



# OBSERVER HANDBOOK



**MUNICIPAL  
ELECTIONS**  
**2016**





# Observer Handbook

## 2016 Municipal Elections in South Africa



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# **Message from the Chairperson**

**1**

# Message from the Chairperson

It is indeed a great honour to welcome, on behalf of the Electoral Commission of South Africa, all observers to the 2016 Municipal Elections in South Africa.



Glen Mashinini

We wish you a hearty welcome to our beautiful country and hope you will have an opportunity to explore our wonderful land and experience the hospitality of our great nation. Please feel free to visit the website [www.southafrica.net](http://www.southafrica.net) for more information on the diverse cultural, economic, social and political landscape of South Africa.

The Commission has prepared this *Observer Handbook* to provide observers with a framework on which to base their election observation activities and to provide some background and context that will guide observers in our 2016 Municipal Elections.

The 2016 Municipal Elections are the fourth elections of this kind in South Africa since the establishment of the Electoral Commission in 1997. The previous local government elections were held in 2000, 2006 and 2011.

In addition to these elections, the Commission is mandated by the Constitution to hold elections of the national and provincial legislatures. These elections were successfully held in 1999, 2004, 2009 and 2014.

In all these elections, observers, both domestic and international, have played a very important role in ensuring that the elections were transparent, free and

fair, and that the outcome was accepted by all political parties and candidates. The Electoral Commission is committed to giving observers access to its facilities and to brief them on its preparations for these elections so that they are well equipped to carry out their observations. Such briefings were scheduled in each of the nine provincial offices with specific details as they pertained to each individual province.

The Commission has used different forms of media to recruit observers for the 2016 Municipal Elections at each of the 22 612 voting stations in South Africa. The number of voting stations increases in each election, corresponding to an increase in the number of registered voters, to ensure accessibility of these facilities to voters.

The voters' roll for the 2016 Municipal Elections currently stands at 26.3 million people, from 25.39 million in the 2014 National and Provincial Elections. These are eligible South African citizens aged 18 years and above. The Commission has made several opportunities available for South Africans to register to participate in these elections, including two general registration weekends (on 5 and 6 March 2016, and on 9 and 10 April 2016), through continuous registration at the Commission's local offices and through targeted registration.

Approximately 206 parties and 66 659 candidates (figures as at 8 June 2016 – figures may change subject to final capture and verification) will be contesting these elections. The Commission is confident of a high voter turnout as South Africans continue to embrace their democracy and political rights as expressed in the Constitution.

It is our sincere hope that you will find this publication, which also briefly provides pertinent details on the 2016 Municipal Elections in South Africa, a useful reference guide in the performance of your duties as election observers. Full details on various programmes relevant to these elections and any other information will be made available during the observer briefing sessions. Our officials are also available at all times to provide clarification where required.

On behalf of the Electoral Commission, I wish to thank you once again for your participation in our elections, and wish all observers the best during the 2016 Municipal Elections in South Africa.

Yours sincerely

Glen Mashinini  
Chairperson  
Electoral Commission of South Africa

# **The Electoral Commission**

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## 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 appointed through a public process for a seven-year term, and may be reappointed for one additional term. The process culminates in their appointment by the President of the Republic of South Africa. 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: Mr Glen Mashinini

Commissioner Mashinini was appointed Chairperson in October 2015. He joined the Electoral Commission in 1998 as Deputy Chief Electoral Officer: Corporate Services. After completing a three-year contract to establish, operate and transfer the organisation, he co-founded a specialist electoral management consulting company. Before rejoining the Electoral Commission in May 2015, he served as Deputy Chairperson of the Presidential Review Committee of State-owned Entities, and subsequently as Special Project Advisor to the President of the Republic of South Africa.



### Vice-chairperson: Mr Terry Tselane

Commissioner Tselane was appointed Vice-chairperson in 2011. He served as Provincial Electoral Officer for Gauteng from 1997 to 2001, and rejoined the Electoral Commission as a Commissioner in 2004. Commissioner Tselane was the Chief Executive Officer (CEO) of the Gauteng Tourism Authority from 2002 to 2006, and currently serves on the boards of directors of the Gauteng Film Commission and the Johannesburg Fresh Produce Market.



### Judge Thami Makhanya

Judge Makhanya was appointed part-time Commissioner in 2011. Having practised as an advocate at the Johannesburg Bar for 10 years, he was appointed as a judge of the Transvaal Provincial Division in 1999. He is currently a judge of the South Gauteng High Court. He also held acting positions on the Venda High Court and the Namibian High Court.



**Rev Bongani Finca**

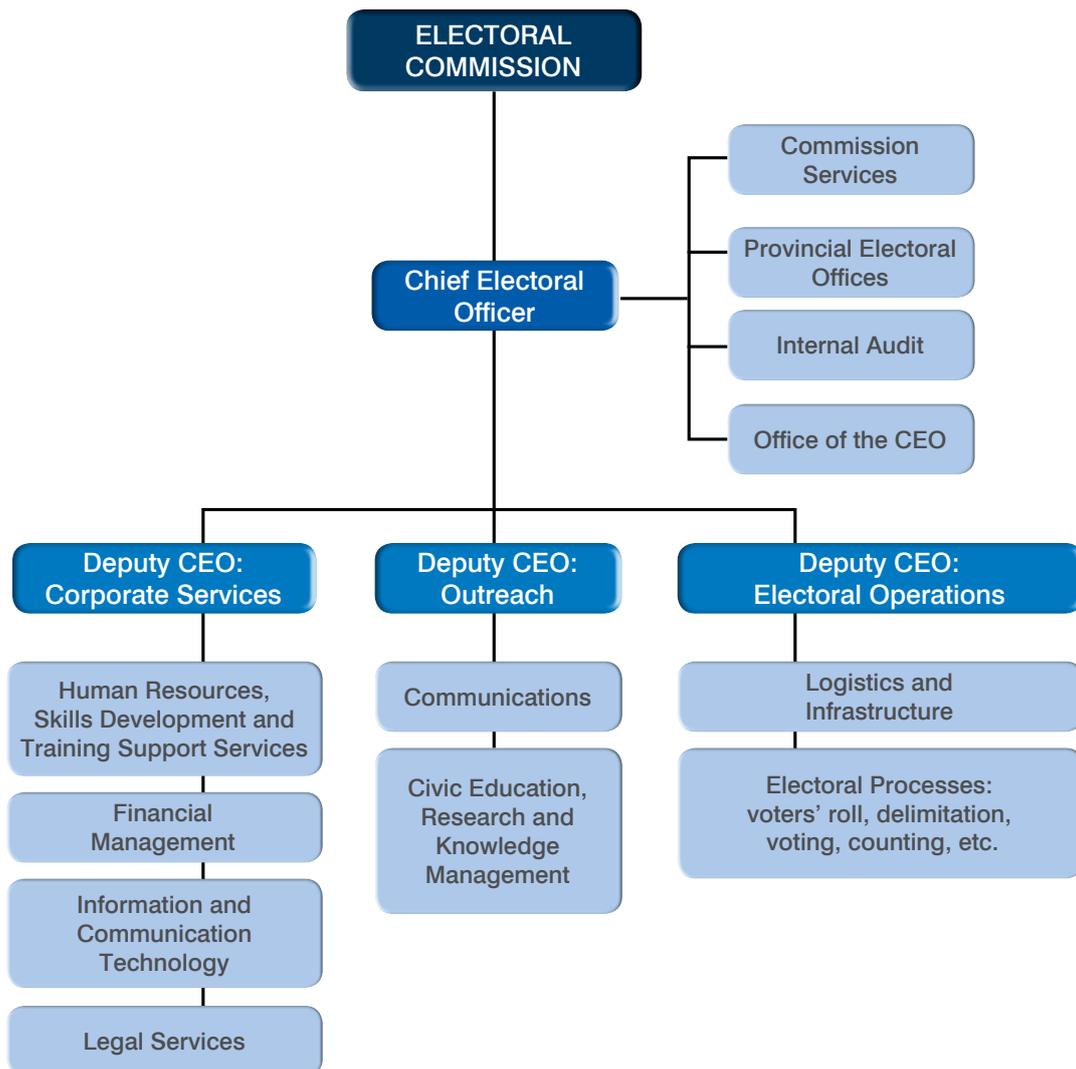
Rev Finca is an ordained cleric and was appointed as a Commissioner in 2011. During the transition to democracy in 1994, Rev Finca was appointed as the Interim Administrator of the former Ciskei, and oversaw its reincorporation into the Republic of South Africa. He has served as a member of the Truth and Reconciliation Commission, and previously held the position of Provincial Electoral Officer for the Eastern Cape.



