with security tape.
- j. Transport all voting material to the counting station, as pre-arranged with the municipal electoral officer.

#### 7.8 VOTING CENTRES

A voting centre is a voting station with a large number of registered voters and it is divided into a number of substations.

A voting centre would typically be applicable in highpopulation density VDs which contain a high number of registered voters.

This is a type of "streaming", where each stream operates as a substation at the same venue.

A typical example of a voting centre would be at a school, where instead of using only one classroom for voting, different classrooms are used as substations.

# 7.8.1 Roles and responsibilities of Voting Centre Staff

Although the voting centre staff are similar to voting station staff, certain positions have different roles from those of the normal voting station. We will discuss these different roles in this section and NOT the roles that do not change (see Figure 7).

#### 7.8.1.1 The Presiding Officer (PO)

- Manages and oversees the voting process in all substations at the voting centre.
- Manages the staff and all administrative duties in all substations at the voting centre, as follows:
  - i. completes the relevant section of the ballot statements (MEC11) in the diary for the voting centre;
  - ii. manages and completes the Voting Centre Diary; and
  - iii. handles all queries and problems that the Deputy Presiding Officers cannot resolve.
- Summarily investigates, determines and records his/her decisions in relation to all objections on the objection forms as well as in the Voting Centre Diary.
- d. Assists the Deputy Presiding Officers with the processing of **MEC7** applications. Assists the Queue Walker to redirect voters to the correct substation.
- e. Assists the Deputy Presiding Officers to deal with all voters who request assistance, allowing for the presence of Agents .

#### 7.8.1.2 The Deputy Presiding Officer

- Assumes the role of the Presiding Officer in a substation and manages the voting process in the substation.
- b. Manages the staff and any administrative duties that the Presiding Officer may have assigned to him/ her.
- c. Manages and completes the Voting Station Diary for his/her substation, as follows:

- i. completes the relevant section on the ballot paper statement (MEC11) (see Figure 9) in the diary for the substation;
- ii. manages and processes all MEC7 applications at the substation and escalates any problematic ii. MEC7 applications to the Presiding Officer.
- d. Handles all queries and problems at the substation and escalates to the Presiding Officer if unable to resolve.
- e. Escalates all objections in the substation to the Presiding Officer.
- f. Rotates roles of voting substation staff as and when deemed necessary.

#### 7.8.1.3 Queue Walker

- Manages the queue at the voting centre.
- b. Operates the eZiskan to check whether the voter is registered in a substation within the voting centre.
- c. Directs the voter to the correct substation based on the voter's name as names may be split by alphabet/sequence number.
- Refers problematic cases to the Presiding Officer.
- e. Uses the voting district number to check if voters have come to the correct voting station. If not at the correct voting district, redirects him/ her or refers him/her to the Deputy Presiding Officer.

#### 7.1.8.1.4 Door Controller

- a. Manages the queue of the substation.
- b. Checks if voters have come to the correct substation based on the voter's name in relation to the whether the split is based on the alphabetic voters' roll sequence number.
- c. Sanitizes voter's hands when entering the substation
- d. Controls movement of voters in and out of the substation.
- e. Refers all problematic cases and MEC7 applications for the substation to the Deputy Presiding Officer.



#### Electoral Staff **VOTING CENTRE VOTING PROCESS** Officer/ Deputy Presiding Officer Ballot Box /Booth Controller Election Observer Voters Party Agent Sub-Station 3 In a sub-station follow the same voting station process scenarios Voters **Deputy PO** MEC **Party Agent** SS 3 Sequence 2401 to 3625 (NDL to Z) .5m Apart Typical sub-station layout with classrooms Door Contro **Party Agent Ensuring Free and Fair Elections** Deals with objectionsDisputed Addresses Ballot Box / Booth Controller Sub-Station 2 Voters SS 2 Sequence 1201 to 2400 (MB to ND) **Deputy PO Party Agent** MEC .5m Apart Queue Walker (eZiskan operator) Duty of a Queue Walker y Door **Party Agent** (Covid-19 Protocols) Ballot Box / Booth Controller Compulsory 1.5m Social Distancing Election Observer Sub-Station 1 Entrance to Voting Centre Voters **Deputy PO** MEC ampulsory Door Contro Party Agent Sequence 1 to 1200 (A to MB) SOUTH AFRICA SS 1

Figure 7: Voting Centre

#### 7.9 Voting Assistance Facilities

Assistance may be provided to voters who are physically challenged, or illiterate.

A voter with physical disabilities, including blindness or other visual impairment, may be assisted by any person or a companion of his or her choice to cast a vote at a voting station provided that the companion is:

- 18 years and older; and
- not a party agent or a candidate.

The companion is reminded by the Presiding Officer (PO) that he or she is not allowed to disclose any information that may compromise the secrecy of the vote cast by the voter. In the event of a voter not having a companion of his or her own choice, the voter may ask the PO for assistance.

Voters in wheelchairs can be directed to a special booth with a lower writing surface for easy reach. The Electoral Commission, together with the South African National Council for the Blind (SANCB), has developed a voting aid called the Universal Ballot Template (UBT) to assist persons living with disabilities and special needs to have an independent and secret vote at elections.

Ballots papers are not printed in braille. The only place where braille appears is against the numbering on the UBT. If any ballot contains more than 18 candidates, additional cardboard UBTs are supplied and can be used where necessary.

#### When using the UBT, the Presiding Officer will:

- explain the process to the voter;
- read the names of all political parties to the voter in the order that they appear on the ballot paper being used in the template without emphasising or showing any preference for any of the choices;
- excuse himself or herself if the voter indicates the ability to make a choice and a mark on the ballot paper unaided; and
- assist the voter if he or she is unable to make a mark on the ballot paper and requests this assistance.

The completed ballot is then folded and placed in the ballot box by the voter.

Assistance to voters who are unable to read or write (illiterate voters)

On request by a voter, the Presiding Officer or

Deputy Presiding Officer and no other person can provide assistance to the voter at the voting booth.

This is done in the presence of two party agents or candidates and an observer, where available. In a case where such witnesses are not available, the Presiding Officer must render the assistance. Every form of assistance given to voters must be noted in the Election Diary.

Witnesses are reminded that they are not allowed to disclose any information that may compromise the secrecy of the vote cast by the voter.



Figure 17: Universal ballot template

STEP

The Presiding Officer in forms the Party Agents present to nominate two (2) Party Agents on a rotational basis from different parties to observe the process.

STEP 2

The Presiding Officer explains the process to the voter in the presence of the Party Agents and Observers.

STEP 3

The preceding officer should read the names of the political parties to the voter in the order as they appear on the ballot paper without emphasising or showing any preference for any of the choices.

STEP 4 The voter is able to make his/her choice on the ballot paper by him/herself, then he/she must be allowed to cast a vote in secret. If the vote is unable to make a mark on the ballot paper, then the Presiding Officer or the Deputy Presiding Officer may do this on his/her behalf once again in such a way that the Party Agents and observer are able to witness that the voter's choice is correctly cast by the Presiding Officer /Deputy Presiding Officer.

STEP 5

The completed but it is then folded and placed into the ballot boxes by the voter.

Figure 18: Guide on how assistance is given to illiterate voters

#### 7.10 BEFORE VOTING

#### 7.10.1 A week before voting day

| Area Manager   | Presiding Officer  |
|--|--|
| a. Visits the voting stations to confirm that the buildings/structures to be used are suitable for the purpose, e.g.: that the lighting, water and toilet facilities are adequate. | a. Trains/briefs voting station staff on their roles and |
| Confirms key access.   | b. Assigns roles to staff based on their                 |
| Checks if the furniture is adequate and if not, notify the IEC local office  | competencies and the skills required where possible.     |

#### 7.10.2 Day before voting day

On the day before special voting begins, the local IEC office will supply the Area Manager with all the necessary voting materials, which include the following:

- a. The relevant Voting District maps
- b. Ballot boxes

- c. Voting booths
- d. Stationery packs including ink and buds for marking thumbnails of voters
- e. Voting Station Diaries
- f. Legislation booklets, election guides, etc.
- g. Books of forms
- h. Banners, signage and demarcation tape
- i. VMD and its accessories
- j. Sanitiser and other personal protective equipment

- k. Box files for home visits
- The materials checklist to be signed by the Presiding Officer itemising the voting materials received

7.10.3 Neighbouring Stations

The Presiding Officer must check the voting day map for neighbouring Voting District numbers and write these in the Voting Station Diary. Make sure that the Queue Walker and the Door Controller also know these numbers for referring people before they get into the station. If voters have cellphones,

they can send their ID number via text message (SMS) to 32810 or call the call centre number at 0800 11 8000 to check where they are registered to vote.

#### 7.10.4 Voting day map

On voting day registered voters are expected to go and vote at the voting station where they last registered. Unfortunately, venues may change between the voter registration weekend and voting day. To help redirect voters who may go to the wrong voting station on voting day, the Electoral

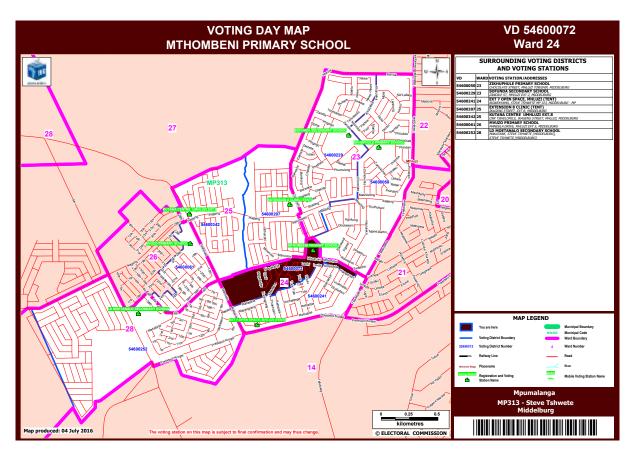


Figure 20: Voting Day Map

Commission provides a voting day map to each voting station (see Figure 9). In addition to being a useful tool for redirecting voters to their correct voting stations, the voting day map has a barcode that is used to link all voter participation statistics to a Voting District in which voting takes place.

#### 7.10.5 Voting Station Layout

The layout of the voting station depends on the building or structure, the size of the area to be used, the location of windows, the lighting and whether the station has one or two doorways to function

as entrance and exit. The Presiding Officer should arrange the voting station as far as is practicable according to the layout. Importantly, the voting booths should be positioned to secure the secrecy of the voting.

#### 7.10.6 The morning before voting

All preparations should be finalised before the voting station opens. The Presiding Officer must also remember to complete the relevant section in the voting station diary.

On the morning before voting starts, the Presiding Officer must do the following:

- a) Identify Neighbouring Stations
- b) Demarcate the voting station boundary
- c) Design the voting station layout
- d) Receive both sensitive and security materials
- e) Switch on the VMD and
- i. Scan the staff for attendance register
- f) Conduct Ballot Paper Tracking

#### 7.10.7 Visibility of the Voting Station

The visibility of the station serves to remind and direct people to come and vote. When preparing the voting station, the Presiding Officer must look carefully at the different routes that voters may use and plan how to increase the visibility of the station. The Presiding Officer should use the demarcation tape to properly indicate the outer boundary of the voting station and place banners in the most visible place. Entry and exit signage must also be placed appropriately to guide voters.

## 7.10.8 Demarcate the Voting Station Boundary

Before the voting station opens for voting on both special voting days as well as on voting day, the Presiding Officer:

- g) must determine the boundary of the voting station after consultation with Agents;
- h) must demarcate the boundary of the voting station by using the official Electoral Commission demarcation tape at different points along the line, to ensure that the boundary is clearly identified by any person entering or leaving the voting station.
- may re-determine and re-demarcate the boundary of a voting station if it is necessary to do so, to ensure proper control and security at the voting station, but has to notify Agents and security services; and
- j) must ensure that voting station staff and all stakeholders have identification tags.

#### No political activity is allowed within this area.

"Political activity" includes the following:

- a. Displaying or distributing any party billboards, posters, placards or pamphlets.
- b. Inducing, influencing or persuading voters to vote for a particular party.
- c. Inducing, influencing or persuading voters to vote or not to vote.
- d. The placement of party tables.
- e. Voters are allowed to wear clothing, badges and colours reflecting the contestant they support while they are involved in the voting process. No other person within the voting station can dress or display such regalia.







# 8 VOTING DAY PROCEDURES





# 8.1 STAKEHOLDERS AT THE VOTING STATIONS

- a) On Voting Day, a number of people other than voters will be allowed to enter and remain inside a voting station and its boundary.
- b) These people will either play a security role at the voting station or monitor and observe the voting and counting processes.
- c) Before the start of voting, the Presiding Officer should meet with staff deployed to the voting station by different stakeholders (security services, political party agents, media and observers) to discuss how the voting process will unfold.
- All party agents and observers are required to provide the Presiding Officer with their names, accreditation and fill in the voting station diary.

#### 8.1.1 Security

Safety and security during the election process is aimed at creating and maintaining a condition of internal stability within the country that is conducive to the delivery and management of free and fair elections in which every voter is able to record his or her informed choice.

On Election Day, the Security Forces, in particular members of the SAPS, are deployed in all voting stations to monitor and ensure the safety and security of voters and election personnel who are presiding over elections. The security

forces play a significant role in assisting the Electoral Commission with the escorting and transportation of the election voting material from the storage facilities to the appropriate voting destinations and back to the storage facilities upon completion of the counting process

#### 8.1.1.1 Roles and responsibilities of Voting Station Security services

The responsibilities of security services, such as the South African Police Service, in a voting station are to:

- a) Ensure that the voting station is safe to open.
- b) Maintain law and order by assisting the Presiding Officer as and when required within and around the voting station boundary.
- c) Prevent firearms and dangerous weapons from entering the boundary of the voting station.
- Remove from the voting station any person behaving undesirably as per the instruction of the Presiding Officer.
- e) Ensure that persons removed from the voting station by the Presiding Officer do not re-enter the voting station.
- f) Escort the Presiding Officer to deliver and collect ballot boxes and other election material before and after voting.
- g) Monitor the boundary of the voting station.
- h) Ensure that no person other than those authorised to enter or remain within the boundaries of the voting station are allowed.
- i) Accompany mobile voting stations if necessary.



