2021 Local Government Elections

Electoral System

2021
Legal Framework

- Electoral Commission Act, 51 of 1996
- Electoral Act, 73 of 1998
- Municipal Electoral Act, 27 of 2000
- Municipal Structures Act, 117 of 1998
Electoral System

• Electoral System for Local Government
  • Constitution, section 157(2), allows for a mixed electoral system of proportional representation combined with ward representation (first-past-the-post).
  • Municipal Structures Act, 117 of 1998, describes the system.
Municipal structures

- 8 Metropolitan Councils
- 205 Local Councils
- 44 District Councils
- 4,468 Wards (based on the 2020 demarcation of the Municipal Demarcation Board - MDB)

**Note:** The voting district count is expected to be more than 23,000 based on the effect of the wards. In NPE 2019, 22,024 voting districts were used.
Number of available seats

• Number of seats for all councils
  • The total number of seats is determined in terms of the Municipal Structures Act, 117 of 1998.

• Metro and local councils
  • The total number of seats is divided equally between ward (1\textsuperscript{st} ballot) and PR (2\textsuperscript{nd} ballot).
  • In the case of an uneven number, ward seats will be one more than the PR seats.

• District councils
  • The total seats number of seats are split as follows:
    • 40% to be directly elected (3\textsuperscript{rd} ballot).
    • 60% to be appointed from within the local councils comprising the district council.
Ballots

- In **metro councils**, each voter receives two (2) ballots – a ward and proportional (PR) ballot.
- On the ward ballot voters vote for a candidate, and on the PR for a party.

**METRO COUNCILS**

**WARD**

<table>
<thead>
<tr>
<th>Local Government Election 2021</th>
<th>WARD 21001001 CANDIDATE VOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frazenburg, Fietjie Destemane</td>
<td>ANC</td>
</tr>
<tr>
<td>Jacobs, Maureen</td>
<td>SDM</td>
</tr>
<tr>
<td>Jegels, Henry</td>
<td>VF PLUS</td>
</tr>
<tr>
<td>Kekana, Lee-Ane Mfikwa</td>
<td>DA</td>
</tr>
<tr>
<td>Ntombi, Eric Thulani</td>
<td>EFF</td>
</tr>
<tr>
<td>Petu, Brian Thando</td>
<td>ATM</td>
</tr>
</tbody>
</table>

**PARTY PROPORTIONAL**

<table>
<thead>
<tr>
<th>Local Government Election 2021</th>
<th>LOCAL COUNCIL PARTY VOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patriotic Alliance</td>
<td>PA</td>
</tr>
<tr>
<td>Service Delivery Movement</td>
<td>SDM</td>
</tr>
<tr>
<td>Vryheidfront Plus</td>
<td>VF PLUS</td>
</tr>
<tr>
<td>African National Congress</td>
<td>ANC</td>
</tr>
<tr>
<td>African Transformation Movement</td>
<td>ATM</td>
</tr>
<tr>
<td>Cogmats of South Africa</td>
<td>CSA</td>
</tr>
<tr>
<td>Democratic Alliance</td>
<td>DA</td>
</tr>
<tr>
<td>Economic Freedom Fighters</td>
<td>EFF</td>
</tr>
</tbody>
</table>
Ballots

- In **local councils**, each voter receives three (3) ballots – a ward, proportional (PR) ballot for the local municipality, and another proportional (PR) ballot to elect 40% of representatives to the **district council**.
LGE2021 – Voting Process

Queue Walker with a Zip-Zip

Door Controller With sanitiser

1.5m

1.5m

Entrance

VMD

Parties’ roll check

Observer

Party agent

Voters’ roll check

Inking

Party agent

1.5m

Party agent

Security control

Presiding officer

Parties’ roll check

Deputy Presiding officer

Parties’ roll check

Ballot paper issue

Party agent

VMM

Ballot booth and Ballot box controller

Casting of votes

Voting booth
Metro council seats

Metro council

<table>
<thead>
<tr>
<th>Ward</th>
<th>PR</th>
</tr>
</thead>
<tbody>
<tr>
<td>50%</td>
<td>50%</td>
</tr>
</tbody>
</table>

Direct 1st ballot
Indirect 2nd ballot
Local and district council seats

**District council**
- PR 60%
- PR 40%

- Direct from Local Council
- Indirect 3rd ballot

**Local council**
- Ward 50%
- PR 50%

- Direct 1st ballot
- Indirect 2nd ballot
# Seat Calculation - Metro and local councils

## High level overview of seat calculation

<table>
<thead>
<tr>
<th>50% of council seats</th>
<th>100% of council seats</th>
<th>50% of council seats</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STEP 1</strong> Aggregate ward seats (first-past-the-post)</td>
<td><strong>STEP 2</strong> Calculate total overall seats (using a quota)</td>
<td><strong>STEP 3</strong> Calculate PR seats (Total seats - ward seats)</td>
</tr>
</tbody>
</table>