**Ms Janet Love**

Ms Love has dedicated her working life to public service. She was appointed as a Commissioner in 2016. She has served as National Director of the Legal Resources Centre since 2006. Before joining the Electoral Commission as a part-time Commissioner, Ms Love also served a seven-year term as a part-time member of the South African Human Rights Commission.

**2.3 Organisational structure**



*Organogram of the Electoral Commission*

## Chief Electoral Officer

The Chief Electoral Officer (CEO) is the head of the Commission's administration. The CEO is appointed by the Commission and also functions as the Electoral Commission's Accounting Officer.



**Mosotho Moepya**

Mr Moepya is the CEO of the Electoral Commission of South Africa. He holds a BCom and Higher Education Diploma from the University of the North, as well as an honours degree in Business Administration and an MBA, both from the University of Stellenbosch Business School. Mr Moepya joined the Electoral Commission in 1998 as the Director of Electoral Logistics. He was promoted to the position of Chief Director: Electoral Logistics, Planning and Voting Station Infrastructure in 1999. In 2001, he was promoted to the position of Deputy CEO. He served in this position until his appointment as CEO in 2012.

## Administration

Administration is organised into three divisions: Corporate Services, Outreach and Electoral Operations. Each division is administered by a Deputy CEO (DCEO), who reports to the CEO and is supported by senior managers and managers.

## Corporate Services

Corporate Services manages the Electoral Commission's support business functions, which are necessary for both the Commission's compliance as a Chapter 9 institution and to provide for the operation and management of fundamental resources that enable the processes of electoral management.



**DCEO: Corporate Services**  
Fiona Rowley-Withey



**DCEO: Outreach**  
Dr Nomsa Masuku



**DCEO: Electoral Operations**  
Sy Mamabolo

The Finance Department is responsible for the development and implementation of financial policies and standard operating procedures for the processing of all financial transactions. This includes dedicated units working with the Electoral Commission's budgets, procurement processes, compliance, the management of the Electoral Commission's assets and financial services (accounting).

The Human Resources Department implements the Electoral Commission's human resources strategy and plan, in compliance with relevant employment legislation. It includes a Training Unit, an Industrial Relations Unit, and a Support Services Unit, which is responsible for the management of facilities, fleet services, and health and safety.

The Information and Communication Technology (ICT) Department is responsible for all the Commission's platforms, processes and systems, supported by appropriate ICT computing infrastructure in respect of core business functions. ICT is the life blood of the entire organisation, and underpins everything from financial and procurement systems to voter registration and election results.

The Legal Services Department maintains a proactive and responsive legal framework for the Electoral Commission, both in terms of supporting the Electoral Commission in respect of litigation and objections arising from electoral processes, and in the day-to-day management of all other legal assistance – from service-level agreements to the evaluation of tender processes.

## Outreach

Outreach is responsible for creating interfaces between the legal obligations and operations of the Electoral Commission, and the people the Electoral Commission serves: the citizens of South Africa. The duties of Outreach include civic and voter education, balloting education, research and knowledge management, communications, public relations and media liaison.

These platforms enable the Electoral Commission to maintain a constant flow of engagement with all stakeholders.

Outreach works to continuously inform the discourse and dialogue around voting and democracy – not just during an election year, but all the time – and to explain the decisions and operations of the Electoral Commission in a way that promotes maximum transparency around the democratic and electoral process.

## Electoral Operations

Electoral Operations houses the core of the Electoral Commission’s operations. The national voters’ roll, which forms the basis of planning for any electoral event, is maintained by this division. Its components include the following:

- The delimitation of voting districts
- Registration and deregistration of political parties
- The compilation and administration of the voters’ roll
- Registration of voters
- Political party liaison, candidate nomination and the management of proportional representation lists and vacancies

- The compilation of results
- Conflict management programmes.

Electoral Operations is also responsible for the Electoral Commission’s logistics and infrastructure.

This Department determines the electoral bill of materials for all electoral events, specifications, the procurement and disposal of items approved in terms of the bill of materials, warehousing and the distribution of electoral materials and equipment, and voting station and local office infrastructure.

## Senior Management at National Office



**Chief Information Officer**  
Libisi Maphanga



**Senior Manager: Electoral Matters**  
Granville Abrahams



**Senior Manager: Logistics and Infrastructure**  
Simon Boyle



**Senior Manager: Legal Services**  
Rekha Raath



**Senior Manager: Civic Education, Research and Knowledge Management**  
Shameme Manjoo



**Senior Manager: Human Resources and Corporate Services**  
Bonolo Gopane



**Chief Financial Officer**  
Fiona Rowley-Withey



**Manager: Communication and Spokesperson**  
Kate Bapela



**Manager: Commission Services**  
Mlungisi Kelembé

## Commission Services

Commission Services provides oversight in respect of the activities of the organisation and facilitates the promotion of the principles of peaceful, free and fair elections. This includes interaction and liaison, nationally and internationally, with organisations, institutions and governments to promote acceptance and adherence to democratic electoral principles. Included are international bodies such as the International Institute for Democracy and Electoral Assistance (International IDEA), the Southern African Development Community (SADC) Electoral Commissions' Forum, the African Union (AU), the Association of African Electoral Authorities, the Commonwealth and the United Nations. The Electoral Commission also observes elections and provides technical election support, when requested to do so, on the African continent and beyond.

## Provincial Electoral Offices

There are Electoral Commission offices in all nine provinces. Each office is headed by a Provincial Electoral Officer (PEO) with staff managing Administration, Electoral Matters and Outreach activities on a provincial level. The PEO is the Electoral Commission's media spokesperson in the various provinces for all municipal election queries.



**Eastern Cape PEO**  
Thami Mraji



**Free State PEO**  
Jabulani Tshabalala



**Gauteng PEO**  
Masego Sheburi



**KwaZulu-Natal PEO**  
Mawethu Mosery



**Limpopo PEO**  
Nkaro Mateta



**Mpumalanga PEO**  
Steve Ngwenya



**North West PEO**  
Dr Tumelontle Thiba



**Northern Cape PEO**  
Bonolo Modise



**Western Cape PEO**  
Rev Courtney Sampson

## Local structures

In every municipal area, the Electoral Commission appoints a Municipal Electoral Officer (MEO) to organise voting stations, staff employment, voter registration, party and candidate registration, and Election Day voting and counting. There are 266 local offices in 234 municipalities countrywide.