# APPENDIX 12 **Electoral Commission**



APPOINTMENT AND NOTICE OF APPOINTMENT OF AN AGENT IN TERMS OF SECTION 39(4)(a) OF THE LOCAL GOVERNMENT: MUNICIPAL ELECTORAL ACT, 2000 (ACT NO. 27 OF 2000)

| Г                   |             |          |         |         |                      |          |        |         |         |       |        |          |     |
|---------------------|-------------|----------|---------|---------|----------------------|----------|--------|---------|---------|-------|--------|----------|-----|
| Election Date:      |             |          |         |         |                      |          |        |         |         |       |        |          |     |
| Municipality:       |             |          |         |         |                      |          |        | ,       | Ward    | !     |        |          |     |
|                     |             |          |         |         |                      |          |        |         |         |       |        |          |     |
| l,                  |             | ••       |         |         |                      |          |        |         |         |       |        |          |     |
| the undersigned, in |             |          |         |         |                      |          |        |         |         |       |        |          |     |
| on behalf of and du | -           | -        |         |         |                      |          |        |         |         |       |        | Party)   |     |
| hereby appoint and  | i give noud | ce mai i | ne pa   | пу па   | s appo               | Jintea   | the ic | IIWOII  | ig pers | on a  | s an a | igeni.   |     |
| OR                  |             |          |         |         |                      |          |        |         |         |       |        |          |     |
|                     |             |          |         |         |                      |          |        |         |         |       |        |          |     |
| I,                  |             |          |         |         |                      |          | _(Full | name    | es), an | inde  | pende  | ent wa   | ard |
| candidate, hereby   |             |          |         |         |                      |          |        |         |         |       |        |          |     |
| agent:              |             |          |         |         |                      |          |        |         |         |       |        |          |     |
|                     |             |          |         |         |                      |          |        |         |         |       |        |          |     |
| DETAILS OF AGE      | NT          |          |         |         |                      |          | •      |         |         |       |        |          |     |
| Identity Number:    | i           |          |         |         |                      |          |        |         |         |       |        |          |     |
| Full names:         |             |          |         |         |                      | <u> </u> |        | !       |         |       |        | <u> </u> | _!  |
| Voting station/s:   |             |          |         |         |                      |          |        |         |         |       |        |          |     |
| Counting venue/s:   |             |          |         |         |                      |          |        |         |         |       |        |          |     |
| Signature of agent: |             |          |         |         |                      |          |        |         |         |       |        |          |     |
| oignature or agont. | -           |          |         |         |                      |          |        |         |         |       |        |          |     |
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|                     |             |          |         |         |                      |          |        |         |         |       |        |          |     |
| Contact particulars | of Party F  | Represe  | ntative | e/ Inde | pende                | ent Ca   | ndida  | te      |         |       |        |          |     |
| Mobile number:      | -           | -        |         |         | -                    |          |        |         |         |       |        |          |     |
| MODILE HUITIDEI.    |             |          |         | _       | וועוו <del>ט</del> ע | . IDGI.  |        |         |         |       |        |          |     |

Figure 19: Appointment of Agents

#### 8.1.2 Candidate and Party Agents

Candidate and Political Party Agents are important to ensure transparency in an election. This is achieved by them observing the voting and counting processes. Contestants are not compelled to appoint Agents, but their presence is encouraged. It is important to establish a good working relationship with Agents since they will interact with the Presiding Officer as and when required in the voting station. All Agents will receive a "Party Agent" tag to wear in the station.

Given the COVID-19 protocols and the number of contestants that may be involved in an election, it may not be possible for all party and candidate agents to be present within the voting station at the same time. Agents are accommodated on a rotational basis as agreed upon among themselves or, should they fail to agree, as directed by the Presiding or Deputy Presiding Officer. The allocation of agents is done in a manner that ensures that all parties have an equal opportunity of observing the process.

The Presiding Officer may limit the candidate and party agents to observe proceedings at each of the following four points:

- The point where voters submit their identity documents for the purpose of marking off their names on the voters' roll.
- The point where ballot papers are handed over to voters.
- c) The point where voters' hands are marked with indelible ink.
- d) The point where MEC7 applications are administered.

While candidate and party agents are not obliged to remain seated in these locations, it is important that movement by agents does not impede the voting process and does not interfere with electoral staff.

#### 8.1.2.1 Appointment of Party Agents

Each political party participating in the election can appoint two agents to be present at a voting and counting venue. While party agents are important to ensure that the process is free and fair, it does not invalidate the proceedings if there are no party agents present at a voting station or voting centre.

## 8.1.2.2 Appointment of Agents for Ward Candidates

An independent ward candidate may appoint:

- One Agent per voting station in the ward in which he/she is contesting the election,
- b) One Agent per substation in the case of a voting centre,
- c) Two Agents in a case where voting and counting does not take place at the same venue.

#### 8.1.2.3 Roles of Agents

#### i. Candidate and Party Agents:

- must be South African citizens;
- must not be a candidate for that election; and
- must be issued with an appointment form (Appendix 12 of the Act) by their party or ward candidate, and a completed form must be given to the Presiding Officer.

#### ii. Candidate and Party Agent may:

- observe and represent the interests of their parties or candidates in ensuring free and fair elections and need to note in the voting station diary the times of their comings and goings;
- check and verify the seals on the ballot boxes to ensure they are intact (unbroken) before the boxes are opened;
- witness the process whereby the status of a questionable ballot paper is determined;
- witness the completion of the result forms and add their signatures;
- copy the results for that voting station;
- ensure that no communication with people outside the venue is allowed until the results are finalised:
- lodge in writing and in terms of the Local Government: Municipal Electoral Act, in the prescribed form, any objections concerning voting (section 51); concerning verification (section 59); sorting and counting (section 62); or results (section 65) and
- bring any irregularities to the attention of or make any complaints to the Presiding Officer or Counting Officer.

#### iii. Rules governing Candidate and Party Agent -Agent must:

- wear identification tags that state 'party agent' and the party or candidate they represent;
- communicate with the Presiding Officer or his or her deputy, and no other voting officers;
- not display or distribute any information about their party in any form, nor wear or carry any item that displays a party logo, picture or sign;

- comply with any orders given by the Presiding Officer:
- not attempt to induce, influence or persuade a person to vote or not to vote;
- not interfere with the voting processes in any way, or with voters in the station, but may lodge objections with, or bring any irregularities to the attention of, the Presiding Officer;
- be allowed to observe proceedings at each of the following points:
  - The voters' roll station
  - The ballot paper station
  - The inking station; and
- not try to witness the marking of the ballot.

#### 8.1.2.4 Election campaigning

At the voting station, the boundary of the voting station is demarcated by the Electoral Commission's demarcation tape and may include the perimeter fence around the voting station. Within the boundaries of the voting station, no political activity whatsoever is approved except the casting of a vote.

A voter can wear any party clothes or apparel, including political party paraphernalia, but cannot canvass or influence any other voter while inside the boundary of the voting station. Party agents and candidates cannot wear any party political apparel within the voting station boundaries and no distribution of any party material is allowed within the boundaries of the voting station.

Each political party contesting an election receives a copy of the certified voters' roll from the Electoral Commission to be used only for election-related matters. In compliance with legislation and to protect the personal information of voters, these party lists have 5 digits redated and each is replaced with an asterix. Political party stations, tables and/or tents outside the voting station are allowed, but must not impede direct and free access to the voting station entrance.

The Presiding Officer can ask a party to move its table and tent if they impede direct and free access to the voting station. If a party fails to comply with this instruction, the Presiding Officer can ask a member of the SAPS to ensure that the party complies. Failure to comply with the Presiding Officer's instruction is a criminal offence.

No political events, such as marches, public meetings, rallies and demonstrations, are allowed anywhere in the country on Election Day.

#### 8.1.3 Visitors and Dignitaries

Traditional leaders, MECs, ministers, diplomats and other dignitaries may visit a voting station, and can only observe proceedings for a few minutes as part of a courtesy visit. They are not permitted to give any instruction or interfere with the processes within the voting station. They are required to enter their details in the voting station diary.

#### 8.1.4 Observers

Observers are people appointed by nongovernmental or civil society organisations, regional bodies and so on to observe the elections. They are permitted to be present during voting, counting and declaration of results.

They must:

- a) be accredited with the Electoral Commission;
- b) carry out their role in a neutral manner as per the Code of Conduct;
- wear prescribed identification at all times and enter their names, entry and exit times in the Voting Station Diary;
- d) direct all questions and comments to the Presiding Officer;
- e) not be permitted near the voting booths;
- f) not try to ascertain how a person has voted.

They may observe the voting by persons who are being assisted by the Presiding Officer as per legislation. Observers cannot observe every type of assistance given to voters; they may only observe assistance provided to illiterate voters.

Given the COVID-19 protocols and the number of observers, candidate and party agents present within the voting station at the same time, the Presiding or Deputy Presiding Officer may need to limit the number of observers who can enter the voting station.

The Presiding Officer may limit observation to each of the following four points:

- The point where voters submit their identity documents for the purpose of marking off their names on the voters' roll.
- The point where ballot papers are handed over to voters.
- 3. The point where voters' hands are marked with indelible ink.
- 4. The point where MEC7 applications are administered.

While observers are not obliged to remain seated in these locations, it is important that movement by

observers does not impede the voting process and does not interfere with electoral staff. They may bring any irregularities to the attention of the Presiding Officer. It is hoped that any observations of observers will form part of their written submissions to the Commission to enable

#### 8.1.5 Media

Media representatives do not require formal accreditation from the Electoral Commission to gain access to voting stations for the municipal elections, but they will be required to identify themselves clearly as members of the media by presenting a valid press card or signed letter from their editor (on the organisation's letterhead) in addition to an ID or passport. The press card will get media representatives access to a voting station to report on voting or counting if it has:

- the name and photo of the journalist or reporter; and
- the name of the publication or broadcasting station they represent.

Members of the media will be given access to a voting station at the discretion of the Presiding Officer of a particular voting station. Presiding Officers are under no obligation to grant the media access to the voting station or to discuss the activities in the voting station. The media can, however, appeal to the Provincial Electoral Officer if they feel that their access to a voting station has been unreasonably withheld.

Queries that fall outside the mandate of the Presiding Officer will be escalated to the official Electoral Commission spokesperson at the national Results Operations Centre (ROC) in Pretoria or the particular provincial.

Voting hours in the Municipal Elections are from 07:00 to 21:00. No media coverage will be allowed once the voting stations have closed and counting has started.

In terms of section 109 of the Electoral Act, Act No 73 of 1998, no persons, including members of the media, may print, publish or distribute any exit polls taken while the elections are in progress during the hours of voting (07:00 to 21:00).

Voters, candidate and party agents, and accredited observers have to be interviewed outside the boundaries of a voting station. Except for the Presiding Officer, no interviews may be conducted with any other voting station staff/Electoral Commission staff at a voting station.

Presiding Officers are mandated to talk on the following:

- Voter turnout at their voting stations
- Arrangements for voting at their stations.

Media queries on the following topics have to be directed to either the Media Centre at the national ROC in Pretoria or to the provincial ROCs, as appropriate:

- The content and number of objections as these are subject to an appeals process
- Activities outside the boundaries of the voting station
- Policy matters.

In terms of the Elections Regulations, no person including members of the media may produce a photographic image of a marked ballot. This is a criminal offence. No visuals are allowed inside the boundaries of a voting station without the permission of the affected voter and the Presiding Officer, and no visuals are allowed where the secrecy of a voter's ballot may be compromised.

Once the results have been finalised at the voting station, the Presiding Officer may inform the media of the provisional count.

Copies of the results slips will not be made available to the media, but a copy of the results slip for each election in each voting district is placed on the door of the voting station at the close of the counting of ballots. Members of the media are at liberty to access results slips in this manner.

#### Secrecy of the ballot

A secret vote is an essential integrity safeguard as it enables voters to cast their ballots with full independence. If a vote is not secretor can be identified during counting, some people might be intimidated into not voting as they had truly intended.

## 8.2 OPENING OF THE VOTING STATION ON VOTING DAY

At 07:00, the Presiding Officer

- Open the entrance door to the station and declare the voting station opened. Ask the door controller to send in voters to cast their votes.
- Monitor if the voting station staff are carrying out their duties as trained and adhering to COVID19 protocols.
- c. Confirm that the voting station is indeed open.

## 8.3 VOTING DAY PRINCIPLES

- A voter with a complete address on the Voters' Roll must be given two/ three ballots depending on the type of municipality and the address of ordinary residence (Metro – 2 Ballots [metro/ward], Local-Ballots [district/local ward]).
- 2. Voters without a complete address on certified segment of the voter's roll on voting day at voting station are required to provide their address details to the voting official before being allowed to vote and may be asked to locate their address on the map (either the printed map or that generated on the VMD) of that Voting District.

- 3. A voter without an address who refuses to provide an address must be denied a ballot.
- A registered voter whose address is outside of the ward/ municipal boundary where registered must be denied a ward/ municipal ballot(s) (section 47(7)]
- 5. If the address provided by the voter is disputed by a candidate or party Agent, the ballot(s) will be quarantined and administered using a two envelope system (the external, bigger envelope is coloured and has the voter's details outside. Inside is a smaller, unmarked envelope within which the voter's marked ballot must be placed) in order to cast their votes.

| Boundary                    | Ballots Administration                                     |
|-----------------------------|--|
| Ward boundary               | Only the Ward Ballot must be quarantined                   |
| Metro boundary              | Ward and Metro PR Ballots must be quarantined              |
| Local Municipal boundary    | Ward and Local PR Ballots must be quarantined              |
| District Municipal boundary | Ward, Local PR and District PR Ballots must be quarantined |

#### If the ward ballot is disputed

- a) Instruct the voter to insert the district and metro/ local ballot in the ballot box.
- b) Then instruct the voter to insert the marked Ward Ballot in the smaller colour-coded envelope and seal it; then insert the sealed smaller colour-coded envelope inside the bigger colour-coded envelope marked "Disputed Address" and seal it as well.
- c) Further instructs the voter to deposit the envelope with disputed ballot in the ballot box (if separate ballot boxes are used, deposit in the ballot box designated for ward ballots)

#### If the Metro PR ballot is disputed

- a) Instruct the voter to insert the Metro PR Ballot in the smaller colour-coded envelope and seal it; then insert the sealed smaller colour-coded envelope inside the bigger colour-coded envelope marked "Disputed Address" and seal it as well.
- b) Then instruct the voter to insert the marked Ward Ballot in the smaller colour-coded envelope and seal it; then insert the sealed smaller colour-coded envelope inside the bigger colour-coded envelope marked "Disputed Address" and seal it as well.

