

# "PSM13"



SOUTH AFRICA

## National Party Liaison Committee (NPLC) Meeting

### Final Minutes

**Date:** Thursday, 03 December 2020  
**Venue:** Zoom Online Meeting  
**Time:** 10h00

#### 1. Opening and Welcome

The Chairperson welcomed members to the meeting and declared the meeting officially open. He further indicated that ICASA as well as the Commission of Gender Equality will not be present; therefore item number 2 of the agenda will be removed.

#### 2. Apologies

The following apologies were noted:

Mr Horn (DA)

He further indicated that the DA has replaced Mr Moriarty with Mr Horn. In addition, we would like to pass on best wishes to Mr Moriarty on behalf of the PLC and indicated that it would have been nice if Mr Moriarty was present at the meeting in order to bid him farewell.

#### 3. Consideration of the Agenda

The following items were added to the agenda:

Item 6.6 - 11 November 2020 By-elections Debriefing

## Electoral Commission

*Ensuring Free and Fair Elections*

Commissioners: Mr V.G. Mashinini (Chairperson) | Ms J.Y. Love (Vice-Chairperson) | Dr N.P. Masuku | Mr M. Moepya | Judge D. Pillay  
National Office: Election House, Riverside Office Park, 1303 Heuvel Avenue, Centurion, 0157 | P/Bag X112, Centurion, 0046  
info@elections.org.za | www.elections.org.za  
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Item 6.7 - Voting hours for LGE 2021

The agenda was moved for adoption by Mr Tlaeli (ACDP) and seconded by Ms Abell (DA).

#### **4. Consideration of the Minutes**

The minutes of 17 September 2020 were adopted as a correct reflection of the meeting. They were moved for adoption by Mr Dlamini (ANC) and seconded by Mr Tlaeli (ACDP).

#### **5. Matters Arising**

##### **No Address List**

Parties were informed by e-mail of the availability of the list on memory sticks for those who need it.

The following parties confirmed collection:

ANC collected

DA to confirm later

EFF collected.

ACDP collected

VF Plus collected

COPE to confirm later

GOOD will collect

##### **The inclusion of Opening and Closing time of Voting Station in the election timetable**

It was reported during the previous meeting that the legislated time frames on opening and closing of voting stations is from 07h00-21h00.

However during by-elections, the Commission consider early closure of voting stations upon request, ultimately, the Commission can determine voting hours. By-election times are determined by circumstances such as infrastructure, electricity etc. PLC members will have to motivate should they require a change in time otherwise, it is a policy related issue. The Commission will make the decision ahead of the election and it will be included in the timetable should they approve it.

## **6. By-Elections**

### **6.1 Upcoming By- Elections**

The following timetable and ward list were presented:

09 December 2020-time table and ward list with 24 wards and is the last for this year.

20 January 2021 with only 3 participating wards

03 February 2021 with 5 participating wards.

17 February 2021 has only 6 wards

### **6.2 The 09 December 2020 By-Elections**

It has been reported in various media that there is a COVID spike in the Garden route, part of the EC and CPT Metro. Giving the proximity between Oudtshoorn to George, that they share hospital facilities, and given the increasing numbers on the Garden route with a distance of about 40-50 km between. Are we not risking people being exposed to the virus? If we don't take voluntary steps as parties because the IEC cannot enforce or determine for parties. The law allows parties to operate temporary facilities outside the voting stations. The IEC would like to place the matter on the agenda for PLC consideration. Are parties open to considering forgoing the right to host temporary facilities for 9 December 2020 by election in Oudtshoorn? If parties agree, are they willing to ensure that their local structures abide by the decision? We wish to hear the views of parties on whether they would like to consult or deal with the matter at this forum.

#### **Comments by parties**

##### **ANC**

Would like to consult, however the main purpose of having tables is to check whether voters have come to vote. If IEC could allow parties to mark off voters that have been marked on the voters' roll.

##### **DA**

Would consult on the matter; we support the suggestion by the ANC. However, limiting the number of persons outside of the voting station could work.

## **EFF**

Would like to consult with party.

## **ACDP**

We are supportive of any endeavors intended to protect voters and limit risks.

## **IEC Response**

- The three parties committed to submit their comments by close of business tomorrow, 04 December 2020.
- It was suggested that parties will have their voters' roll outside of the voting stations, then also mark off on their voters' roll and communicate to their representatives.
- Another suggestion was that IEC should consider limiting activities outside of the voting stations by defining the number of persons who can be accommodated.
- It will only work if parties will enforce the compliance in order to relieve the Presiding Officer of the task.