These objectives are as follows:

1. Achieving pre-eminence in the area of managing elections and referenda through increased innovation, the development of cutting-edge technology, improved voting facilities and processes, and increasing both voter participation and legal compliance
2. Strengthening electoral democracy by encouraging citizen participation and providing strategic and thought leadership, broadening the Electoral Commission's research, providing continuous education, and increasing visibility through proactive consultation and effective communication
3. Strengthening a cooperative relationship with political parties by deepening interactions with represented political parties, and convening consultative forums with registered political parties
4. Strengthening institutional excellence and professionalism at all levels of the organisation, including voting stations and at local levels, building institutional capacity and expanding the development of human capital, and building institutional memory
5. Strengthening institutional governance by refining arrangements, including the structure and committees of the Commission, delineating the powers, roles and functions between the Commissioners and the Administration, and exercising oversight through monitoring, evaluation and support

## 2.4 Vision 2018

In the 20 years since South Africa's first democratic elections, both the political environment and the electoral administration have changed significantly – maturing from interim or transitional structures to established, accountable parties and institutions. The administration and operation of elections have advanced in parallel, with the Electoral Commission distinguishing itself through constant improvements in the services and facilities it offers to all stakeholders.

With the appointment of the last Commission in 2011, a new set of strategic objectives was developed that reflects the Electoral Commission's legal mandate and its obligation to strengthen and support constitutional democracy.

Vision 2018 was released in July 2012, and outlined the Commission's priority objectives for its next term.



## Our mission, vision and values

### VISION

To be a pre-eminent leader in electoral democracy

### MISSION

The Electoral Commission is an independent constitutional body that manages free and fair elections of legislative bodies and institutions through the participation of citizens, political parties and civil society in deepening electoral democracy.

### VALUES

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

- Impartiality
- Integrity
- Accountability
- Transparency
- Participation
- Responsiveness
- Respect

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

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## 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 running of free, fair and regular elections as part of its founding provisions.

### Chapter 1, Section 1:

#### 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
- (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 of 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:
  - freedom of the press and other media
  - freedom to receive or give out information or ideas

- Freedom of assembly, demonstration, pickets and protest (Section 17)
- Freedom of association (Section 1).

## 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, provides regulations regarding 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 include the registration of voters and the voters' roll, the proclamation of and preparation for elections, the delineation of voting districts, voting stations and 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 and Regulations

The Local Government: Municipal Electoral Act, Act No 27 of 2000, regulates the specific nature of municipal elections.

The Act provides for the administration of parties and candidates and all other related voting and counting issues. Municipal Electoral Regulations have also been published to support this Act.

The Local Government: Municipal Electoral Amendment Act of 2016 amended the Local Government: Municipal Electoral Act of 2000 so as to do the following:

- Define the phrase 'authorised representative' and amend the definition of 'identity document' to include smart card identification documents
- Amend provisions relating to the nomination of candidates
- Provide for the electronic submission of candidate nomination documents
- Provide for different modalities for the payment of electoral deposits (other than a bank-guaranteed cheque)
- Provide for the notification of interested parties where a candidate has been nominated by more than one person

- Clarify the circumstances under which new ballot papers may be issued to voters
- Clarify the provisions relating to the determination and declaration of the results of by-elections.

### 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 seat calculation formulas (conversion of votes into council seats).

### 3.7 Electoral Code of Conduct and electoral offences

The purpose of the Electoral Code of Conduct is to promote conditions that are conducive to free and fair elections, including the following:

- Tolerance of democratic political activity
- Free political campaigning and open public debate.

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

- Promote the purpose of the Code when conducting an election
- Publicise the Code widely in any election campaigns
- Promote and support efforts in terms of the Electoral Act to educate voters.

Any political party that breaches the code can:

- be fined;
- be stopped from working in an area; 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.

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.

# Pledge

**Preamble to the Pledge**

We, the undersigned leaders of political parties, recognise that South Africa is a democratic and constitutional state premised on the principles of regular elections and multipartyism. We accept that the elections require an environment wherein there is a free political activity, where all political parties are able to canvass support without fear or hindrance. We recognise that democracy development in our country party depends on the ability of voters to hear different political opinions as espoused by various parties and thus enable citizens to exercise the franchise on an informed basis. We note that free and fair elections is the only legitimate basis on which the authority to govern is derived. We acknowledge that the Electoral Commission is mandated to ensure free and fair elections of legislative bodies. We acknowledge that political parties and candidates participating in the 2016 Municipal Elections are obliged to observe all provisions of the Electoral Code of Conduct, which is binding on those participating parties, their candidates, members and supporters.

**Statement of Commitment**

The political parties gathered on the 16th day of May 2016 in Midrand, Gauteng, commit themselves to uphold the underlying values and conduct required by the Electoral Code of Conduct and to which they hereby pledge to adhere.

**Further Pledge**

To underscore this commitment, leaders of the undersigned parties pledge:

1. To lead their parties in a manner that will reinforce a culture of tolerance towards all other parties contesting elections
2. To effectively counsel and advise all candidates on their party lists so that each candidate will in turn propagate a message of maximum tolerance
3. To publicly promote the eradication of no-go areas for political campaigns by political parties
4. To desist from using speech or from participating in actions which will have the effect of provoking either parties' supporters or members of the general public to commit acts of intolerance or take other inflammatory actions
5. That participating parties will work together to achieve the object and goals of the Code of Conduct

Thus, the pledge is signed in Midrand on 16 May 2016.



AFRICAN CHRISTIAN DEMOCRATIC PARTY



AFRICAN INDEPENDENT CONGRESS



AFRICAN NATIONAL CONGRESS



AFRICAN PEOPLE'S CONVENTION



AGANG SOUTH AFRICA



CONGRESS OF THE PEOPLE



DEMOCRATIC ALLIANCE



ECONOMIC FREEDOM FIGHTERS



INKATHA FREEDOM PARTY



NATIONAL FREEDOM PARTY



PAN AFRICANIST CONGRESS OF AZANIA



UNITED DEMOCRATIC MOVEMENT



VRYHEIDFRONT PLUS




**Pledge to uphold the Electoral Code of Conduct for the 2016 Municipal Elections**

## 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 regulating electoral disputes and complaints about infringements of the Electoral Code of Conduct, and 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 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; or
- harm the 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 or sent to prison for up to 10 years.

# The electoral systems of South Africa

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## 4.1 The main types of electoral systems

There are three main types of electoral systems:

- **The ‘winner takes all’ or constituency system**  
In this system, the country is divided into constituencies or wards in which one votes. The party with the highest number of votes in a constituency or ward wins the election and gets the seat (place) in Parliament for that ward. The votes of the parties that lose in that ward do not count. This was the system used in the elections before 1994.
- **The proportional representation system**  
The proportional representation (PR) system is also called the party list system. Here every vote counts. The total number of votes a party gets decides the number of seats it gets. Parties draw up lists of candidates, and the number of people that gets in will be decided by the number of seats the party wins. This is the system used in South Africa’s 1994, 1999, 2004, 2009 and 2014 National and Provincial Elections.
- **A mixed system**  
This is a combination of the ‘winner takes all’ and PR systems. The final number of seats that goes to different parties is decided by the principle of proportionality.

### EXAMPLE

If there are 10 seats available in a municipality: five ward seats and five PR seats:

- Party A, with 50% of the votes, earns five seats: if they win four wards, they will get one PR seat.
- Party B, with 30% of the votes, earns three seats: if they win one ward, they will get two PR seats to end up with three seats.
- Party C, with 20% of the votes, earns two seats: if they do not win any wards, they will still get two PR seats to make up their total of two seats.

The mixed system was used in the 2000, 2006 and 2011 municipal elections, where some councillors were elected by winning ward elections and others got in by being on their party lists for the area. The mixed system will again be used in the 2016 Municipal Elections.

# Municipal elections in South Africa

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## 5.1 Local government

Local government in South Africa is made up of municipalities. The object of local government is 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 ensure services 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:

### • 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, as is having strong interdependent social and economic linkages between its constituent units. Such municipalities have exclusive 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)
- Ethekewini (Durban)
- Mangaung (Bloemfontein)
- Nelson Mandela Bay (Port Elizabeth)

### • 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.

### • Category C or district municipalities

District municipalities are responsible for the coordination of a number of local municipalities 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.