#### If the Local PR ballot is disputed

- a) Instruct the voter to insert the district ballot in the ballot box.
- b) Then instruct the voter to insert the Local PR Ballot in the smaller colour-coded envelope and seal it; then insert the sealed smaller colour-coded envelope inside the bigger colour-coded envelope marked "Disputed Address" and seal it as well.
- c) Further instruct the voter to insert the marked Ward Ballot in the smaller colour-coded envelope and seal it; then insert the sealed smaller colour-coded envelope inside the bigger colour-coded envelope marked "Disputed Address" and seal it as well.

#### If the District PR ballot is disputed

- a) Instruct the voter to insert the District PR Ballot in the in the smaller colour-coded envelope and seal it; then insert the sealed smaller colour-coded envelope inside the bigger colour-coded envelope marked "Disputed Address" and seal it as well.
- b) Then instruct the voter to insert the Local PR ballot in the smaller colour-coded envelope and

seal it; then insert the sealed smaller colour-coded envelope inside the bigger colour-coded envelope marked "Disputed Address" and seal it as well.

c) Further instruct the voter to insert the marked

Ward Ballot in the smaller colour-coded envelope and seal it; then insert the sealed smaller colour-coded envelope inside the bigger colour-coded envelope marked "Disputed Address" and seal it as well.

#### 8.4 THE VOTING PROCESS

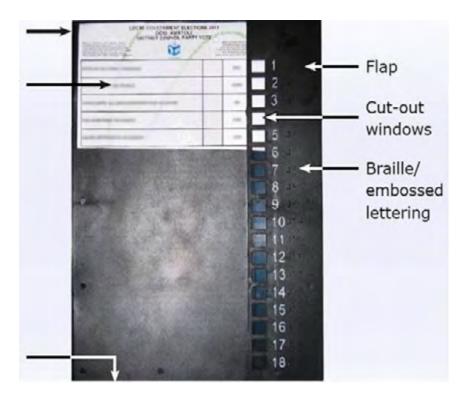


Figure 13: Universal Ballot Template (UBT)

## 8.4.1 Assistance to certain voters

#### The procedure is as follows:

- a. The Presiding Officer explains the process to the voter.
- b. The Presiding Officer should read the names of all candidates to the voter in the order as they appear on the ballot paper being used in the template without mphasizing or showing any preference for any of the choices.
- c. If the voter is able to make his/her choice on the ballot paper by him/herself, then the Presiding Officer must give the voter an opportunity to do so, by recusing himself/ herself and no Agents or observers are allowed to observe such voting.
- d. If the voter is unable to make a mark on the ballot paper without assistance and asks for

assistance from the election staff, then the Presiding Officer may do this on his/ her behalf. Such assistance should be rendered in the presence of two agents and one accredited observer, if available, but in a manner that protects the secrecy of the vote.

The completed ballot is then folded and placed into the ballot box by the voter himself/herself.

In a case where such witnesses are not available, the Presiding Officer must render the assistance. Every form of assistance given to voters must be noted in the diary.

A step-by-step guide on how to provide assistance to a voter who has difficulty with or cannot read or write (illiterate voters) and requests assistance from the Presiding Officer follows:

| Step | Presiding Officer   |
|------|---|
| 1    | The Presiding Officer informs, if available, the agents present to nominate two (2) candidate or party agents who are from different parties as well as an observer to observe the process.   |
| 2    | The Presiding Officer explains the process to the voter in the presence of the agents and observer.   |
| 3    | The Presiding Officer should read the names of all candidates to the voter in the order as they appear on the ballot paper without emphasising or showing any preference for any of the choices.  |
| 4    | The completed ballot is then folded and placed into the ballot box by the voter.  |
| 5    | If the voter is able to make his/her choice on the ballot paper by him/herself, then he/she must be able to cast the vote in secret.  |
| 6    | If the voter is unable to make a mark on the ballot paper, then the Presiding Officer or Voting Officer may do this on his/her behalf. This assistance should be rendered in the presence of two agents and one accredited observer, if available, but in a manner that protects the secrecy of the vote once again in such a way that the agents and observers are able to witness that the voter's choice is correctly cast by the Presiding Officer. |

#### 8.4.2 Section 7 (mec7) applications

## Section 7 of the Local Government: Municipal Electoral Act 27 of 2000

A voter may vote in an election only if he/she is registered to vote and his/ her name appears on

the certified segment of the voters' roll of a voting district where registered.

If a voters' name does not appear on the voters' roll, but the voter has proof of application of registration at that voting district on or before the proclamation date of the elections, he/she should be allowed to vote after having completed an MEC7 form.



Figure 14: Proof of Application for Registration



# 8.4.2.1 If all of these are correct, then the Deputy Presiding Officer must:

- a. Provide the voter with an MEC7 form.
- b. Assist the voter to complete the **MEC7** form correctly.
- c. Comply with all requirements linked to the form.
- d. Endorse the statement that the form corresponds with information of the proof of registration.
- e. Inform the Agents of his/her decision with regard to the voter not appearing on the segment of the voters' roll for that voting station.
- f. Communicate with the ballot paper issuer to issue ballot papers to that voter.
- g. Allow the voter to cast the vote.
- h. File the completed **MEC7** form in an envelope marked with the contents (MEC7s) and quantity of such forms will be written on the outside of the envelope once voting closes.

## 8.4.2.2 MEC 7 applications can be declined for the following reasons:

- 1. If the scanner/VMD reports the applicant is declined.
- 2. The voter is on the rejected portion of the voters' roll for reasons such as:

- i. not being on the population register;
- ii. not a South African citizen;
- iii. removed from the population register;
- iv. still under age; and/or
- v. deceased.
- 3. The voter is not the same person as is represented in the ID presented by the voter.
- 4. The voter's proof of application of registration falls after the proclamation date.

## 8.4.2.3 Process to decline a Section 7 – MEC7 application

In declining the **MEC7** application, the Deputy Presiding Officer must refer the case to the Presiding Officer who will:

- a. refuse to allow the voter to vote;
- b. give the voter full reasons for the decision;
- c. inform the voter of the objections' procedures he/she may follow;
- d. inform the Agents of the decision; and
- e. allow the voter or Agents to object by filling in the **MEC9** (see Figure 18) in duplicate, if they so wish. If, after investigation, the voter is still not allowed to vote, ask the voter to leave the voting station and advise him/her to follow the appeal procedure

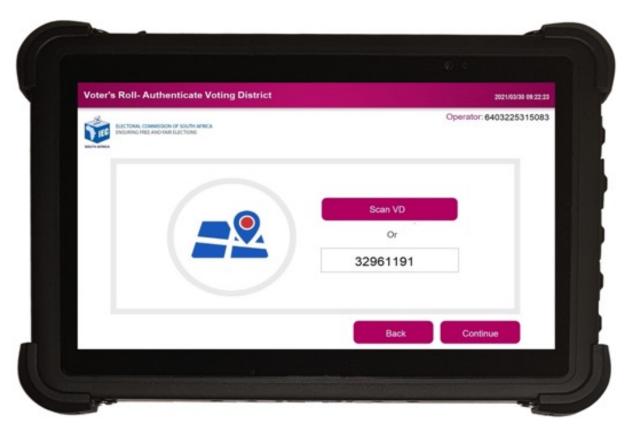
## 8.5 THE VOTER'S ROLL OFFICER'S USE OF THE VOTER MANAGEMENT DEVICE (VMD)



#### 8.5.1 Authenticate Voting District – Scan VD Barcode



#### 8.5.1.1 Authenticate Voting District – Enter VD number



#### 8.5.2 Authenticate Voter



#### 8.5.2.1 Authenticate Voter - Scan ID barcode



#### 8.5.3 Voters' Roll: Authenticate Voter - Scan ID barcode



## 8.5.3.1 Voters' Roll: Voter registered in a Metro eligible for Ward and DC Ballots for By-Elections and LGEs



## 8.5.3.2 Voters' Roll: Voter Registered in a Local Municipality and Eligible for all Three Ballots (Ward, PR and DC) for By-Elections and LGEs



#### 8.5.3.3 Voters' Roll: Issue Ballot Confirmation Message



#### 8.5.3.4 Voters' Roll: Ballot Issued and Voter Marked as Voted



## 8.5.3.5 Voters' Roll: Voter with No Address and Must Address is Mandatory before Ballot Issue



## 8.5.3.6 Voters' Roll: Capture address for voters with no address on clicking the Add Address Details



8.5.3.7 Voters' Roll: Capture address manually where address could not be found (button visible)



#### 8.5.3.8 Voters' Roll: Address searched from the list



## 8.5.3.9 Voters' Roll: Where address could not be found, the Capture Address Manually button will be available



#### 8.5.3.10 Voters' Roll: Address captured manually



## 8.5.3.11 Voters' Roll: After capturing the address and address falls inside Ward, the Issue Ballot(s) button is now enabled



## 8.5.3.12 Voters' Roll: Voter address captured and address places voter outside of the Ward but inside Municipality



## 8.5.3.13 Voters' Roll: Voter address captured and address places voter outside of the Ward and Municipality but inside District Council



## 8.5.3.14 Voters' Roll: Voter address captured and address places voter out side of the Ward, Municipality and District Council (not eligible to vote)



#### 8.5.3.15 Voters' Roll: Voter registered in another VD (Voter to be re-directed)



#### 8.5.3.16 Voters' Roll: Voter on the Rejected Segment (Deceased)



#### 8.5.3.17 Voters' Roll: Voter on the Rejected Segment - Registered after cut-off



#### 8.5.3.18 Voters' Roll: Voter not on the Voters' Roll



#### 8.5.3.19 Voters' Roll: Parameter Rep



#### **APPENDIX 1**



# **ELECTORAL COMMISSION**

SWORN OR AFFIRMED STATEMENT IN TERMS OF SECTION 7(2) OF THE LOCAL GOVERNMENT: MUNICIPAL ELECTORAL ACT, 2000 (ACT NO. 27 OF 2000)

| Particulars of Applica | ınt |
|------------------------|-----|
|------------------------|-----|

| Full Names   |   |  |  |   |      |       |       |    |             |        |       |      |       |          |        |
|--|---|--|--|---|------|-------|-------|----|-------------|--------|-------|------|-------|----------|--------|
| Identity Number  |   |  |  |   |      |       |       |    |             |        |       |      |       |          |        |
| Date of Birth  |   |  |  |   | Voti | ng Di | stric | :t |             |        | •     |      |       |          |        |
| Physical Address<br>(where ordinarily resident)  |   |  |  |   |      |       |       |    |             |        |       |      |       |          |        |
|  |   |  |  |   |      |       |       |    |             |        |       |      |       |          |        |
|  |   |  |  |   |      |       |       |    |             |        |       |      |       |          |        |
|  |   |  |  |   |      |       |       |    |             |        |       |      |       |          |        |
| <ul> <li>I hereby declare that I ordinarily reside at my address given above and within the area of the voting district with the number given above.</li> <li>I hereby submit the following details that appear [insert details of document], as proof that I have applied for registration as a voter in that voting district before or on the date of the publication of the notice calling this election / I have no proof that I applied for registration as a voter in that voting district before or on the date of the publication of the notice calling this election. [Delete whichever is not applicable]</li> </ul> Proof of Registration Details |   |  |  |   |      |       |       |    |             |        |       |      |       |          |        |
| Identity Number  |   |  |  |   |      |       |       |    |             |        |       |      | T     |          | $\top$ |
| Date and time of registration  |   |  |  |   |      |       |       |    |             |        |       |      |       | <u> </u> |        |
| Voting District Number   |   |  |  |   |      |       |       |    |             |        |       |      |       |          |        |
| I request that my name be included<br>I solemnly swear / affirm that all of t  |   |  |  | _ |      |       |       |    |             | for th | is vo | ting | j dis | strict.  |        |
| Signature of Applicant   |   |  |  |   |      |       |       | D  | ate         |        |       |      |       |          |        |
| (Presiding Officer name) certify that the deponent has acknowledged that he/she knows and understands the contents of this statement, which was signed and affirmed / sworn to before me at on this day of 20 and I have no reason to doubt the correctness of the content of the statement.   |   |  |  |   |      |       |       |    | ned<br>/ of |        |       |      |       |          |        |
| Signature of Presiding Officer   | _ |  |  |   |      |       |       |    |             |        |       |      |       |          |        |

Figure 16: MEC7 Form

# 8.6 Person responsible for administering Section 7 MEC7 applications

- a) The Deputy Presiding Officer is responsible for the administration of all Section 7 cases and this function cannot be delegated to other voting station staff.
- b) All uncertainties that the Deputy Presiding Officer may have, must be referred to the Presiding Officer who will have the final decision.
- c) The voter in question must fill in a sworn statement (MEC7 form)

## 8.6.1 Process of administering MEC7 applications

If after checking the voter's roll (scanning the voter's ID), it is discovered that the voter is not on the voters' roll for the specific voting district and he/she provides proof of having applied for registration in the said VD, then the voter may

qualify for an MEC7 application. The following must be checked:

- a. The date of the application must be on or before the date of proclamation of the election.
- b. The VD number must be the same as the VD where the voter presents him/herself.
- c. There must be no subsequent applications for registration that will disqualify his/her application for an MEC7 at that particular VD.

## 8.6.2 The Deputy Presiding Officer must also ensure that:

- The voter is not on the rejected portion of the voters' roll. The applicant must be 18 years or older.
- 2. The voter does not have an alternative surname that may differ from the one mentioned in the ID, such as the maiden surname.
- 3. The voter's ID number is not reflected without a surname at the beginning of the voters' roll.

