

LODGEMENT OF A SECTION 65 OBJECTION THAT IS MATERIAL TO RESULT OF AN ELECTION IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL ELECTORAL ACT NO. 27 OF 2000 (THE ACT).

1. What is a Section 65 Objection?

1.1 It is a formal objection that relates to the following:

- (a) any aspect of the **voting** or **counting proceedings** provided for in Chapter 5 or Chapter 6 of the Act, respectively; or
- (b) alleged unlawful—
 - (i) **interference with** or **obstruction** of election activities or processes in the **vicinity** of, at or in a voting station; or
 - (ii) **Interference** with or **influencing, intimidation** or **obstruction** of voters or prospective voters in the **vicinity** of, at or in a **voting station**.

1.2 **A section 65 objection would be considered to be material to the results of an election, if, in the event that the section 65 is upheld, it would have the effect of changing the results of an election in the affected voting station, ward or municipality.**

2. Who can lodge a Section 65 Objection?

2.1 Any interested party including members of the public, independent candidates and political parties may lodge with the Commission an objection material to the result of an election, concerning—

- (a) any aspect of the voting or counting proceedings provided for in Chapter 5 or Chapter 6 of the Act , respectively; or
- (b) alleged unlawful—
 - (i) interference with or obstruction of election activities or processes in the vicinity of, at or in a voting station; or
 - (ii) Interference with or influencing, intimidation or obstruction of voters or prospective voters in the vicinity of, at or in a voting station.

3. By when must a Section 65 Objection be lodged?

A section 65 objection must be lodged timeously by no later than **17h00**, on **03 November 2021**.

The Commission may consider a late objection provided that it is accompanied by an application for condonation for the late lodgement of the objection.

4. Where do you lodge the Section 65 Objection?

A Section 65 Objection can lodged via email at Objections@elections.org.za or hand delivered to **Legal Services at the National Results Operation Centre**.

5. What information must the Section 65 Objection include?

5.1 The Section 65 Objection must contain, amongst others, the following information:

- (a) a reference to the election concerned and the relevant section of the Act in terms of which the objection is brought;
- (b)
- (c) the **full name** and **physical address** of the objecting party;
- (d) the **telephone number** and **email address** whereby the objecting party can be contacted;
- (e) the interest of the objecting party in the matter;
- (f) **name and contact details of the party agent** present at the affected voting station;
- (g) **details of the objection** and the aspect of the election concerned;
- (h) **detailed reasons for the objection**;
- (i) the relief sought;
- (j) **supporting documents** in relation to the objection.

6. What is the role of the Commission?

- 6.1 The Commission will consider objections that have been timeously submitted to it. The Commission will investigate every objection and will either **reject, dismiss** or **uphold** the objection. The Commission's decision will be communicated to the objecting party in writing.
- 6.2 An objecting party who feels aggrieved by the decision of the Commission may, within seven (7) days of the Commission's decision, lodge an appeal to the Electoral Court in terms of section 20 of the Electoral Commission Act, for relief that it deems appropriate.

INDEPENDENT ELECTORAL COMMISSION
CHECK LIST FOR INFORMATION THAT SHOULD BE SUBMITTED FOR A SECTION 65
OBJECTION

System Reference Number:		
<u>COMPLIANCE WITH SECTION 65 OF THE LOCAL GOVERNMENT: MUNICIPAL ELECTORAL ACT No. 27 of 2000 (the Act)</u>	(Tick only one box)	
1. Does the objection submitted comply with the criteria set out in Section 65 of the Act in terms of:		
a reference to the election concerned and the section of the Act in terms of which the objection is brought?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
full name and physical address of the objecting party?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
the email address and telephone number where the Objector can be contacted?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
the interest of the objecting party in the matter?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
details of the objection?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
detailed reasons for the objection?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
the relief sought?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
a list of any supporting documents accompanying the notice of objection?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Additional Information		
a) name and contact details of party agent/s that were present at the affected voting station/s.	Yes <input type="checkbox"/>	No <input type="checkbox"/>