In the eight big metropolitan areas, coordination will take place through metropolitan councils. In the rest of the country, there will be regional coordination through 44 district municipalities. District councils are made up of a number of local councils.

Constitutional provisions (see Chapter 7 of the Constitution) at the provincial level of government allow for meetings of municipal councils and municipal council committees, which must be open to the public.

The Municipal Systems Act 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 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.

### 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.

# Pre-election period

6

## 6.1 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 formulas 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. After consultations with various stakeholders, the Minister of COGTA published new formulas on 9 September 2015, effectively reducing the number of councillors by about 2% when compared with the previous formula and ever-growing voting population figures.

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

Once the Minister of COGTA has determined the formulas, the provincial MECs have to apply the

formulas and determine the number of municipal council seats (or councillors) for each municipality in their province. They must then publish this information in the provincial *Government Gazette*.

After the MECs have determined the number of councillors for each municipality in their province and have published these numbers, the ball is in the MDB's court.

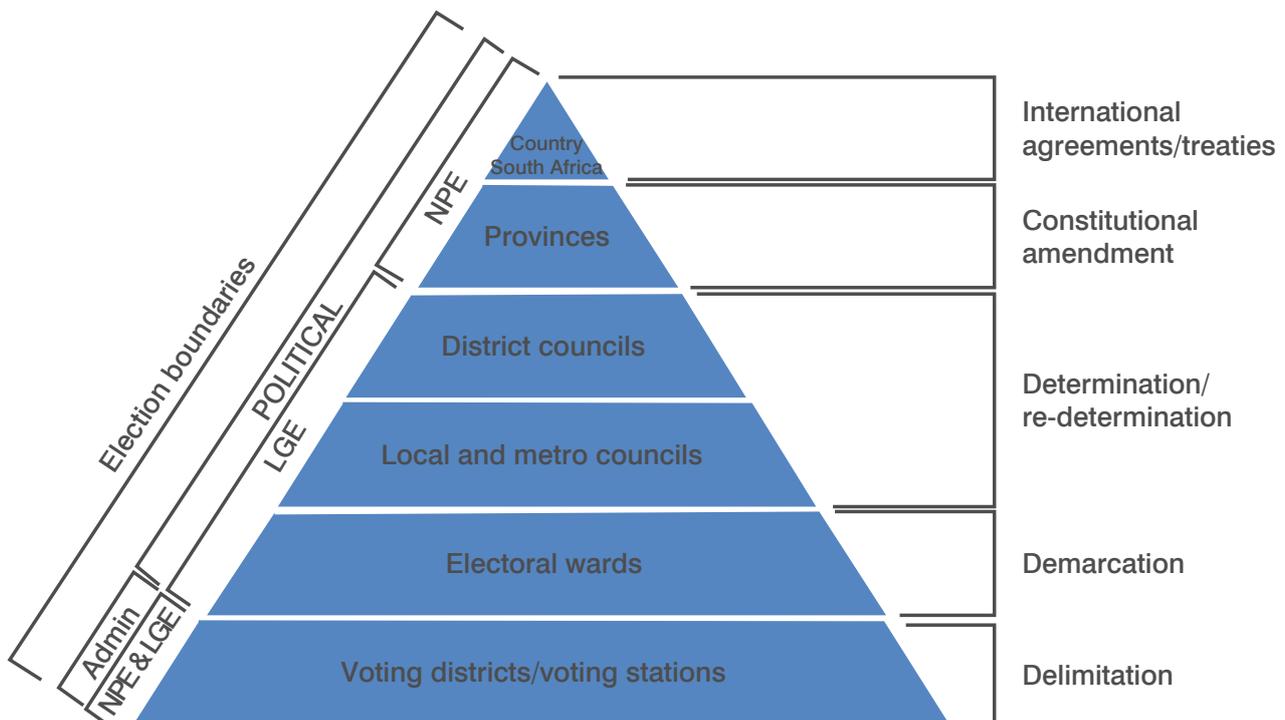
### The Municipal Demarcation Board and delimitation

The MDB is an independent body, set up by the Constitution and the Municipal Demarcation Act, with the task of drawing up municipal boundaries for the purposes of local government and the election of municipal councils. This process is known as demarcation.

After the MDB has demarcated outer municipal boundaries, it draws up ward boundaries and divides all metropolitan and local municipalities into areas called wards (district municipalities do not have wards): this is known as delimitation.

The MDB uses the councillor numbers to determine the number of wards in each municipality (usually half the number of councillors), which involves a lengthy public participation programme for the drawing up of ward boundaries, which is its ultimate legal responsibility. Public participation takes the form of comments and objections to the MDB's decisions.

For example, people and communities might challenge the inclusion of some townships and smaller towns into larger municipalities.



Breakdown of election boundaries in South Africa

## 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.

## Voting districts and voting stations

One of the key activities in general municipal council elections is aligning 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.

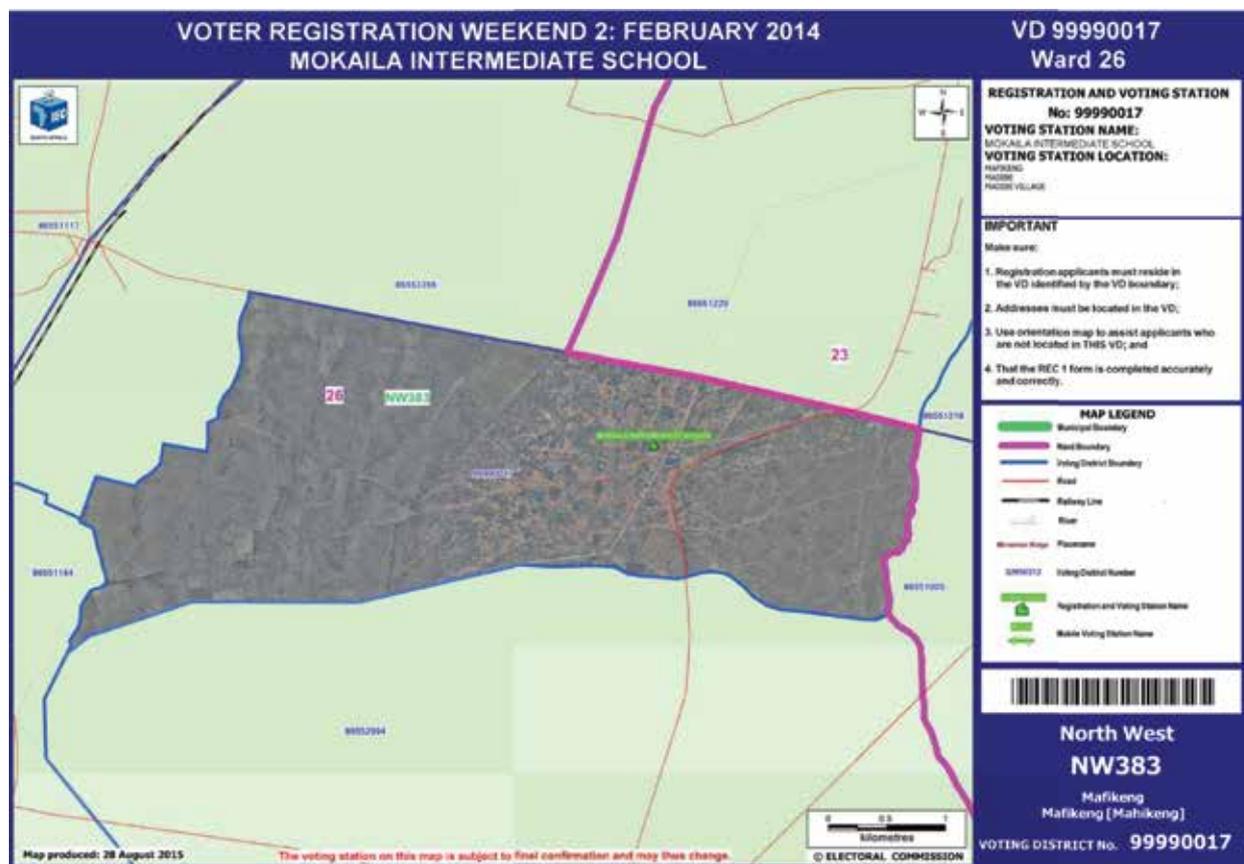
Voting districts are generally delimited to minimise voter inconvenience and to assist in

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. A case in point is Joubert Park in Central Johannesburg.