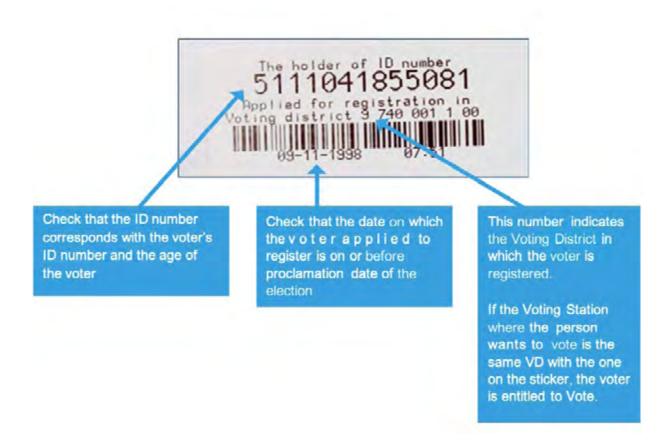


Figure 17: Proof of Registration

#### 8.7 BALLOT PAPER TRACKING

#### **Operators Landing Page**

#### 8.7.1 BPT – Landing Page



#### 8.7.2 BPT - Login Screen



## 8.7.3 Scan Operators ID Presiding Officer Receive Parcel Units



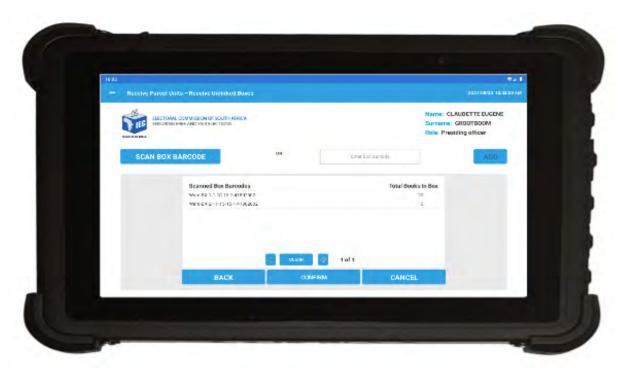
#### 8.7.4 Presiding Officer Home Page



#### 8.7.5 Presiding Officer Menu Screen



## 8.7.6 Receive Box Parcel Unit from Ward Area Manager – Select Receiving Option



#### 8.7.7 Receive Box Parcel Unit Presiding Officer - Dispatch Parcel Units



#### 8.7.8 Dispatch Parcel Units to back to Area Manager (in Shortage situation)



#### 8.7.9 Select Parcel unit Destination



#### 8.7.10 Current Site and Destination Site Addresses



#### 8.7.11 Scan box to be dispatched



## 8.7.12 Generate Tracking Number and set estimated delivery date and time Presiding Officer – Track Parcel Units



#### 8.7.13 Track Received Parcel unit by Tracking Number



#### 8.7.14 View the Parcel Unit Details



#### 8.8 BALLOTS AND BALLOT BOXES



#### **View Parcel Unit Details**

#### 8.8.1 Dealing with full ballot boxes

The Presiding Officer should deal with full ballot boxes.

#### He/she is required to do the following:

- a. consider whether it is appropriate to stop the voting process;
- b. ask Agents, candidates and observers to witness the sealing of the full ballot box;
- seal the opening of the ballot box and allow candidate or party agents to affix their seals;
   and
- d. place the sealed ballot box in a safe place within public view inside the voting station.

#### 8.8.2 Cancelled ballot papers

Cancelled ballots are those ballot papers that are cancelled due to errors or mistakes that are made by voters when casting their votes.

# 8.9 DEALING WITH OBJECTIONS CONCERNING VOTING

On voting day, a candidate or party Agent or a voter may object to a decision made by the Presiding Officer with regard to the voting process by completing an MEC9 form. The Presiding Officer is responsible for handling objections in a voting station and he/she should complete the relevant section of the diary after making a decision on the objection.

## 8.9.1 Objections by candidate or party agents in relation to a voter

This objection may be made by the Agent at the time of occurrence, but before the voter is issued with a ballot paper.

When the Presiding Officer receives the objection, he or she must do the following:

- a. Remove the voter from the normal flow of voting.
- b. Ask the person making the objection to give reasons why she or he believes the voter is not qualified to receive ballot paper/s.
- c. Ask the person against whom the objection is made to respond to the charges being made by the objector.
- d. The objector must complete and sign the relevant section of the **MEC9 form in duplicate** and the Presiding Officer must sign it.
- e. On the basis of the information given by the objector and the voter, the Presiding Officer must make a decision informed by legislation in terms of voting where one ordinarily resides.
- f. Notify both parties of the decision.

#### **8.9.1.1 Decisions**

- a. In a case where the Presiding Officer decides to reject an objection (to disagree with the objector), he/ she must instruct the Ballot Paper Officer to issue a ballot paper to the voter concerned.
- b. Where the decision is to uphold the objection (to agree with the objector), the Presiding Officer must inform the person that he/she is not allowed to vote and provide reasons.
- c. Record the objection and decision on MEC10 form in the voting station diary.

#### **EXAMPLES**

- a. Objecting that a voter does not live in the area and is fraudulently registered: Reject the objection because if the voter's name is on the voters' roll, the voter vote. The person should have objected before the voters' roll was closed.
- b. Objecting to a false ID or the voter is not the person reflected in ID: The Presiding Officer needs to be satisfied that the person depicted in the picture is the same person who wants to vote.
- c. Objecting to a voter who is registered in that ward, but not at that specific voting district: **Uphold the objection.**

## 8.9.2 Presiding officer refuses to issue a ballot paper

#### Objections concerning a refused ballot

A candidate or Party Agent or the voter concerned may object if the voter is refused a ballot. This objection must be made in writing on an MEC9 form.

## 8.9.3 Making decisions on whether a voter should/should not vote

If after having heard the reasons given by the objector, the Presiding Officer is not satisfied that a ballot paper should be issued to the person, he/ she must:

- i. complete and sign the relevant section of the objection MEC9 form;
- i. communicate the decision; and
- iii. direct the voter to the exit or instruct the security personnel to escort him/her out of the voting station.

In cases where the Presiding Officer is satisfied that a ballot paper should be issued to the person, he/she must:

- i. complete and sign the relevant section of the objection form;
- ii. communicate the decision to the parties concerned; and
- iii. issue the voter with a ballot paper.

The Presiding Officer must keep a record of each objection in the Voting Station Diary and note the decision taken in each case.

#### **EXAMPLES**

- a. The voter is not registered.
- b. The voter does not have a valid green barcoded ID book, smart ID card or valid TIC.
- c. The voter's name does not appear on the voters' roll and he/she has no proof of registration.
- d. The voter is on the rejected portion of the voters' roll.
- e. The voter is not registered at that specific voting station.

## 8.9.4 Conduct of voting station staff concerning voting

A candidate or party Agent or voter may object to any conduct of an electoral officer, an Agent or any other person present at a voting station.

## Objections concerning the conduct of an officer, agent or other person

The objection may be made in writing by a candidate or party Agent or voter on an MEC9 form. The objector must clearly write the reason for the objection in the space provided and give full details When the Presiding Officer receives such a form he/she must:

- 1. Investigate the allegation and make a decision.
- 2. Give the objector the relevant section of the **MEC9** form to complete and sign in duplicate.
- 3. Sign the completed MEC9 form.
- 4. Inform the objector of the decision.
- Keep a record of all of the objections and the decisions taken by completing the **MEC10** form in the Voting Station Diary.

8.10 OBJECTION FOR DISPUTED ADDRESSES CONCERNING VOTING

Where a voter's name appears on the relevant segment of the voters roll with no address an objection to that voter may be made based on the address provided on election day with a contention that the voter was included on that segment of the voters roll due to fraud or exceptional circumstances.

The person objecting must also produce proof of the objection made, together with **Appendix 18(A)** form

#### **APPENDIX 18(A)**



#### **ELECTORAL COMMISSION**

OBJECTION CONCERNING A VOTER'S ADDRESS IN TERMS OF SECTION 51()(A) OF THE LOCAL GOVERNMENT: MUNICIPAL ELECTORAL ACT, 2000 (ACT NO. 27 OF 2000)

| Election Date Municipality    |   | istrict Nu<br>mber |   |  |   |   |          |   |   |
|-------------------------------|---|--------------------|---|--|---|---|----------|---|---|
| Objector                      |   |                    |   |  |   | ļ | -        |   |   |
| Surname                       |   |                    |   |  |   |   |          |   |   |
| Full Names                    |   |                    |   |  |   |   |          |   |   |
| Identity Number               |   |                    |   |  |   |   |          |   |   |
| Contact Details               |   | ·                  | • |  |   |   |          | • | • |
| Agent or Voter                |   |                    |   |  |   |   |          |   |   |
| Party Agent                   |   |                    |   |  |   |   |          |   |   |
| My objection concerns:        | · |                    |   |  |   |   |          |   |   |
|                               |   |                    |   |  |   |   |          |   |   |
| Objector's Signature          |   |                    |   |  | _ |   | <br>Date |   |   |
| Electoral Commission decision |   |                    |   |  |   |   |          |   |   |
|                               |   |                    |   |  |   |   |          |   |   |
| Signature                     |   |                    |   |  |   |   | <br>Date |   | - |

Figure 19 – Appendix 18A





# 9 END OF VOTING





#### 9.1 CLOSE OF VOTING

### Shortly before the official voting station closing time (21:00), the Presiding Officer must:

- a. Instruct the Queue Walker to ask all the people (if any) waiting to vote to gather inside the boundaries of the voting station.
- b. At 21:00 he/she must declare the voting station closed, but allow all those voters who are still inside the voting station boundary to vote.

#### 9.1.1 Sealing the ballot boxes

- a. Once all in the queue have voted, the Presiding Officer must close and seal the last ballot box in the presence of Agents, candidates and observers (see Figure 20).
- b. Invite Agents and candidates to append their signatures or affix their seals to the ballot boxes.
- c. Record the seal serial numbers in the Voting Station Diary.
- d. Place all sealed ballot boxes in a secure place in the room where they are clearly visible to those present in the voting station and they are monitored by the Ballot Box Controller.
- e. Complete the Ballot Paper Statement in the Voting Station Diary.

#### 9.1.2 Sealing the voting materials

- a. Place the following items in the envelopes, seal and mark in large legible letters with the voting district number and contents on the envelope (e.g. voters' roll, VD 33542656):
  - i. certified segment of the voters' roll;
  - ii. cancelled ballot papers; and
  - iii. completed objection forms.
- b. Record all the objections and decisions in the Voting Station Diary.
- c. Place the envelopes in the unsealed storage box and keep in a safe place.
- d. Pack the VMD/ and scanner back into its carry boxes.

#### 9.1.3 Rollback of PPE

It is important to make sure that all PPE used during voting are rolled back as per the guidelines.

- The pink bag containing used PPE (gloves, masks, wipes, etc.) must be sealed. The sealed pink bag must be rolled back to the IEC Local Office.
- 2. If the Municipality have designated PPE bins/ truck, the IEC Local Office must dispose of the

- PPE pink bag in the bins/ truck.
- If the Municipality does not have provision for disposing of PPE, the IEC Local Office must roll back the PPE pink bag to the warehouse.
- 4. DSV will collect the PPE from the warehouse.

# 9.2 DEALING WITH SPECIAL VOTES BALLOT BOXES ON VOTING DAY

**After voting has been closed,** the Presiding Officer must inform Agents and Election Observers who are present that the Special Votes ballot boxes are going to be opened.

- a. Ask the Candidate or Party Agents to confirm the seal numbers.
- b. Break the seal/s on the ballot boxes and open the ballot boxes.
- c. Each marked envelope is scrutinised and compared with the marked voters' roll and against the list of approved Special Votes.
- d. If no irregularity is detected, the marked envelope is opened and the unmarked envelope inside is removed and is placed unopened in the ordinary ballot box used at the voting station.
- e. Once that ballot box which is used at voting station is opened for counting, the unmarked envelopes are opened, the ballot papers removed and, while still folded, are mixed with other ballot papers from the ballot box and thereafter counted together.
- f. Keep all the empty Special Votes ballot boxes for reconciliation purposes. By now they must be flattened.
- g. File the marked envelopes together with the list of approved SV application in a box file. The relevant section in your voting station diary must be completed.

#### 9.3 COUNTING

The Counting Officer (CO) and the Deputy Counting Officer (DCO) must plan the layout and procedure for counting with their staff at least thirty (30) minutes before the end of voting. Special attention must be given to Covid-19 protocols. All tasks must be done before the counting process starts and after the voting has closed. The counting staff must take a short break before they get ready for the counting process.

## 9.3.1 Where and when does counting take place?

- a. Counting normally takes place at the voting station where votes were cast.
- b. Counting at the voting center will happen in each substation.
- c. The only exceptions are with mobile stations where counting takes place at the last stopping point on the mobile route or where the Commission has decided otherwise.
- d. Counting should take place as soon as practically possible, after the voting station has been closed.
- e. Verification becomes very important as the first step in the counting process. This is because some ballot boxes (such as Special Vote ballot boxes) are transferred to different venues for safe-keeping and the Counting Officer must ensure or check that these are the same ballot boxes; and the Counting Officer must also make sure that none of the seals of ballot boxes have been tampered with.

## 9.3.2 Rules in preparation for counting

## In preparation for counting, the following should apply:

- a. Brief the security officer to prevent access in and out of the counting venue.
- Brief staff and stakeholders in the counting station about COVID-19 protocols, i.e. sanitizing of hands, social distancing and wearing masks all the time.
- c. Where possible, lock the doors.
- d. Request everyone to switch off their cellphones, except the Presiding Officer.

#### 9.3.2.1 What needs to be done?

- Arrange the counting station in a manner that will provide enough space to allow the counters to work easily and perform their functions without interference from anyone and to observe social distancing.
- 2. Re-arrange the equipment and furniture for the counting process.
- 3. Dismantle cardboard furniture like the voting booths and move them out of the way.
- Safely store voting materials that have already been sealed and will not be used during the counting process under the supervision of the Deputy Counting Officer.