### **6.3 Debriefing 11 November 2020 by-elections**

A presentation on 11 November 2020 debriefing was delivered to the meeting.

The rate of participation compared favorably with all by-elections held since LGE 2016.

There was an increase in the rate of uptake for SV including the turnout of persons voting in those categories of SV.

Feedback from parties with regard to complaints should be factual and supported by evidence. If problems are not attended to, it will fester, but only specific information need to be submitted

The IEC would like to raise a grievance with political parties as some people acting for political parties are applying for Special Vote for voters who did not request them. Whether the applications were approved or not, Parties did not go back to inform

those individuals of the feedback. Parties should refrain from the practice as it creates challenges.

### **ANC**

The party commended the IEC for running a successful by-election under the conditions of COVID 19. The amount of work it takes for parties to get the average turnout should not be underestimated, as circumstances were more difficult. The IEC should emphasize the safety of voters and the measures that they put in place in their media campaigns and various platforms ahead of LGE. The Section 12 notices are a concern as we are going into LGE where new VD boundaries will be added. There are still 2,5 million voters without adequate addresses. If they do not re-register but turn up on the day of election and try to determine their place on the map, are they going to be disenfranchised because of not being registered in the correct VD. Should ensure that the best steps possible have been taken during registration periods to re-register all voters. In Matubatuba where section 12 notices were issued, there were voters who could not be reached as they did not have an adequate address. This could be a major point of contention at the voting stations and should be avoided during LGE as it will be happening in many places.

### **DA**

Also commended the IEC for a job well done under difficult circumstances. It was hard work from all sides. The success and safety of the by-elections must be made known to the public. Having a better turnout and that it is a tried and tested process. Will appreciate communications to voters as to what will be provided at voting stations, as some are under the impression that they have to provide their own pens.

### **ACDP**

Also commended the IEC for what turned out to be well run by-elections, especially in terms of COVID. Disputes and issues tended to be local in nature and were resolved satisfactorily amongst the Presiding Officer and parties. One concern that was raised in ward 14 in Cape Town at Happy Valley was that alcohol consumption took place outside the voting station. This changes the competitiveness of the elections and the safety. Although this is a SAPS matter, it did not appear to be

resolved/prevented. The Presiding Officer did his best but the SAPS needed to act timeously. This does not make for a Free and Fair elections experience and needs to be flagged for other by-elections and elections. There was a party driving around with a loudhailer outside the voting station which also created difficulty, as it was intimidating people. The Presiding Officers were very helpful and professional but could not do anything in these circumstances.

### **EFF**

Special voter lists should be provided timeously. Parties should be informed of the splitting of home visit teams in advance. Have submitted points that need to be taken into account.

### **ANC**

The IEC should have discussions with schools before signing the contract in terms of sanitizing of the venue before and after use. Section 12 moves should be done in advance and inform voters timeously. Special votes that continued beyond 17h00 is questionable. For those who are deceased, the IEC can check the number of days in which a person has been deceased. An allowance of 7 days for the deceased must be taken into account, as the information could not have been received in time. Most objections raised were mostly done by individuals not parties. The Code of Conduct signed in 2019 should be enforced in all circumstances.

### **IEC Response**

#### **DA**

Request specific information in relation to the incorrect information on the changes in provisioning of safety measures at voting stations.

#### **ACDP**

The matter regarding ward 14 in CPT was noted and will be raised with the PEO in the Western Cape so that there can be co-ordination with PROVJOC for future by-elections. Loud hailing matters will be addressed at local PLC, but be mindful that certain actions are permitted on Voting Day.

#### **ANC**

Going into next year elections, an amendment has been sponsored to the law that voters without addresses will be catered for as long as their address locates within the ward and will be allowed to vote. The determination is that their registration is in the voting district. The voter will not be removed from the voters roll, but an opportunity to make representation will be given. They will be allowed to reregister in the segment of the VR linked to their place of residence. Have removed the requirement for registration in the VD but within the ward, as the ward is the only political boundary.

Parties will be informed of the extension of hours and splitting of SV teams.

The IEC provided three fogging decontaminations for the voting station to be used a day before voting, on voting day and after we have finished counting.

## **EFF**

Noted the concerns submitted by the EFF and will offer responses.