Once the Electoral Commission receives the final set of wards from the MDB, it assesses the impact of these new ward boundaries on its current voting district boundaries and the ever-growing network of voting stations. When a new ward boundary 'splits' a voting district, maps will have to be prepared showing the splits. These maps need to be discussed with the relevant municipal electoral office and the political parties to determine whether new voting districts need to be created.

The Electoral Commission's Geographic Information System (GIS) Department updates the voting district data set with proposals from municipalities, and targeted registration activities are undertaken to update the registration details of all the affected voters in time for the registration weekends and for the election in question.

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



Voting registration map

## 6.2 Registration of voters and voters' roll

The Constitution stipulates that all elections must be based on a national common voters' roll. This means that citizens must apply to register in the area where they are ordinarily resident, and be placed geographically to determine their appropriate location on 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 every time there is an election, unless:

- the voter has changed his or her place of residence; or
- the Electoral Commission has changed the voting district boundaries.

### Why a voter must register in the voting district in which he or she resides

In the municipal elections, a voter votes for a party or an independent candidate who is going to represent him or her in the local council.

These elections have a ward component that is geographically determined.

If a voter registers outside the boundaries of his or her voting district, the voter may vote for someone who is not going to represent his or her needs in the particular district where the voter resides. Registering and voting in a voting district where a voter does not reside will also distort the results of the election in that ward. This distortion may result in the outcome of that election being perceived by stakeholders as not meeting the standard of being free, fair and credible.

Free elections are achieved when every eligible voter has correctly registered in the voting district in which he or she ordinarily resides and only casts his or her vote in that voting district. An election is considered to be fair when there is transparency about the electoral activities, including registering and voting in the voting district where the voter ordinarily resides.

Credible elections are achieved when the voters provide the correct information as voters, including where they live, to the Electoral Commission. This helps the Electoral Commission to have the correct information on its voters' roll.

### Obtaining and validating registration information

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

a) REC1 form

b) REC AS form

### Registration application forms

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.

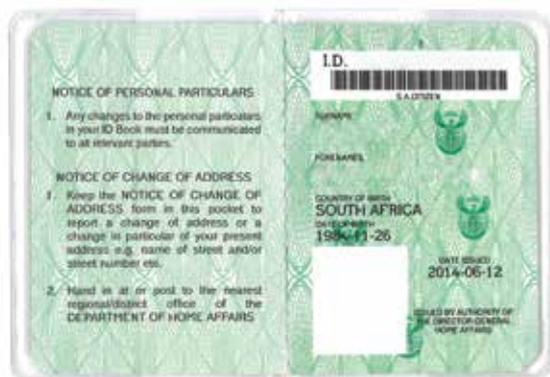
The REC AS form is given to all potential voters who do not have a formal or sufficiently descriptive address, for example, people living in:

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

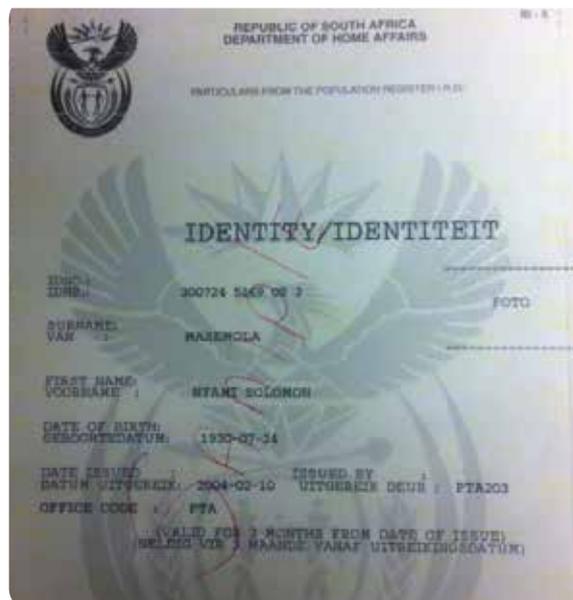
### Who can register?

A person can register to vote in South Africa if they:

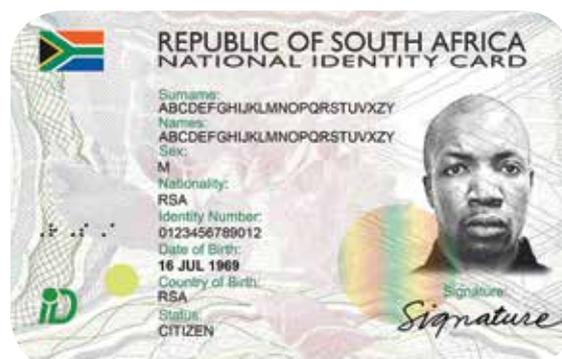
- are a South African citizen;
- are at least 16 years old (but can only vote from the age of 18); and
- have a green, bar-coded identity document (ID), smart card ID or valid temporary identity certificate (TIC), as illustrated below:



Green bar-coded ID



Temporary identity certificate



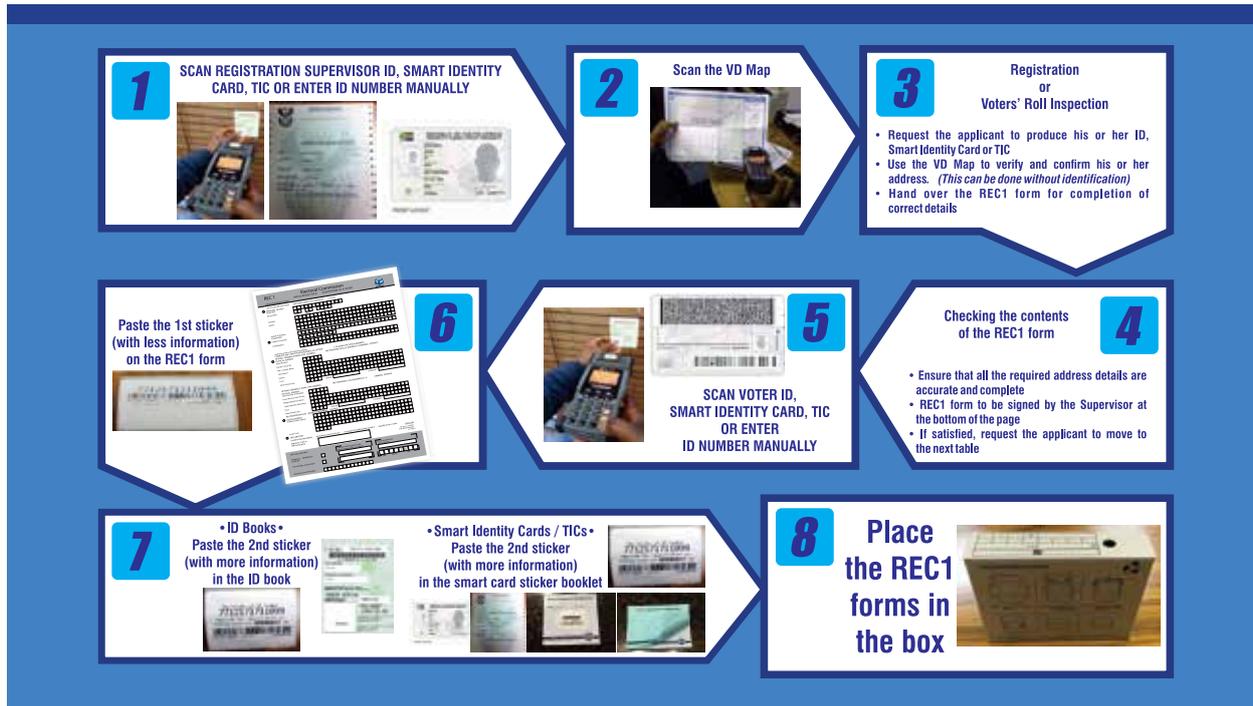
Smart card ID

A person can register to vote in South Africa:

- at local Electoral Commission offices as part of continuous registration during office hours;
- during publicised registration weekends at voting stations;
- through targeted registration in specific localised areas; and
- through home visits conducted by the Electoral Commission, but only upon application.



# REGISTRATION PROCESS



## Voter registration process as explained to electoral staff in the Electoral Commission's training manuals

Voters who have registered can check their registration status by doing the following:

- Sending an SMS with their ID number to 32810
- Downloading the Electoral Commission's mobile app and entering their ID numbers
- Checking their registration details online at [www.elections.org.za](http://www.elections.org.za)
- Checking their registration status at the voting station during a registration weekend
- Checking their registration status at the local Electoral Commission office during office hours
- Calling the Electoral Commission's contact centre on 0800 11 8000 on weekdays from 07:00 to 21:00.

## Voters' roll

The voters' roll is segmented into voting districts and is 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 names and ID number.

LGE 2016 Voters' Roll		Names of persons who have applied for registration		dd mmm yyyy
PROVINCE:	Eastern Cape	MUNICIPALITY:	EC104 - Makana	WARD: 21004001
VOTING DISTRICT:	10100237	VOTING STATION:	HOOGENOEG HALL	
No	LAST NAME/SURNAME	FULL NAME(S)	ID NUMBER	ADDRESS
1	ABOUFOUDA	ROSELEEN DEARDRU DOROTHY	111111 1111 111	
2	ABRAHAMS	ALBERT LAWRENCE	111111 1111 112	Addresses for registration 5-16 March has not been updated at time of printing
3	ABRAHAMS	LINDA	111111 1111 113	
4	ABRAHAMS	MARK KEVIN	111111 1111 114	
5	ABRAHAMS	RUITER ARTHUR	111111 1111 115	
6	ALKASTER	SANTA	111111 1111 116	35 UNKNOWN SUN CITY SUN CITY GRAHAMSTOWN
7	ANDREWS	ALFIE ALFREDO	111111 1111 117	
8	ANDREWS	ANDREW	111111 1111 118	17 4TH AVENUE HOOGENOEG HOOGENOEG GRAHAMSTOWN
9	ANDREWS	ANNEFRID SARAH	111111 1111 119	
10	AUSTIN	DAWN ANNETTE	1111111111 120	17 4TH AVENUE HOOGENOEG HOOGENOEG GRAHAMSTOWN

Sample of the voters' roll

- Rejected section: This consists of rejected voters: voters who are not allowed to vote for one of the following reasons:
  - The person is under age (he or she applied for registration at the age of 16, but cannot vote because he or she had not yet turned 18 on the date of the election)
  - The person is deceased
  - The person has been deleted from the population register
  - The person is a non-South African citizen
  - A new ID number has been issued to the person, but with a different number to the old one
  - The person has applied to be de-registered as a voter.



## BY ELECTION DUMMY VOTERS' ROLL

### Rejected registration applications

Proclamation Date: 29 Jun 2012

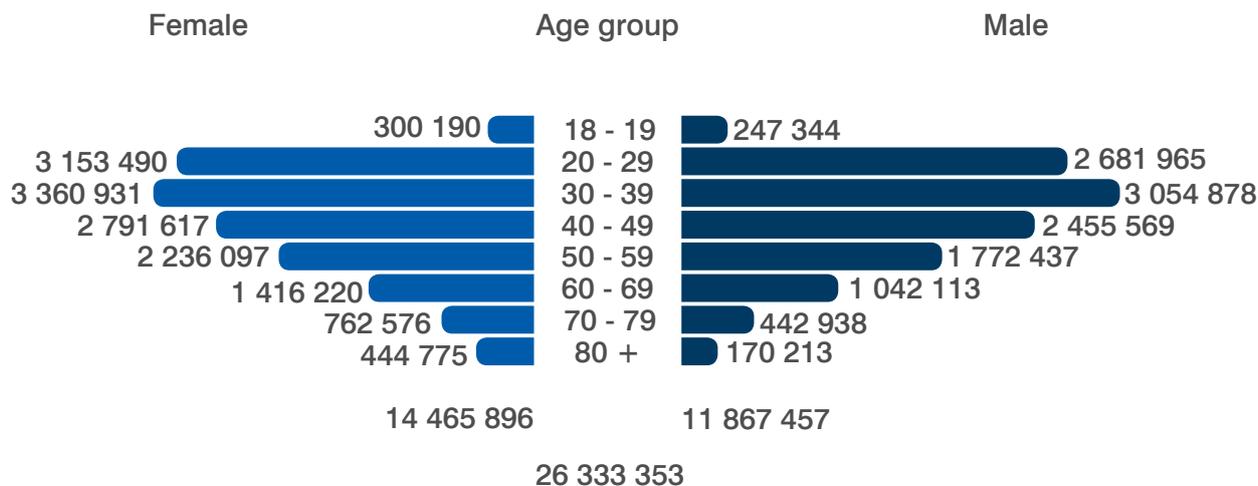
PROVINCE: Free State MUNICIPALITY: FS203 - Ngwathe [Parys]  
 WARD: 42003018 VOTING DISTRICT: 22800114 VOTING STATION: WEIVELD AGRICULTURE AND HOTEL SCHOOL

No	LAST NAME/SURNAME	FULL NAME(S)	IDENTITY NUMBER	REASON
16	BEKKER	DAVID HAY	310905 5024 383	Deceased
17	BOFELO	RAMAFEKOANA GRIFFITHS	060606 5063 787	Deceased
18	BULWANA	NTSOKOLO JONAS	810422 5841 381	Deceased

### Sample of by-election voters' roll

### National registration statistics as at 1 June 2016

#### Global total registered females and males per age group



## 6.3 Registration of political parties

Any party that wants to participate in an election must register with the Electoral Commission. Parties can choose to register at national level, which will allow them to contest elections of the National Assembly, Provincial Legislature and all municipal councils. However, parties may choose to register only at municipal level for a particular municipality or municipalities, and will then only be allowed to contest municipal elections for those particular municipal councils stated in the registration application.

### National registration

To register to contest all elections (at national level), parties must submit the following:

- An application for registration fully completed
- The name (not more than 60 letters) and abbreviated name (not more than eight letters) of the party
- A copy of the party's constitution
- A Deed of Foundation signed by 500 registered voters who support the founding of the party (see Annexure 6 of the Regulations)
- Two sets of the party logo or symbol designs in full colour

- A R500 registration fee
- A hard copy of the *Government Gazette* in which the party's notice appears.

### Municipal registration

To register to contest elections in only a specific municipality or municipalities, parties must submit the following:

- A completed application for registration
- A copy of the party's constitution
- A Deed of Foundation signed by 100 registered voters who support the founding of the party
- Two sets of the party logo or symbol design in full colour
- A R200 registration fee per municipality
- A copy of a notice placed in a local newspaper.