- 5. Make provision for Agents and observers to witness the proceedings of the following stages in the counting process:
  - i. Verification
  - ii. Unfolding and sorting
  - iii. Reconciling
  - iv. Counting, recounting, and bundling
  - v. Using the notepad and Voting Station diary to compile information for the final results slip.
  - vi. Results slip completion

## 9.3.2.2 Who is allowed in the counting station?

## The following people are allowed in the station during counting:

- a. Counting Officer.
- b. Deputy Counting Officer.
- c. Counting staff.
- d. Observers.
- e. Security services (SAPS).
- f. Candidate and Party Agents.
- g. Members of the Commission and officers of the Electoral Commission.
- h. Any other person or category of persons authorised by the CEO.

# 9.4 ROLES AND RESPONSIBILITIES OF STAFF IN THE COUNTING STATION

#### 9.4.1 Counting Officer

## The counting officer in the counting process is expected to:

- Complete the information for the results slip in the Voting Station diary and check for mathematical accuracy reflecting the results as counted.
- b. Complete and sign results slips in duplicate clearly and legibly.
- c. Complete the ballot paper reconciliation statement.
- d. Coordinate and manage the counting process.
- e. Ensure orderly conduct by all within the counting station.
- Keep a written record of all investigations in respect of objections and decisions made or related
- g. to counting.
- h. Conduct a briefing with candidate and party

- Agents and observers about the counting process.
- i. Deal with questionable ballots.
- Investigate and make decisions on objections raised.
- k. Complete, sign and display the results slips on the door of the counting station and announces provisional results.
- I. Observe COVID-19 protocols at all times

#### 9.4.2 Deputy counting officer

#### The Deputy Counting Officer must:

- a. Assist the Counting Officer throughout the process as delegated by him/her.
- b. Check and sign results slips in duplicate clearly and legibly together with the Counting Officer.
- c. Take up the role of the Counting Officer for the relevant sub-station in the case of a voting centre.
- d. Take up the role of the Counting Officer in the voting station should the position become vacant or the counting officer is for any reason temporarily unable to exercise the powers and perform the duties of the counting officer.
- e. Ensure proper Covid-19 hygiene and social distancing is maintained.

#### 9.4.3 Counting staff

#### The Counting Staff must:

- a. Verify whether ballot papers are stamped.
- b. Unfold all ballot papers and keep them face
- c. Sort all ballot papers according to wards, local/metro and district ballots.
- d. Assist with the reconciliation of all ballots against the ballot paper statement.
- e. Conduct counting of votes.
- f. Clean up station.
- g. Ensure proper Covid-19 hygiene and social distancing is maintained.

#### 9.5 STAKEHOLDERS DURING

#### 9.5.1 Counting Agents

Two (2) Agents per party and one (1) Agent per Independent Ward Candidate are allowed in a counting station if voting and counting is conducted at the same venue.

In the case of a voting centre, two (2) Agents per party are allowed and one (1) Agent per Independent Ward Candidate **per sub-station (this includes** 

#### the candidates).

All Agents present at the counting station must wear an Electoral Commission Agent identification tag with words in black letters stating "Agent".

## 9.5.1.1 Roles and responsibilities of agents

- a. Check and verify the seals on the ballot boxes to ensure that they are not broken.
- b. Observe the counting process.
- Participate and observe rules when the Counting Officer deals with questionable ballots.
- d. Raise objections if dissatisfied with the counting process.
- e. Observe the completion of the results slips and append their signatures to the slips.
- f. Record the results slips posted at the voting station.

#### 9.5.2 Observers

Observe the entire counting process.

Carry out their role in a neutral manner as per the Code of Conduct for accredited observers. All observers present at the counting station must wear an issued apparel with words stating 'Observer' on it.

#### 9.5.3 Security Services

Maintain law and order in the counting station.

Ensure that no person enters or leaves the counting station during counting.

Escort the Presiding Officer/Area Manager to deliver all voting material after counting has been completed.

#### 9.6 COUNTING BRIEFING

The counting station has now been organised for the counting activities. The Counting Officer and the Deputy Counting Officer have taken up their positions. All posters of accepted, disputed and questionable ballots must be put up on the wall or on the table.

The Counting Officer must brief all stakeholders and counting staff in the counting station and outline the approach to be followed. Also brief them on the following:

1. Questionable ballots.

- 2. Reconciliation of disputed addresses before counting.
- 3. The counting process.
- 4. COVID-19 protocols, i.e.:
  - a) Social distance,
  - b) Wearing of masks,
  - Sanitising of all present in the counting station.

#### 9.7 RULES APPLICABLE IN THE COUNTING STATION

- 1. No pens are allowed on any table.
- 2. No Agent or observer is allowed to handle any ballot paper. No use of cellphones (they must be switched off).
- 3. All decisions taken by the Counting Officer are final, and anyone except Observers, may lodge an objection as per legal prescripts.

#### 9.8 QUESTIONABLE BALLOTS

#### A ballot is regarded as questionable if:

- a. The intention or choice of the voter is not clear.
- b. It appears that the voter's identity may be indicated on the ballots, e.g. the name of the voter.
- The ballot paper does not appear to be an official ballot paper issued by the Electoral Commission.

#### 9.8.1 Guidelines On Dealing with questionable ballots

Ballots that are deemed questionable may be the cause of some debate or consultation. **The Counting Officer must** determine the status of questionable ballots before counting of ballots begins. The Presiding Officer must show Agents and observers the posters of what constitutes a questionable ballot.

The Counting Officer is the only person who decides to accept or reject a ballot paper. He/she will inform the Agents of his/her decision and they may accept the decision or object to it. Despite any objection by the Agents, the decision of the Counting Officer will stand.

#### 9.9 BALLOT PAPERS THAT MUST BE REJECTED

| The marking on the ballot paper indicates the identity of the voter.           | Reject |
|--|--------|
| More than one vote is cast on the ballot paper.                                | Reject |
| The ballot paper is unmarked.  | Reject |
| The ballot paper is marked in such a way that the voter's choice is not clear. | Reject |
| The ballot paper is not marked at the back with the official security stamp.   | Reject |
| The ballot paper is not an official ballot paper.                              | Reject |

The Counting Officer must review each questionable ballot paper in the presence of Agents. Only the Counting Officer should make a decision on each ballot paper.



#### **ELECTORAL COMMISSION Examples: VALID BALLOTS (Covid-19 Protocols)**



1. Choice of voter is clear.

| Better Future Party | 73  | BFP | Ģ  |   |
|---------------------|-----|-----|----|---|
| The Sunrise Party   | *   | TSP | 9  |   |
| The New Day Party   | 8   | NDP | A  | П |
| Clear Vision Party  | ⊜   | CVP | Q  |   |
| Consensus Party     | (L) | CP  | 9. | * |

3. Choice of voter is clear.

| Better Future Party | 73  | BFP        | ê  | Г |
|---------------------|-----|------------|----|---|
| The Sunrise Party   | *   | TSP        | 1  | Г |
| The New Day Party   | 8   | NDP        | A  |   |
| Clear Vision Party  | 8   | CVP        | Q. |   |
| Consensus Party     | CA) | <b>K</b> ₽ | 3. | Г |

| Better Future Party | ij  | BFP                        | ê   |   |
|---------------------|-----|----------------------------|-----|---|
| The Sunrise Party   | *   | TSP                        | 9   |   |
| XXXXXXX             | 180 | $\mathbb{A}_{\mathcal{F}}$ | (X) | Ķ |
| Clear Vision Party  | 0   | CVP                        | Q   |   |
| Consensus Party     | œ.  | CP                         | 9.  |   |

| Better Future Party | 2   | BFP | 60 |   |
|---------------------|-----|-----|----|---|
| The Sunrise Party   | *   | TSP | 9  | × |
| The New Day Party   | (9) | NDP | A  |   |
| Clear Vision Party  | 8   | CVP | Q  |   |
| Consensus Party     | (Z) | CP  | Э. |   |

2. Choice of voter is clear.

| Better Future Party | 13 | BFP | Ĝ  | 1 |
|---------------------|----|-----|----|---|
| The Sunrise Party   | *  | TSP | 9  |   |
| The New Day Party   | 8  | NDP | A  |   |
| Clear Vision Party  | ⊜  | CVP | Q  |   |
| Consensus Party     | Ø  | CP  | 9. |   |

4. Choice of voter is clear.

| Better Future Party | 73 | BFP | ê  |  |
|---------------------|----|-----|----|--|
| The Sunrise Party   | *  | TSP | Q  |  |
| The New Day Party   | 8  | NDP | A  |  |
| Clear Vision Party  | 9  | CVP | 0  |  |
| Consensus Party     | Œ. | CP  | Œ. |  |

Ordine mark for one specific party. 6. Only one mark for one party (other than a cross). Choice of voter is clear.

| Better Future Party | 1   | BFP | 69 |  |
|---------------------|-----|-----|----|--|
| The Sunrise Party   | *   | ISP | 9  |  |
| The New Day Party   | 9   | NDP | R  |  |
| Clear Vision Party  | ⊜   | CVP | Q  |  |
| Consensus Party     | (£0 | CP  | Э. |  |

 Vote is cast for only one party. As no other party is marked so the choice of voter is clear.

 Wark other than cross is made for one party. Choice of voter is clear no other such marks appear. one party. Choice of voter is clear as no other such marks appear.

| Better Earline Party | 1   | BED. | \$ | ightharpoons |
|----------------------|-----|------|----|--------------|
| The Sunrise Party    | *   | TSP  | 9  | П            |
| The New Day Party    | 8   | NDP  | A  |              |
| Clear Vision Party   | 8   | CVP  | Q  |              |
| Consensus Party      | ŒD. | CP   | Э. |              |

Mark other than cross is made only for one party. Choice of voter is clear as no other such marks appear.

| Better Future Party | 5  | BFP | 6  | П   |
|---------------------|----|-----|----|-----|
| The Sunrise Party   | *  | TSP | 9  |     |
| The New Day Party   | 8  | NDP | A  |     |
| Clear Vision Party  | 8  | CVP | Q  |     |
| Consensus Party     | Œ3 | CP  | Э. | Yes |

10. Choice of voter is clear

| Better Future Party | J) | BFP | 0  |          |
|---------------------|----|-----|----|----------|
| better ruture rarty |    | DFF | ç  |          |
| The Sunrise Party   | *  | TSP | Q. |          |
| The New Day Party   | 8  | NDP | A  | $\times$ |
| Clear Vision Party  | ⊜  | CVP | Q1 |          |
| Consensus Party     |    | CP  | 3. | П        |

11. Choice of voter is seen as clear

| Better Future Party | 2 | BFP | 6  |   |
|---------------------|---|-----|----|---|
| The Sunrise Party   | * | TSP | 9  |   |
| The New Day Party   | 8 | NDP | R  | Б |
| Clear Vision Party  | ⊜ | CVP | Q  |   |
| Consensus Party     | Æ | CP  | СN |   |

12. Choice of voter is clearly shown by

|                     |         |     |    | _ |
|---------------------|---------|-----|----|---|
| Better Future Party | Ü       | BFP | 9  |   |
| The Sunrise Party   | *       | TSP | 9  |   |
| The New <b>this</b> | 8       | NDP | A> | K |
| Clear Vision Party  | ⊜       | CVP | Q  |   |
| Consensus Party     | Part of | CP  | Э. |   |

13. Choice of voter is clear.

| Better Future Party | J)  | BFP | Ģ  | Г |
|---------------------|-----|-----|----|---|
| The Sunrise Party   | *   | TSP | 9  | Г |
| The New Day Party   | 8   | NDP | A  |   |
| Clear Vision Party  | 0   | CVP | Q  |   |
| Consensus Party     | ED. | CP  | Э. |   |

"To make democracy work, we must be a notion of participants, not simply observers. One who does not vote has no right to complain."



#### **Ensuring Free and Fair Elections**

#### **ELECTORAL COMMISSION Examples: REJECTED BALLOTS (Covid-19 Protocols)**

| Better Future Party |    | Ŋ          | BFP | 9  |  |
|---------------------|----|------------|-----|----|--|
| The Sunrise Party   | D, | $\maltese$ | TSP | 9  |  |
| The New Day Party   | V  | (1)        | NDP | R  |  |
| Clear Vision Party  |    | <b>(</b>   | CVP | 0  |  |
| Consensus Party     |    | C)         | СР  | 9. |  |

1. Choice of voter is not clear.

| Better Future Party | 7 | BFP | <b>©</b> |   |
|---------------------|---|-----|----------|---|
| The Sunrise Party   | * | TSP | 4        | へ |
| The New Day Party   | 9 | NDP | ¢        |   |
| Clear Vision Party  | ☺ | CVP | Q        |   |
| Consensus Party     | Œ | СР  | 3        |   |

2. Choice of voter is not clear.

| Y                   | 76,2 | U   | )CQ | _  |
|---------------------|------|-----|-----|----|
| Better Future Party | 13   | BFP | 6   | □' |
| The Sunrise Party   | *    | SP  | 9   |    |
| The New Day Party   | (9)  | NDP | R   | П. |
| Clear Vision Party  | 9    | CVP | 0   | ⇍↿ |
| Consensus Party     | Œ    | P   | 9.  |    |

3. Choice of voter is not clear.

| Better Future Party | 7 | BFP | 9  |    |
|---------------------|---|-----|----|----|
| The Sunrise Party   | * | TSP | Q  |    |
| The New Day Party   | 9 | NDP | R  | NO |
| Clear Vision Party  | ☻ | CVP | Q  |    |
| Consensus Party     | Œ | СР  | ₽. |    |

4 Choice of voter is not clear

| Better Future Party | 7 | BFP | <b>6</b> 0 | M         |
|---------------------|---|-----|------------|-----------|
| The Sunrise Party   | * | TSP | Q          | olimits   |
| The New Day Party   | 9 | NDP | A          | X         |
| Clear Vision Party  | ⊜ | CVP | 0          | X         |
| Consensus Party     | œ | СР  | ₽.         | $\square$ |

| Better Future Party | 'n | BFP | С |  |
|---------------------|----|-----|---|--|
| The Sunrise Party   | *  | TSP | • |  |
| The New Day Party   | 9  | NDP | R |  |
| Clear Vision Party  | ☺  | CVP | Ø |  |
| Consensus Party     | Æ  | СР  | 3 |  |

5. More than one mark on the ballot. Choice of 6. A mark for two different parties (other than a cross). Choice of voter is not clear.

| Better Future Party | J   | BFP | 9  | × |
|---------------------|-----|-----|----|---|
| The Sunrise Party   | *   | TSP | 9  |   |
| The New Day Party   | (9) | NDP | R  |   |
| Clear Vision Party  | ⊜   | CVP | Q  | X |
| Consensus Party     | ÆD  | СР  | ₽. |   |

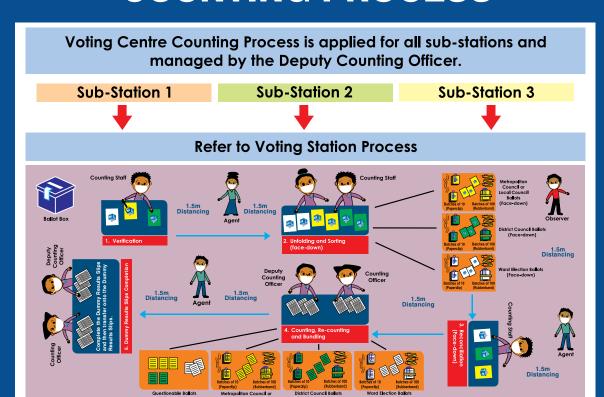
7. Vote is cast for two parties. As another party is also marked, the choice of voter is not clear.