### Quota

\[
\text{Quota} = \frac{\text{Total Valid Votes (Ward + PR)}}{\text{Total Seats - Independents}} + 1
\]

### Total Party Seats

\[
\text{Total Party Seats} = \frac{\text{Party Valid Votes (W+PR)}}{\text{Quota}}
\]

50% of council seats

50% of council seats

50% of council seats

Total Party Seats =

Party Valid Votes (W+PR)

Quota

5 - 3 = 2
Seat Calculation - Metro and local councils

- Schedule 1 of Municipal Structures Act, 117 of 1998 describes the seat allocation process.
  - The total seats for a municipality is divided 50/50 between ward and PR.
  - **Step 1** - aggregate the number of *ward seats* won by parties and independents in the municipality.
    - The person with the most votes (on the ward ballot) wins the ward, i.e. first-past-the post.
Seat Calculation - Metro and local councils

- **Step 2** - Determine the **total overall seats** for each party in the municipality (excluding independents) as follows:
  - Calculate a **quota** and dividing the number of valid votes for all parties (ward and PR) by the total number of seats (ward and PR) in the municipality minus seats won by independents. The result, plus one, disregarding fractions, is the quota.
  - Divide the valid votes for each party (ward and PR) by the quota to get the initial allocation.
  - Any remaining seats are allocated in order of the highest remainder to get the total number of seats for each party.
Seat Calculation - Metro and local councils

- **Step 3** – Determine the number of *proportional list seats (PR)* by subtracting the total number of ward seats won by a party from the total seats won by a party.
Seat Allocation for Metro and Local Councils

1. **EXAMPLE**
   - Registered voters: 50,000
   - Number of seats available: 21*
   - Valid votes cast (ward & PR): 42,000
   - Votes for all parties (ward & PR): 35,000
   - Votes for independents (ward): 7,000
   * The number of available seats is determined and published in terms of the Local Government Structures Act (117 of 1998)

2. **Local Councils consist of:**
   - 21 council seats = 50% Ward Councillors
   - 50% PR Councillors
   - 21 council seats
   - 11 Ward Councillors (rounded up)
   - 10 PR Councillors

3. **Ward Elections**
   - 11 Ward candidates = 7 + 4 independents
   - Party A: 1
   - Party B: 2
   - Party C: 2
   - Party D: 1
   - Party E: 1
   - Ward elections are decided by the most number of votes per candidate.

4. **PR Elections**
   - 5 Parties submitted lists
   - All party votes (Ward & PR)
     - Party A: 5,300
     - Party B: 7,700
     - Party C: 8,900
     - Party D: 8,100
     - Party E: 5,000
   - Total party seats
     - 21 seats - 4 independent seats = 17 party seats
     - Party A: 5,300
     - Party B: 7,700
     - Party C: 8,900
     - Party D: 8,100
     - Party E: 5,000

5. **Quota formula**
   - Votes for all parties (incl. wards)
     - Quota = 2,059
   - NB: Disregard fractions

6. **Total party seats**
   - 21 seats - 4 independent seats = 17 party seats
     - Party A: 5,300
     - Party B: 7,700
     - Party C: 8,900
     - Party D: 8,100
     - Party E: 5,000

7. **Final results for example council**
   - Party A: 1
   - Party B: 2
   - Party C: 2
   - Party D: 1
   - Party E: 1

The calculations for seat allocation are described in Schedule 1 of the Local Government Structures Act (117 of 1998)
Seat Calculation – District Councils 40%

- Schedule 2 of Municipal Structures Act, 117 of 1998
  - The DC 40% seats are calculated by determining a **quota**, i.e. total valid votes DC40% divided by number of DC40% seats, plus one disregarding fractions.
  - The valid DC40% votes for each party is then divided by the quota for the first allocation. Any remaining seats are awarded in the order of highest remainder.

\[
\text{DC40\% seat calculation}
\]

\[
\text{Quota} = \left( \frac{\text{Total Valid Votes (DC40 PR)}}{\text{Total DC40\% Seats} + 1} \right) + 1
\]

\[
\text{Total Party Seats} = \left( \frac{\text{Party Valid Votes (W+PR)}}{\text{Quota}} \right)
\]
Seat Calculation – District Councils 60%

• Schedule 2 of Municipal Structures Act, 117 of 1998
  • The DC 60% seats are calculated by determining a quota, i.e. total number of councillors in the local council divided by the number of DC60% seats, plus one disregarding fractions.
  • The valid DC60% votes for each list of candidates submitted is then divided by the quota for the first allocation. Any remaining seats are awarded in the order of highest remainder.

\[
\text{DC60\% seat calculation}
\]

\[
\text{Quota} = \frac{\text{Number of local councillors}}{\text{Total DC60\% Seats}} + 1
\]

\[
\text{Total DC60\% Seats} = \frac{\text{Valid Votes for List}}{\text{Quota}}
\]