Registration at local council level does not automatically qualify as registration of the party for the district council in which that local council falls. Parties wishing to contest a district council election must indicate such district council in their applications.

The CEO may prohibit the registration of a political party if the proposed name, abbreviated name, distinguishing mark or symbol mentioned in the application:

- resembles the name, abbreviated name, distinguishing mark or symbol, as the case may be, of any other registered party to such extent that it may deceive or confuse voters; or
- contains anything that portrays the propagation or incitement of violence or hatred or which may cause serious offence to any section of the population on the grounds of race, gender, sex, ethnic origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language.

A registered party wanting to change its existing registered name, abbreviated name or distinguishing mark or symbol must comply with the requirements of this section.

## 6.4 Candidate nomination process

During the election period, registered political parties are invited to submit candidate lists to the Electoral Commission. Parties draw up their lists of candidates after party list conferences or discussions within the party.

### Rules and timelines for candidates and parties

The Municipal Electoral Act sets rules for candidates and parties.

These include the following:

- PR candidates must be nominated by a registered party.
- Ward candidates must be nominated by a party registered in the municipality.
- If a party candidate is both a PR and a ward candidate, and wins in the ward, he or she must take up the ward seat.
- Parties and ward candidates must pay an amount of money as a deposit to stand; they lose this if they do not get 10% of the votes in a ward.
- Political parties and candidates must meet the deadlines set in the election timetable when this is announced by the Electoral Commission. The election timetable (see p 31) takes effect when the elections are officially proclaimed and published in the *Government Gazette*.

### Nomination of ward candidates by parties

All candidates must submit the following to the local office of the Electoral Commission in the municipality where they are contesting the elections:

- A nomination form for ward candidates on a party list signed by an authorised party representative combined with a notice of intention to contest an election
- An undertaking to be bound by the Code of Conduct
- A declaration that candidates are not disqualified from standing
- A completed and signed acceptance of nomination form signed by each party candidate
- A copy of their identity document
- An election deposit of R1 000 payable by bank-guaranteed cheque or any other legislated method or proof of payment.

### Councillors

A person can become a municipal councillor if they:

- are a South African citizen;
- live and are registered as a voter in the municipal area;
- are not employed or do not do paid work for the council (unless a national law allows this);
- do not do paid work for another government department and a national law prohibits the person from standing;
- have not been declared as an 'unrehabilitated insolvent' or 'of unsound mind';
- have not have been sentenced to more than 12 months in prison after the end of 1996 without the option of a fine; and
- are not a Member of Parliament, a member of a Provincial Legislature or a member of another municipal council (unless representing a municipal council in the other body).

Ward candidates do not have to live in the ward where they stand as long as they live in the municipality.

## Nomination of a PR or party list councillor by a political party

Only political parties can submit candidate lists for PR elections for metropolitan, local or district municipalities. All candidates submitted for nomination must meet the requirements to stand as a councillor. To nominate PR or party list councillors, a party must submit the following:

- A nomination form combined with a notice of intention to contest an election, an undertaking to be bound by the Code of Conduct, a declaration that candidates are not disqualified from standing, and a party list in a fixed order of preference
- An acceptance of nomination form signed by each party candidate
- A copy of the candidate's identity document.

The party representative who is duly authorised to nominate candidates must furnish proof, signed by the person registered with the Electoral Commission as party national signatory, that he or she is authorised to nominate candidates. The deadline for the submission of these documents, as stipulated in the election timetable, was 17:00 on 2 June 2016.

## Independent candidates

Any registered voter in a municipality may stand for election as a ward councillor in that municipality.

All candidates must submit the following to the local office of the Electoral Commission in the municipality where they are contesting elections:

- Nomination of the independent candidate form combined with an acceptance of nomination and 50 signatures of supporters for the candidate
- A copy of the candidate's identity document
- An election deposit of R1 000 payable by bank-guaranteed cheque or any legislated method or proof of payment
- An A5 colour photograph (head and shoulders) of the candidate.

Nomination of candidates for the 2016 Municipal Elections opened on 24 May 2016, the day after the elections were officially proclaimed, and closed at 17:00 on 2 June 2016. (See the election timetable on p 31.)

## Submission of forms

Completed nomination forms and all required documentation can be:

- delivered to the local Electoral Commission office in the municipality where the person wishes to contest the elections; or
- submitted online using an app on the Electoral Commission's website.



## ARE YOU PLANNING TO STAND FOR ELECTION AS AN INDEPENDENT CANDIDATE?

### WHO CAN CONTEST ELECTIONS?

Any registered voter in a municipality may stand for election as a ward councillor in that municipality. Independent candidates must be nominated by a registered voter in that municipality and supported by 50 registered voters in the ward they are contesting.

### HOW TO NOMINATE AN INDEPENDENT CANDIDATE?

All independent candidates must submit the following documents:

- A completed and signed nomination form including 50 signatures of supporters from the ward (the form is available on [elections.org.za](http://elections.org.za))
- A copy of their ID
- An election deposit of R1000
- An A5 colour photo (head & shoulders) of the candidate



### HOW AND WHEN TO SUBMIT A NOMINATION?



Candidate nominations are now open and will close at 5pm on 2 June 2016. You can deliver the completed nomination forms and material to the local IEC office in the municipality where you are contesting the elections between 08:00 and 17:00 weekdays.

**For the first time independent candidates can also submit their nominations online** via our website. Please note that prior registration at your local IEC office is required in order to use the system.




**For more information visit [elections.org.za](http://elections.org.za) | 0800 11 8000**

## 6.5 Political party financing

The public funding of political parties is governed by the Public Funding of Represented Political Parties Act of 1997 and the Public Funding of Represented Political Parties Regulations of 1998.

Parties can get public government funding and private funding from other sources, for example, members' contributions and donations from local or foreign companies. Financial contributions are called direct funding, while contributions in kind, like office space, equipment or advertising, are known as indirect funding.

While the public funding of political parties is regulated, private funding is not regulated and parties do not need to disclose private sources of funding.

A political party has a right to get funds from the Represented Political Parties' Fund for any financial year that it is represented in any of the following:

- National Assembly
- Any provincial legislature
- Both the National Assembly and any provincial legislature

Funds are awarded in proportion to the number of seats held by each party, meaning that parties with bigger representation get more funds. The Represented Political Parties' Fund does not fund political parties that are only represented in municipal councils.

The Public Funding of Represented Political Parties Act says that parties can use the funds "for any purpose compatible with functioning as a political party in a modern democracy", such as influencing public opinion and carrying out political and voter education. Parties may not use the money for things like paying its representatives or starting a business.

Parties have to account in detail for how the money was used, appoint an official to administer the funds and keep the funds in a separate bank account.

The Electoral Commission monitors party spending, receives reports on how funding is spent and passes rules and regulations on funding when this is needed.

## 6.6 Party Liaison Committees

At national, provincial and local level, the Electoral Commission coordinates Party Liaison Committees (PLCs), whose functions are to:

- inform political parties on election arrangements, including procedures for attendance at election results centres;

- consult and advise the Electoral Commission on election arrangements; and
- deal with conflict between parties, or between a party and the Electoral Commission.

A political party must be both registered and represented in a legislature to have automatic rights to sit on the corresponding level of a PLC. If a party intends to contest an election, it may request the Commission to allow it to be co-opted to the relevant PLC structure.

At national and provincial level, all registered political parties can have two representatives on each PLC. At local level, all registered political parties in that area can have two representatives on the local PLC.

## 6.7 Election campaigning

Political party campaigning can take place anytime, anywhere prior to an election, but must cease one day prior to Election Day.