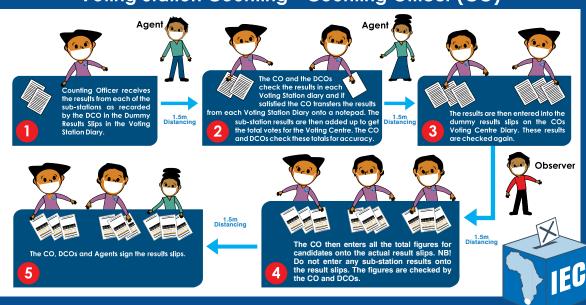
#### **Ensuring Free and Fair Elections**

#### **VOTING CENTRE**

#### **COUNTING PROCESS**



#### **Voting Station Counting - Counting Officer (CO)**



**ENSURING FREE AND FAIR ELECTIONS** 

**SOUTH AFRICA** 

#### 9.10 THE COUNTING PROCESS

There are five (5) steps in the counting process. This guide will outline each stage and will include what has to be done in the counting station.

- a) Step 1: Verification
- b) Step 2: Unfolding and Sorting
- c) Step 3: Reconciliation
- d) Step 4: Counting, Re-counting and Bundling
- e) Step 5: Results Slips Completion

#### 9.10.1 Step 1: Verification

Verification is important because it establishes that the number of ballot boxes used in a voting station is the same as allocated. This is because the ballot boxes are transferred to different venues during special voting, and the Counting Officer must ensure or check that they are the same ballot boxes and that the seals have not been tampered with.

#### 9.10.1.1 Should be done

- 1. Check that ballot boxes are correct and are all accounted for, including ballot boxes used for special votes, if there were any.
- 2. The Counting Officer and the Deputy Counting Officer must examine whether the seals on the used boxes are intact and the same as recorded when the box was sealed. The seals must not have been tampered with.

- Invite Agents to examine the seals on the ballot hoxes
- 4. Ensure that the following is at hand:
  - i. sealed, used ballot boxes;
  - ii. unused ballot boxes;
  - iii. unused ballot papers;
  - iv. sealed envelopes with the certified segment of the voters' roll;
  - v. cancelled ballot papers;
  - vi. completed objection forms; and
  - vii. voting station diary

#### 9.10.1.2 With irregularities and discrepancies during verification

Should the Counting Officer discover that the number of ballot boxes available does not correspond with the number of ballot boxes received, he or she must do the following:

- a) Investigate with the counting staff to determine the reason why such a discrepancy occurred?
- b) Instruct the security services to investigate the matter
- c) If not found, communicate the discrepancy with the stakeholders.
- d) Inform the IEC local office and ask for guidance.

#### **Boxes statement**

#### 9.10.1.3 Counting Officer must complete ballot boxes statement

| SV1 – Special Votes Day 1<br>SV2 – Special Votes Day 2<br>ED – Election Day | SV1 | SV1 SV2 |   |
|---|-----|---------|---|
| a. Total received   | 3   | 2       | 4 |
| b. Total used   | 1   | 1       | 3 |
| c. Total unused   | 2   | 1       | 1 |

Figure 20 - Ballot Boxes

#### 9.10.2 Step 2: Unfolding and sorting

| Re                   | quired Action  | Outcome |   |  |
|----------------------|--|---------|---|--|
| a.<br>b.<br>c.<br>d. | Break the seals and open the ballot boxes (one box at a time). Open the top of the box by cutting the security seal.  Empty the ballot box on the table.  Open special votes envelopes and mix ballots with the rest Separate colour-coded envelopes from ballot papers and place them in a temper evident bag labelled "Disputed Addresses".  Unfold each ballot paper and place it face down | •       | All ballots are unfolded<br>and placed face down.<br>Colour-coded enve-<br>lopes are separated<br>and not opened              |  |
| f.<br>g.<br>h.       | Verify that all ballot papers have the Electoral Commission security stamp at the back.  Separate all ballot papers that do not have the Electoral Commission security stamp at the back and place them in a separate batch.  Group all ballot papers according to colour representing the type of election (district, local/ metro, ward)   |         | All ballots bear the Electoral Commission security stamp at the back. Ballots are sorted into district, local/metro and ward. |  |

#### 9.10.3 Step 3: Reconciliation

| Re | quired Action  | Οι | ıtcome   |
|----|--|----|--|
| a. | Brief stakeholders and staff on the reconciliation process to be followed.   | a. | To ensure that the ballot papers received in the       |
| b. | Establish the number of ballots issued to the voting station, and the number of unused ballots to find the number of used ballots.   |    | morning are accounted for before counting.             |
| C. | Count the number of ballot papers used for each election separately by doing the following:  | b. | To establish the number of:                            |
|    | i. Put the sorted and stamped ballots face down into batches of ten.   |    | <ul><li>i. unused ballot papers;</li><li>and</li></ul> |
|    | ii. Determine the total number of sorted and stamped ballots for each election.  |    | ii. used ballot papers.                                |
|    | iii. Count the number of "Address Disputed".   |    |  |
|    | iv. Record the number of "Address Disputed" on the Address Disputed column in the dummy results slips in the Voting Station Diary.   |    |  |
|    | v. Count all cancelled ballots that you may have and add this number to your overall total so that the number balances (reconciles) with what you have issued as calculated above. |    |  |
|    | vi. Should the ballots not reconcile, the Counting Officer must check the batches to ensure that there are ten ballots in each batch.  |    |  |
|    | vii. If, after a recount of batches, the number still does not reconcile and the number is not substantial, record in the diary and proceed.                                       |    |  |
|    | viii. However, if the number of missing ballots is substantial, the counting officer must investigate and then decide whether to order a recount or not.                           |    |  |
| d. | After reconciliation is completed, complete the relevant section of the Voting Station Diary (Reconciliation of Ballots).  |    |  |

#### The counting officer must also check that the ballot paper statement in the diary corresponds with:

- i. the number of ballot papers received.
- ii. the number of unused ballot papers.
- iii. the number of used ballot papers, which will be determined once counting is taking place.

#### 9.10.3.1 Paper Statement

|   | SV1 – Special<br>Votes Day 1                         | Distric | t Coun | cil Ballot  | ts  | Local | / Metro | Counc | il Ballots                                  | Ward | Ballots | <b>3</b> |   |
|---|--|---------|--------|-------------|---|-------|---------|-------|---|------|---------|----------|---|
|   | SV2 – Special<br>Votes Day 2<br>ED – Election<br>Day | SV1     | SV2    | ED          | Buffer<br>ballot<br>papers if<br>applicable | SV1   | SV2     | ED    | Buffer<br>ballot<br>papers if<br>applicable | SV1  | SV2     | ED       | Buffer<br>ballot<br>papers if<br>applicable |
| 1 | Total Ballot<br>Papers<br>Received                   | 1000    | 950    | 4000<br>800 |   |       |         |       |   |      |         |          |   |
| 2 | Total Ballot<br>Papers Issued                        | 50      | 150    | 4100        |   |       |         |       |   |      |         |          |   |
| 3 | Total Ballot<br>Papers<br>Cancelled                  | 0       | 5      | 50          |   |       |         |       |   |      |         |          |   |
| 4 | Total in the ballot box                              | 50      | 145    | 4050        |   |       |         |       |   |      |         |          |   |
| 5 | Total Ballot<br>Papers<br>Unused                     | 950     | 800    | 700         |   |       |         |       |   |      |         |          |   |

Figure 21 –Statement

#### 9.10.4 STEP 4: COUNTING, RE-COUNTING AND BUNDLING

| Re | quired Action  | Outcome  |
|----|--|--|
| a. | Write the name of each party/candidate on a separate piece of paper that will serve as markers on the tables.  | a. To count the number of votes per party/ can date per election type (district, local/metro and   |
| b. | Sort the ballots face up into party/candidate votes.   | ward).   |
| C. | Handle every ballot separately to determine its status.  | b. To determine the status of each   |
| d. | Separate the ballots that are questionable into a different pile.  | questionable ballot and allo-  |
| e. | Decide on the status of each questionable ballot by determining whether it can be allocated to a party/candidate or whether the ballot should be regarded as spoilt and not counted in favour of any party/candidate.  | cate it accordingly – either to a party/ candidate or as rejected. c. To ensure that the total valid votes cast plus spoilt ballots – is equal the total ballots issued. |
| f. | Count all ballot papers that are not questionable that the CO decided were valid before counting, by doing the following:  i. Group the ballot papers into piles of ten and clip them;  ii. Then group into bundles of one hundred using the elastic bands. The number of ballots in all the piles, including the questionable ballots, must be equal to the total number of ballots issued. |  |

- g. If after counting, the number of ballots does not reconcile, order a recount.
- h. Record the total ballots received per party/ candidate on the piece of paper that served as a marker for that party/ candidate.
  - i. Thereafter proceed and record in the diary.

#### 9.10.4.1 Classification of ballots

#### **COUNTED AND NOT DISPUTED**

If a ballot paper is considered to be valid and "not disputed", it must be added to the pile of the party/candidate for which the vote was cast.

#### COUNTED BUT DISPUTED BY THE CANDIDATE OR PARTY AGENTS

- a) Where the decision by the Counting Officer to accept a questionable ballot paper is disputed by the candidate or party Agents, the word "disputed" should be marked at the back of the ballot paper.
- b) This should then be placed in a "Disputed but Counted" envelope, and be counted for the party/candidate for which it was determined.

#### REJECTED BUT DISPUTED BY THE CANDIDATE OR PARTY AGENTS

- a) Where the decision by the Counting Officer to reject a questionable ballot paper is disputed by the Agent, the word "disputed" should be marked at the back of the ballot paper.
- b) This should then be placed in "Disputed and Not Counted" envelope.

#### **REJECTED AND NOT DISPUTED**

Where the decision by the Counting Officer to reject a questionable ballot paper is not disputed by any Agent, the ballot is placed in a pile for rejected ballot papers and is not counted for any party or candidate.

#### 9.10.5 STEP 5: RESULTS SLIPS COMPLETION PROCESS

The Counting Officer must make sure that you have been supplied with the correct results slips for your voting station.

#### There must be the following:

- a) Two (2) blank results slips for the district election (if you are at the district municipality);
- b) Two (2) blank results slips for the local/metro election; and
- c) Two (2) blank results slips for the Ward election

#### 9.10.5.1 Completing the results slips

After counting has been completed, before anyone leaves the counting station, the following procedure must be conducted:

- a) Any notepad used (for calculations) must be submitted with the diary.
- b) Completion of the dummy results slips in the diary.
- c) Completion of the results slips.

#### 9.10.5.2 Completion of the dummy results slips

When the count for the different elections is complete, the Counting Officer must do the following:

- a) Write down the totals for every type of election per party/candidate on a separate piece of paper provided.
- Ask the Deputy Counting Officer to verify the correctness of the figures. Make any amendments on notepad paper if needs be.
- c) Once the totals have been verified, the Counting Officer must transfer the results into the dummy results slip in the Voting Station Diary.
- d) The Deputy Counting Officer must again re-check the correctness of the details in the Voting Station Diary.
- The Counting Officer and the Deputy Counting Officer signs the verification part of the dummy results slip in the Voting Station Diary.

#### 9.10.1.3 Completion of the results slips

#### The Counting Officer must

- 1. Transfer the results totals from the Voting Station Diary to the results slips **(Appendix 20A** and
- 2. **Appendix 20B)** and all the information at the bottom of the results slips.
- 3. Ask the Deputy Counting Officer to verify the correctness of the figures.
- 4. The Counting Officer signs the results slips after capturing.
- 5. Ask the Agents to sign the results slips as confirmation of their presence in the counting process.
- 6. Paste the duplicate/copy results slips on the door of the voting station.
- 7. Place the original results slips in the special tam per-evident bag.
- 8. Paste the dispatch label from the tamper-evident bag onto the diary (refer to the Voting Station Diary and the Voting Centre Diary).
- 9. Write the correct voting district number and voting station name on the tamper-evident bag.

#### 9.10.5.4 Results slips of the voting centre

- a) At the voting centre the Deputy Counting Officer in each sub-station must complete the dummy results slips as outlined in the case of a voting station above.
- b) The completion of results slips will be done by the Counting Officer for the voting centre as a whole.

#### 9.10.5.5 Completion of the dummy results slips in the voting centre

#### The Counting Officer must:

- a) Enter the results from each of the sub-station's diaries onto paper provided.
- b) Get Deputy Counting Officers to check and verify the totals.
- c) Any amendments can still be made on the notepad paper if needs be.
- d) Once the totals have been verified, the Counting Officer must transfer the combined number of results onto the dummy results slips in the Voting Centre Diary.
- e) The Deputy Counting Officers must again re-check the correctness of the details in the Voting Centre Diary.