Poster hanging is regulated in terms of municipal by-laws and each municipality has its own by-laws. Usually the IEC writes to municipal council to relax by-laws ahead of each general elections. We only request the relaxation of deposits as long as parties comply with the requirement.

Will share liaison with farming organizations early in 2021 in order to facilitate reasonable access. Delimiting of voting districts and the location thereof will be done early in 2021.

The code of conduct with the farming community should be enforced for by-elections as well.

Issues that arise out of by-elections to be resolved at local level first and if not resolved should be escalated to the provincial level. Legislation to be implemented by the Presiding Officer and submitted in writing. Will treat the EFF e-mail as a written submission.

Limitation of political parties applying for Special Vote (SV) on behalf of voters. There are circumstances where this has to apply but will limit the abuse. Applications should be done timeously and not when SV closes.

## **Section 12 notices**

The registration weekend is an opportunity for the voter to change details. It puts stress on the timeframe that the IEC has to deliver section 12 notices physically to people. A more responsive mechanism to contact and inform is currently being investigated. The IEC uses the Click Check Confirm method and calls on parties to have a link to this online facility to update and locate addresses. The IEC has to do quality assurance of the addresses.

### **GOOD Party**

The possibility of having IEC representatives at party meetings to assist with registering voters and the change of addresses.

### **IEC Response**

In 2021, a workshop with parties will be organized to share initiatives and tools for parties to work independently of the IEC. Collaborating with parties in the past have not worked as the IEC was accused of being partisan.

The Chairperson thanked parties for their assistance in the by-elections and indicated that comments received will be taken into consideration.

### **6.4 Voting Hours for LGE 2021**

Normal voting hours are from 07h00-21h00, however the Commission can determine varied hours taking into account fatigue of voters and personnel.

Even if the Commission considered different hours, research has shown that by 11h00 some stations have finished voting. Beyond 19h00 not much activity takes place at voting stations. If it is not preferable, we will sponsor a PLC resolution to ask the Commission to determine 07h00 – 19h00 on the day.

## **7. Electoral Laws Amendment Bill**

The Portfolio Committee on Home Affairs voted to adopt the Bill as is, excluding clauses 14 and 21 which related to S38(9) of the Electoral Act and S47 of the Municipal Electoral Act. This enables us to look into and make use of technology in the future. These were removed and the Bill was adopted by the Committee. It will be at the National Assembly

today and hoping it will resolve to adopt it and then be referred to the NCOP. Next week it will be presented and published for comments and submission. It will be advertised until January 2021 and it will be considered in February 2021 and then referred to the President for ascent.

## **8. Party Funding Matters**

### **8.1 Progress on training**

All provinces as well as PLC's have been trained, in 2021 this training will be cascaded to municipal PLC's and unrepresented parties. Parties were given access and only five parties have interacted with the online party system. Only one party did a full transaction of a dummy disclosure. Appealing again to parties to take advantage of the availability of the system.

### **8.2 RPPF Budget**

Budget cuts has been implemented from Treasury with just below R2m. The presentation reflected on the screen was explained. This means that a new figure allocated to party funding will now be gazetted. Letters will subsequently be sent out to the parties reflecting how much money they will forgo as a result of the budget cut.

## **9. Date of the Next Meeting**

The date of the next NPLC meeting will be communicated to members in due course. The IEC thanked parties for the partnership shared over the years. Due to PLC strength, measures were derived that could be implemented at voting stations to ensure that voters are able to vote.

Well wishes for the Christmas and public safety measures should be observed.

## **10. Closure**

Meeting concluded at 12h20

**Signed on:** \_\_\_\_\_

**(Mr.) (Chairperson)** \_\_\_\_\_

Chief Electoral Officer

<b>Name</b>	<b>Organization/ Political Party</b>
M Sheburi	IEC
A Henning	IEC
M Mosery	IEC
G Mahlangu	IEC
G Abrahams	IEC
L Maphanga	IEC
B Heuvel	IEC
R Raath	IEC
S Murphy	IEC
K Simelane	IEC
K Tshoke	IEC
K Molefe	IEC
A Mushwane	IEC
T Lubbe	IEC
R Tlaeli	ACDP
D Kisoonduth	ACDP
G Haskin	GOOD
M Arnolds	AIC
M Mhlongo	AIC
M Dlamini	ANC
B Hofmeyr	ANC
G Hendricks	AL JAMA-AH
V Coetzee	COPE
T Abell	DA
M Tshwaku	EFF
S Shabane	GOOD
B Herron	GOOD