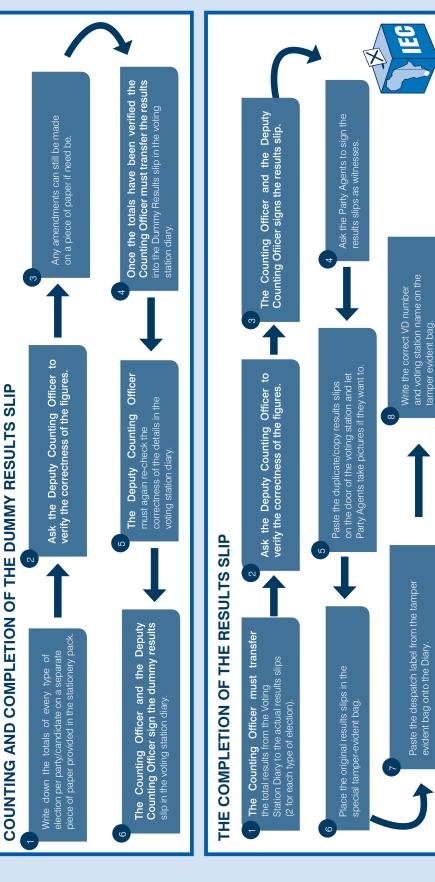
f) The Counting Officer and the Deputy Counting Officers must sign the verification part of the dummy results slips in the Voting Centre Diary.

#### 9.10.5.6 COMPLETION OF RESULTS SLIPS AT THE VOTING CENTRE

#### The Counting Officer must:

- a) Transfer the results totals from the Voting Centre Diary to the actual results slips (Appendix 20A and Appendix 20B), and all information at the bottom of the results slip.
- b) Ask all Deputy Counting Officers to verify the correctness of the figures.
- c) The Counting Officer signs the results slips after capturing.
- d) Ask the Agents to sign the results slips as confirmation of their presence in the counting process.
- e) Paste the duplicate/second copy of the results slips on the door of the selected voting substation.
- f) Place the original results slips in the special tamper-evident bag.
- g) Paste the dispatch label from the tamper-evident bag onto the Voting Centre Diary.
- h) Write the correct voting district number and voting centre name on the tamper-evident bag.

# SLIPS (Covid-19 Protocols) THE DUMMY RESULTS SLIPS **COUNTING AND COMPLETION OF THE DUMMY RESULTS SLIP** S AND RESUL FILLING IN



# **Ensuring Free and Fair Elections**

SOUTH AFRICA



MEC 17

#### District Council PR Results Form



Results Form to be completed by the Counting Officer in respect of votes cast for parties contesting an election on party lists - section 63(1) of the Local Government: Municipal Electoral Act, 2000(Act No. 27 Of 2000)

|                               | Voting [            | District Details | VD:                                    | 22240000 |  |
|-------------------------------|---------------------|------------------|--|----------|--|
| Election Date                 | 1 November 2021     |                  |  |          |  |
| Voting District Number        | 22240000            | Registered       | Voters                                 | 1809     |  |
| Municipality                  | DC19 - Thabo Mofuts | anyane           |  |          |  |
| Ward or DMA, where applicable | Ward# 41906050      | FS               | FS196 - Marisora                       |          |  |
|                               | Voting              | District Count   |  |          |  |
|                               | Green               | Ballot Paper     |  |          |  |
| Party Name                    | Votes               |                  | rty Agent/Candida<br>proof of acceptan |          |  |
| PARTY \$                      | 1                   |                  |  |          |  |
| PARTY &                       | 1                   | 95.10            |  |          |  |
| PARTY 3                       |                     |                  |  |          |  |
| PARTY &                       |                     |                  |  |          |  |
| PARTY 5                       | Ī                   |                  |  |          |  |
| PARTY 6                       |                     |                  |  |          |  |
| PARTY Z                       |                     |                  |  |          |  |
| PARTY                         |                     |                  |  |          |  |
| PARTY §                       |                     | 2.5              |  |          |  |
| PARTY 10                      | I                   |                  |  |          |  |

1 November 2021 Page 1





#### FS196 Ward# 41906050 VD: 22240000 DC40 Ballot

| PARTY 11                             |    |     |      |        |        |         |     |         |     |
|--------------------------------------|----|-----|------|--------|--------|---------|-----|---------|-----|
| Total Spolit Votes                   |    |     |      |        |        |         |     |         |     |
| Total Votes Cast                     |    |     |      |        |        |         |     |         |     |
| Total DC Addresses Disputed          |    |     |      |        |        |         |     |         | -30 |
|                                      |    |     |      |        |        |         |     |         |     |
| Name of Counting Officer             | 3. |     |      |        |        |         |     |         |     |
| Signature of Counting Officer        | 8  |     |      |        |        |         |     |         |     |
| Counting Officer Contact Number      |    |     | 0000 | A/H To | lephon | e Numbe | HF. | <br>190 |     |
| Identity Number of Counting Officer  |    |     |      |        |        |         |     |         |     |
| Name of Deputy Counting Officer      | 50 | 700 | 3.3  | 97 97  | 727    | 633     | 200 | 7/3     |     |
| Signature of Deputy Counting Officer |    |     |      |        |        |         |     |         |     |
| Date Complete                        |    |     |      |        |        |         |     |         |     |

#### 010402222400116012

#### FS196 Ward# 41906050 VD: 22240000 DC40 Ballot

| PARTY 11                             |                   |            |           |           |                   |   |               |                   |
|--------------------------------------|-------------------|------------|-----------|-----------|-------------------|---|---------------|-------------------|
| Total Spolit Votes                   |                   |            |           |           |                   |   |               | $\neg$            |
| Total Votes Cast                     |                   |            |           |           |                   |   |               |                   |
| Total DC Addresses Disputed          |                   |            |           |           |                   |   |               | 10                |
| Name of Counting Officer             | <i>3</i> .        |            |           |           |                   |   |               |                   |
| Signature of Counting Officer        | ©                 |            |           |           |                   |   |               |                   |
| Counting Officer Contact Number      | 100<br>100<br>100 | 1977 199   | A/H Teleş | hone Numb | er                |   | 100           |                   |
| Identity Number of Counting Officer  |                   | $\Box\Box$ |           |           | $\overline{\Box}$ | T | $\neg \Gamma$ | $\overline{\top}$ |
| Name of Deputy Counting Officer      |                   |            | 9.2       |           | 29/00             |   | 3/2           |                   |
| Signature of Deputy Counting Officer |                   | ·          |           |           |                   |   |               |                   |
| Date Complete                        | 200               |            |           |           |                   |   |               |                   |



MEC-18<sup>4</sup>

#### Ward-Candidate-Results-Form



Results Form to be completed by the Counting-Officer in-respect of votes cast for candidates in ward-ballot in-

| Election-Date          |                                   |        |  |  |  |
|------------------------|-----------------------------------|--------|--|--|--|
| Election-Date          | 1 November¶                       |        |  |  |  |
| Voting·District·Number | Registered Voters 1809            |        |  |  |  |
| Municipality'          | unicipality' FS196~\\allandsona\f |        |  |  |  |
| Ward*                  | Ward#41906050¶                    |        |  |  |  |
|                        | II                                | Votes¶ | Party-Agent/Candidate-<br>8ignature-as-proof-of- |  |  |
| Candidate-Name¶        | Party-Name-/-Independents¶        |        |  |  |  |
| Candidate-Name¶        | Party-Name-Hindependents          | 1      | acceptance-of-the-result¶                        |  |  |
| Candidate-Name¶        | PARTY-1¶                          |        | acceptance of the result¶                        |  |  |

#### 010402222400114022 FS196- Ward#41906050' VD;22240000' Ward-Ballot' 11 PARTY-3¶ THOABALA BERNARD¶ Total-8polit-Votes¶ Total-Votes-Cast¶ Total Ward Addresses Disputed¶ Name-of-Counting-Officer¶ Signature of Counting Officer¶ Counting-Officer-Contact-Number¶ A/H-Telephone-Number¶ Identity-Number-of-Counting-Officer¶ Name-of-Deputy-Counting-Officer¶ Signature-of-Deputy-Counting-Officer¶ Date-Completed¶

#### 9.11 OBJECTIONS AND APPEALS

During counting, a candidate or party Agent may object to a decision made by the Counting Officer with regard to the following counting processes:

- i. verification procedure
- ii. sorting of ballot papers
- iii. counting of votes and determination of results

The Counting Officer or Deputy Counting Officer will handle objections relating to counting in a counting station. He/she must:

- a) Ensure that the objection is made in writing as required.
- b) The Presiding Officer will investigate and make a ruling.
- Keep a record of all objections raised as well as copies thereof and the decisions that were made.

#### 9.11.1 Objections concerning verification procedure

| Ol | ojection   | Agents  | Counting Officer  |
|----|--|---|---|
| a. | Objection concerning alleged irregularity or inaccuracy in the verification procedure: this must be submitted before counting begins.                                  | Any candidate or party Agent who lodges an objection must submit this to the Counting Officer in writing (no prescribed objection form). These can deal with: | factual circumstances.  b. Directs verbal enquiries to any person that may be able to assist. |
| b. | Any alleged irregularity in the sorting of ballot papers or inaccuracy in the counting of votes. These objections must take place before the results slips are filled. | sorting of ballot papers or inaccuracy in the counting of votes.  | written objection.  |
| C. | All objections must be made in writing.  | are filled.<br>iii. It must be made in writing.   | in the objection, of the decision made.  f. Records in the voting station diary               |

#### 9.11.2 Objections material to results of an election

#### Section 65 of the Local Government: Municipal Electoral Act 27 of 2000

An interested party may lodge an objection with the Commission material to results of an election concerning any aspect of voting or counting or unlawful conduct. This must be done in writing although there is **no prescribed objection form**.

This objection must be made in writing and served to the Commission by no later than 17:00 on the second day after voting day to the Commission's address:

a) The Electoral Commission of South Africa Election House Riverside Office Park 1303 Heuwel Avenue Centurion

0046

- b) Fax: 012 622 5216
- c) Email: objections@elections.org.za

#### The written notice of objection must contain:

- Reference to the election concerned: date, voting district, whether metropolitan, local, district or Ward.
- b) Section of the Municipal Electoral Act in terms of which the objection is based.
- c) Full names, contact details and physical address of the objector.
- d) Details of the objection, the objector's interest in the matter, the reasons for the objection and the relief that is being sought.
- e) List of supporting documents, images, recordings or other materials accompanying the objection.
- Decision by the Presiding Officer or Counting Officer.
- Reasons for the appeal of the decision by the Presiding Officer or Counting Officer.

#### 9.12 ROLLBACK OF MATERIALS

The Presiding Officer is required to manage the pack up all the materials and equipment used during voting and counting and to make sure that the materials that were used for voting are safely transported back to the Electoral Commission's local office. This material may be revisited should there be an objection raised.

#### 9.12.1 The counting officer must

- Place all ballot papers back into the ballot boxes (and must not mix the district, local/ metro and ward ballot papers).
- 2. Place all envelopes for the following items inside the ballot boxes:
  - i. Cancelled ballots
  - ii. MEC7 cases
  - iii. Questionable Ballots
- 3. Ensure that the VD number and date is clearly marked on the ballot box.
- 4. Seal the ballot boxes and allow the Agents to

- affix their seals, if any. They can also record the seal numbers if they wish to do so.
- Place the attendance registers, employment forms and declaration of secrecy forms in the envelopes and mark them accordingly.
- Complete all remaining fields in the voting station diary and place it in the envelope and mark it "Diary" together with:
  - a. Disputed Ballots
  - b. Objection forms
- Place the VMD and all its accessories neatly back in its carry case.
- 8. Place the eZiskan and all its accessories neatly back in its carry case.
- 9. Wrap all containers including envelopes with security tape.
- 10. Pack the storage box with the following:
  - i. Ballot paper statement
  - ii. Unused ballot papers
  - iii. Voters' roll
  - iv. Unused forms
  - v. Stationery
  - vi. Security materials







# 10 observers





#### **Observers**

#### 10.1 ACCREDITATION

All observers must be accredited with the Electoral Commission. The Commission will accredit organisations wishing to appoint election observers in the interest of promoting free and fair elections. Application forms are available on the Electoral Commission's website, www.elections.org.za with an indication of the documents that need to be supplied as part of the application process.

Regulations on the accreditation of observers, the application form, a sample certificate of accreditation and the Code of Conduct can all be found at www.elections.org.za.

Any person appointed as an accredited observer is not provided with financial or any other support by the Electoral Commission. An observer must comply with orders issued by the following:

- The Commission
- Any electoral officer
- An employee of the Commission
- A member of the security services acting on the instruction of an officer.

#### 10.2 ROLES AND RESPONSIBILITIES

According to the United Nations, election observation is a valuable tool for improving the quality of elections, as:

"Observers help build public confidence in the honesty of electoral processes. Observation can help promote and protect the civil and political rights of participants in elections. It can lead to the correction of errors or weak practices, even while an election process is still under way. It can deter manipulation and fraud, or expose such problems if they do occur. When observers issue positive reports, it builds trust in the democratic process and enhances the legitimacy of the governments that emerge from elections."

International observers, in particular from organisations such as the African Union (AU) and the Commonwealth, often have vast experience of elections in various parts of the world and are able to give an election management body like the Electoral Commission invaluable advice and

support following their observation of an election. Domestic observers are often very familiar with the local issues and have a sense of the challenges that may be faced. Consequently, they can provide valuable insights to the Electoral Commission of how processes can be strengthened in future elections.

#### Observers may do the following:

- Observe the voting process at voting stations.
- Observe the counting of votes at a voting station.
- Observe the determination and declaration of the final results by the Commission.
- Be present during the viewing and sealing of empty ballot boxes before voting begins.
- Address comments and questions to the Presiding Officer.
- Leave and re-enter the voting station.
- Take notes and write observations on all aspects of the voting and counting processes.
- Talk freely to the voters outside a voting station.
- Record election results after the counting has been completed at a counting station.

#### 10.3 IDENTIFICATION

Accredited observers will be issued with unique identification cards with their names and the organisations they represent. On entering a voting station, the Presiding Officer may ask for proof of identification in the form of a South African ID or passport to verify their identity and will require observers to fill in the Voting Station/Centre Diary to record their comings and goings.

Election observers must, at all times, wear identification with the words 'Election Observer' on the back and front of the identification apparel in black letters, at a height of at least 10 cm on a white background.

#### Certificate of Accreditation as an Observer

| This is to certify that                          |
|--|
| xxx  |
| AAA  |
| s of section 86 of the Electoral Act, 1998, been |
| dited for one year to observe an election        |
| ion that the Code for Accredited Observers       |
| is adhered to at all times.                      |
| is duffered to at all times.                     |
| Date of issue:                                   |
| 8 JUNE 2016                                      |
| t  |



Figure 22: accreditation certificate

#### 10.4 CODE OF CONDUCT

Regulations are in place to govern the accreditation of observers. This includes a Code of Conduct for Accredited Observers. In terms of the Regulations, the accreditation of an observer is valid for a year, but is conditional on the observance of the Code of Conduct.

In terms of the Code of Conduct, every accredited observer must:

- observe the election impartially and independently of any registered party or candidate contesting the election;
- remain non-partisan and neutral;
- be competent and professional in observing the election; and
- provide the Commission with a comprehensive review of the elections, taking into account all relevant circumstances, including:
  - The degree of impartiality shown by the Commission;
  - The degree of freedom of political parties to

- organise, move, assemble and express their views publicly;
- The opportunity for political parties to have their agents observe all aspects of the electoral process;
- The fairness of access for political parties to national media and other resources of the state:
- The proper conduct of polling and the counting of votes; and
- Any other issue that concerns the essential freedom and fairness of the election.

In terms of the Code of Conduct, observers may not:

- disrupt and interfere with the voting process;
- touch the ballot papers or any other election material;
- exert influence on voters in any way;
- talk to voters inside a voting station;
- instruct, give orders or countermand decisions of any of the voting station officers;
- make objections or file complaints;
- observe how a voter has marked a ballot paper;
- support a candidate or any political party;

- accept gifts or favours from a political party, organisation or person involved in the election;
- express a view or opinion on any matter that is the subject of electoral campaigning;
- influence or attempt to influence the choice of a voter regarding any registered political party or candidate in an election; or
- wear, carry or display any political party's symbols or colours.

#### 10.5 SUSPENSION OF ACCREDITATION

Should an observer fail to comply with any of the above conditions and rules or commit an offence that is punishable by law in the Republic of South Africa or commit any act that may jeopardise the elections, or put the Commission into disrepute, the Commission may cancel the accreditation after giving notice to that person and/or organisation.

#### 10.6 TIPS FOR OBSERVERS

It is important that observers familiarise themselves with the area in which they will be observing the elections. For instance, they would need to know the following:

- Which parties are the dominant political parties in the area;
- Where the voting stations are;

- The telephone number of the national and provincial electoral offices, as well as the emergency numbers for the emergency services (see Appendix E for a list of all the telephone numbers of the national and provincial offices, as well as the emergency numbers for the emergency services)
- The number of the hotel where they are accommodated or the number of the relevant contact person within their organisation.

#### Observers should also ensure that they:

- introduce themselves to the Presiding Officer or counting officer;
- do not interfere with the functions of the voting staff or security;
- are neutral and impartial;
- respect the authority of the Electoral Commission;
- respect the secrecy of the ballot;
- bring a notebook and pen with them;
- keep a record of where they observed and what they observed;

Make sure they have their identification apparel and letter of authority with them when visiting:

- Voting stations
- Counting stations
- Result centres
- Electoral Commission offices.





# 11 APPENDICES



### 11.1 Appendix A: Summary of Key Election Players

#### 11.1.1 THE PRESIDING OFFICER

The Presiding Officer is responsible for the efficient management of the voting process at a voting station. Presiding Officers are hired by the Electoral Commission about six months pr or to an election, and one is assigned to each voting station or district.

#### The role of a Presiding Officer is to:

- coordinate and supervise the voting processes at the voting station to ensure that the election at the voting station is free and fair;
- ensure orderly conduct at the voting station; this includes ordering the removal of a person whose conduct is not conducive to a free and fair election: if such a person is informed of the reason for his or her removal, but still fails to leave the voting station, the Presiding Officer can order a member of the security forces to remove that person from the voting station;
- exclude from the voting station, if necessary, any person other than the following:
  - Staff of the Electoral Commission
  - Agents who are entitled to be there
  - A ward candidate
  - An accredited observer
  - A voter for the purpose of voting
  - The number of party candidates that can comfortably be accommodated in the voting station
  - Anyone else authorised by the Electoral Commission.

#### 11.1.2 THE DEPUTY PRESIDING OFFICER

The deputy Presiding Officer assists the Presiding Officer with the management of the voting process at a voting station. He or she will also take over as Presiding Officer in the absence of the Presiding Officer.

#### 11.1.3 THE COUNTING OFFICER

The counting officer for a voting station coordinates and supervises the counting of votes and the determination of the result of the voting station to ensure that the election at that voting station is free and fair. The role of the counting officer mirrors, in many respects, that of the Presiding Officer, except that his or her role pertains to counting.

#### 11.1.4 THE DEPUTY COUNTING OFFICER

The deputy counting officer assists the counting officer with the management of the counting process at a voting station. He or she will also take over as counting officer in the absence of the counting officer.

#### **11.1.5 AGENTS**

Each political party participating in an election can appoint two agents to be present at a voting or counting venue. An independent ward candidate can appoint one agent for each voting station in the ward. While agents are important to ensure that the process is free and fair, it does not invalidate the proceedings if there are no agents present at a voting stations.

#### 11.1.6 OBSERVERS

An observer is a neutral outsider who is present and sees what happens during voting, counting, and the determination and declaration of results, and can tell the world that the process was transparent, free and fair

# 11.2 Appendix B: List of acronyms used by the Electoral Commission

| AM  | Area Manager                             |  |  |  |  |
|-----|--|--|--|--|--|
| CEO | Chief Electoral Officer                  |  |  |  |  |
| СО  | Counting Officer                         |  |  |  |  |
| DC  | District Council                         |  |  |  |  |
| DCO | Deputy Counting Officer                  |  |  |  |  |
| DPO | Deputy Presiding Officer                 |  |  |  |  |
| EA  | Electoral Act 73 of 1998 and Regulations |  |  |  |  |
| EPC | Electoral Project Coordinator            |  |  |  |  |
| ID  | Identity Document                        |  |  |  |  |
| МЕО | Municipal Electoral Office/r             |  |  |  |  |
| PEO | Provincial Electoral Office/r            |  |  |  |  |
| РО  | Presiding Officer                        |  |  |  |  |
| RS  | Regional Supervisor                      |  |  |  |  |
| TIC | Temporary Identity Certificate           |  |  |  |  |
| VC  | Voting Centre                            |  |  |  |  |
| VD  | Voting District                          |  |  |  |  |
| VRO | Voters' Roll Officer                     |  |  |  |  |
| vs  | Voting Station                           |  |  |  |  |



#### 11.3 Appendix C: Regulations on the accreditation of observers 1999: Schedule A

#### 1. APPLICATION FOR THE ACCREDITATION OF OBSERVERS

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

#### 2. CERTIFICATE OF ACCREDITATION

A certificate of accreditation is to be issued to a successful applicant.

#### 3. REPORTS AND BREACH OF CONDITIONS

- The Commission may, from time to time, require an accredited person to submit information in writing concerning the performance of a function by that person.
- The Commission may convene a hearing to investigate whether an accredited person has complied with the 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 failed, to a material extent, to comply

with such conditions, the Commission may cancel the person's accreditation.

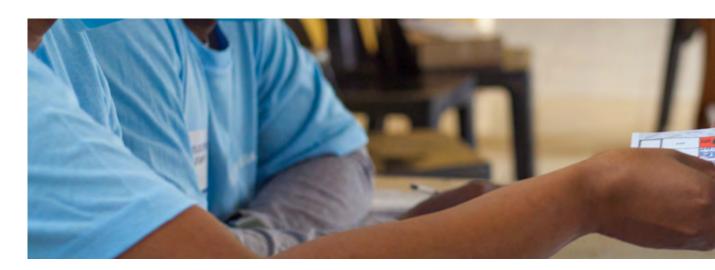
#### 4. IDENTIFICATION OF PERSONS APPOINTED BY ACCREDITED PERSON

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

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

## 5. FEE FOR A CERTIFIED COPY OF OR EXTRACT FROM THE REGISTER OR A 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.



#### 11.4 Appendix D: Code of Conduct for Observers

- 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 Electoral Commission;
  - (b) the degree of freedom of political parties to organise, move, assemble and express their views publicly;
  - (c) the opportunity for candidates and 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 the Commission from;

- (a) any electoral officer;
- (b) any employee or officer of the Commission; or
- (c) A member of the security services acting on the instruction of the officer
- 2. The accredited observer and any person ap pointed 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.



# 11.5 Appendix E: Contact list of Electoral Commission offices and emergency numbers

| National Office  | Limpopo  |
|--|--|
| Riverside Office Park<br>1303 Heuwel Avenue<br>Centurion<br>Tel: (012) 622 5700                        | 5 Dimitri Crescent, Platinum Park 1st Floor KPMG Building Bendor Park Polokwane Tel: (015) 283 9100                      |
| Eastern Cape   | Mpumalanga   |
| IEC House<br>St Helena Drive<br>Triple Point<br>Beacon Bay<br>East London, 5201<br>Tel: (043) 709 4200 | 23 Road Street<br>Nelspruit, 1201<br>Tel: (013) 762 0640   |
| Free State   | North West   |
| NRE House<br>1st Floor<br>161 Nelson Mandela Drive<br>Bloemfontein, 9301<br>Tel: (051) 401 5000        | ERF 3794<br>Sekame Road<br>Mmabatho, 2735<br>Tel: (018) 391 0800   |
| Gauteng  | Northern Cape  |
| Old Trafford 4 The Isle of Houghton Houghton Estate 36 Boundary Road Parktown Tel: (011) 644 7400      | Block 4<br>Mondridge Park<br>C/o Kekewich & Memorial Drive<br>Monument Heights<br>Kimberley, 8301<br>Tel: (053) 838 5000 |
| KwaZulu-Natal  | Western Cape   |
| Westville Civic Centre William Lester Drive Westville, 3630 Tel: (031) 279 2200                        | No 304 Durban Road<br>The Bridge<br>Bellville, 7530<br>Cape Town<br>Tel: (021) 910 5700                                  |

#### You can also find the Electoral Commission on:

• Website: www.elections.org.za

• Call centre: 0800 11 8000

Facebook: www.facebook.com/IECSouthAfrica

Twitter: @IECSouthAfrica

YouTube: www.youtube.com/user/IECSouthAfricaInstagram: www.instagram.com/iecsouthafrica

#### Join the Twitter conversation:

• #

#### **EMERGENCY NUMBERS**

#### **Nationwide Emergency Response: 10111**

Dial the telephone number 10111 from anywhere in South Africa and a call centre operator will answer the incoming call, take all necessary particulars and assign the complaint to a Flying Squad patrol vehicle or the local police station to attend to the incident.

#### Cell or mobile phone emergency: 112

For emergencies, you can call 112 from any cell or mobile phone in South Africa. You will then reach a call centre where you will be routed to the emergency service closest to you.

#### Ambulance: 10177

This number can be used in the case of a medical emergency and can be called in conjunction with both the fire department and the police department, depending on whether there are casualties.

#### **Appendix F: Safety tips for observers**

#### At the voting station

- Do not carry weapons.
- Do not wear party insignia.
- Pay attention to what is happening around you.
- Do not participate in any demonstration that may take place. Remember your role is to observe as an independent, non-partisan person.
- Ensure that your cell or mobile phone is fully charged every day.

Personal safety is a matter of shared responsibility between authorities and the individual observer.

The following safety tips are suggestions from the South African Police Service to ensure your safety.

#### For international observers and those who travel: at the airport

- Make sure your bags and luggage have locks and name tags.
- Do not allow people to tamper with your bags.
- When seeking directions, proceed to marked information counters only.

#### For international observers and those who travel: at the hotel, guesthouse and other accommodation establishments

- Report any suspicious, unattended luggage or parcels to the personnel at reception.
- Never leave your luggage unattended unless it is locked away in your room.
- Store valuables in the safety deposit box.
- Keep your room locked.
- If someone knocks, check who it is before opening the door. Contact reception if you have any reason for concern.
- Hand your keys in at reception whenever you leave the establishment.
- Make sure that luggage is only given to the bell staff and a receipt is issued for stored luggage.

#### On the street

- Avoid an ostentatious display of expensive jewellery, cameras, mobile phones and other valuables.
- Keep your handbag with you. Keep it closed or zipped, and do not leave it unattended.
- Keep your mobile phone with you and do not leave it unattended.
- Do not carry large sums of money with you.
- Exchange your currency at a bank or at the hotel never exchange it on the street.
- Carry your wallet in an inside pocket never in the rear pocket of your trousers.
- Credit card transactions must be processed in your presence.
- At night, stay away from dark, isolated areas.
- It is always better to explore in groups and to stick to well-lit, busy streets.
- Plan your route beforehand and, as far as possible, do not ask directions from strangers.
- A police officer or traffic officer will be happy to direct you if you get lost.
- Should you want to call a taxi, your hotel or the South African Tourism helpline (contact number: 083 123 6789) can recommend a reliable service.

#### In your vehicle

- Plan your route in advance.
- Keep the doors locked and the windows closed at all times.
- Do not leave your cell or mobile phone or other valuables where they are visible from outside the vehicle.
- Lock valuable items in the boot (trunk) before your departure.
- At night, park in well-lit areas.
- Never pick up strangers or hitchhikers.
- If in doubt about the safety of an area, phone a police station for advice and help.
- Make sure you have the number of your car rental company at hand in case you get stranded.

# **NOTES**



#### **Electoral Commission of South Africa**

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