## 6.8 Security

The South African security forces play a significant role in the pre-election period in ensuring that the country is stabilised and that an environment is created that will ensure that the elections are held in free and fair conditions. The security forces conduct an analysis and assessment of the security challenges experienced by the South African security forces and the Electoral Commission during the past elections in order to establish the 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.

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 are deployed to the hot spots to stabilise these areas prior to the elections taking place.

## 6.9 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.

## 6.10 Civic and Democracy Education

The role of the Civic and Democracy Education Division in the Electoral Commission is as follows:

- 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, which is essential to any electoral process
- Ensure 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
- Civic and democracy education content, which encompasses knowledge, skills, attitudes and values, assists in promote equality, social cohesion, mutual understanding, intercultural 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 and contributing to the upholding of the Constitution and its cornerstones, such as equality, human dignity and the rule of law.

The objectives of Civic and Democracy Education are as follows:

- Promote a culture of democracy and human rights by creating and emphasising an awareness of civic responsibilities
- Promote and increase knowledge and understanding of the electoral processes and procedures
- Empower target groups and areas where voter turnout has been historically low to participate fully in the electoral processes
- Empower the electorate to participate in the voting process, resulting in a decrease in the number of spoilt ballots.

For all general elections, the Electoral Commission's internal capacity to conduct voter education is boosted 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 civil society organisations to augment its own capacity.

For the 2016 Municipal Elections, 61 Outreach and Training Officers, 260 Municipal Outreach Coordinators (MOCs), 1 376 Democracy Education Facilitators (DEFs) and 60 partnerships with traditional councils assisted with providing continuous education in all communities across South Africa.

Province	Number of Outreach and Training Officers (OTOs) Permanent capacity	Number of Municipal Outreach Coordinators (MOCs) Expansion capacity	Number of Democracy Education Facilitators (DEFs) Expansion capacity	Other
Eastern Cape	9	45	238	
Free State	6	24	105	
Gauteng	9	19	169	
KwaZulu-Natal	13	54	276	
Limpopo	5	26	181	
Mpumalanga	3	18	0	60 partnerships with traditional councils
North West	4	19	165	
Northern Cape	5	27	108	
Western Cape	7	28	134	
<b>Total</b>	<b>61</b>	<b>260</b>	<b>1376</b>	<b>60</b>

### Voter education capacity for the 2016 Municipal Elections

#### Partnerships

The Electoral Commission is obliged to work with civil society and other organisation in the achievement of its mandate. One such partnership is the National Coordinating Forum of Civil Society Organisations (NCF), which is convened by the Electoral Commission to continually build strategic partnerships with civil society for sustainability.

The NCF creates platforms at national, provincial, regional, local, municipal and ward levels to facilitate information sharing, dialogue and discussion. Since 2012, the NCF plays a critical role in supporting electoral democracy in three key areas:

- Civic and democracy education
- Conflict management
- Election observation

## 6.11 Free and fair elections

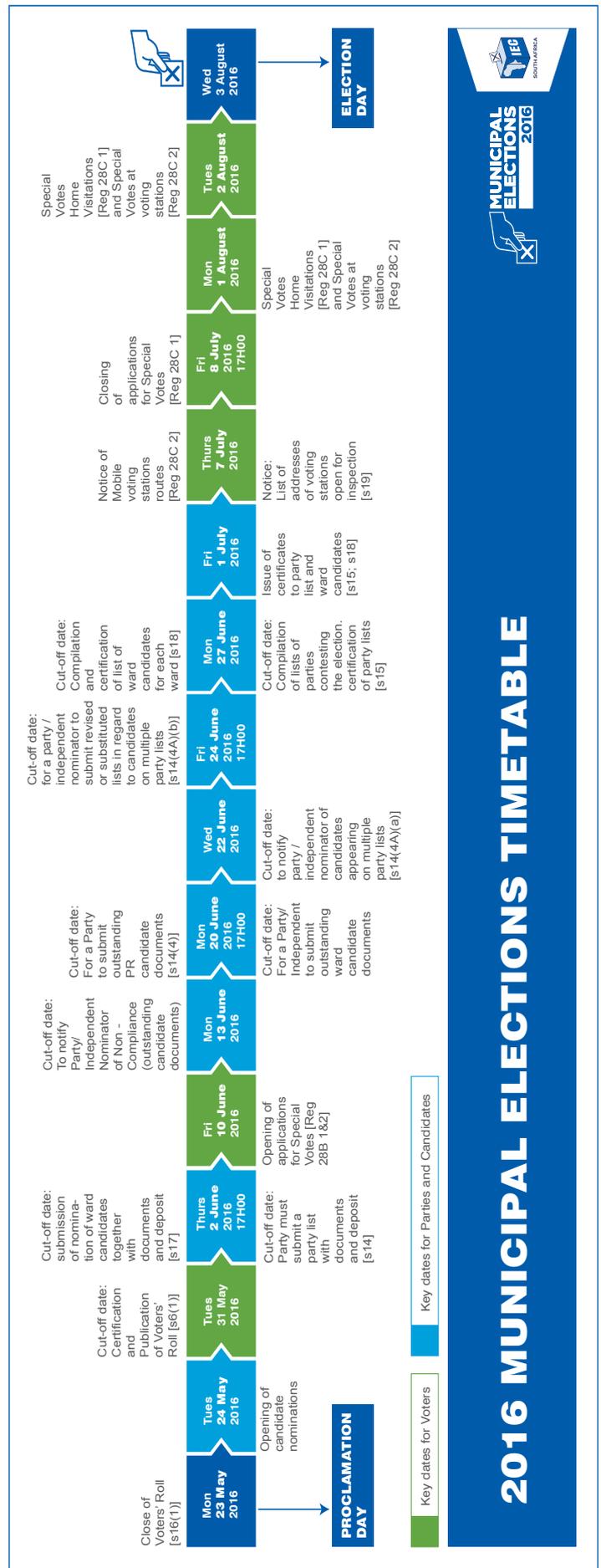
The Electoral Commission has implemented a free and fair election programme, which focuses entirely on ensuring that the factors determining free and fair elections are managed and addressed accordingly. Primarily, it leans towards addressing the challenges brought about by service delivery protests, inter- and intra-political party conflict. Provincial coordinators for free and fair elections are appointed six months prior to an election. The profile of this position requires that they either be experienced in mediation or have a sound legal background. Key responsibilities are to coordinate all the initiatives towards ensuring free and fair elections. They are also required to mediate in conflict where the circumstances allow this and to identify risks and report accordingly. The coordinators are also supplemented with panellists for conflict mediation. In each of the nine provinces, a panel of mediators is set up, trained and deployed as and when required to assist with mediation. Panellists are selected based on their good standing in communities and are ideally chosen from faith-based organisations or non-governmental organisations that work in communities in peace-building environments.

## 6.12 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, the timetables are published in the *Government Gazette*.

The key events on the election timetable include the following:

- Gazetting an election date
- Closing the voters' roll
- Releasing the proposed voting station addresses for inspection
- Certifying and publishing the voters' roll
- Publishing the deadline for the submission of lists of candidates and deposits for all candidates
- Notifying parties and candidates about any non-compliance around documents or deposits
- Publishing the final compliance deadline for parties and candidates
- Publishing the parties contesting elections, party lists and lists of ward candidates
- Inviting applications for special votes
- Publishing voting stations and mobile voting station routes
- Issuing participation certificates to parties and ward candidates
- Allowing special votes at voting stations from 08:00 to 17:00
- Allowing special vote visits to voters' homes
- On Election Day, ensuring that voting takes place from 07:00 to 19:00.



The official timetable for the 2016 Municipal Elections

# Election Day

**7**

## 7.1 Voting stations and voting centres

The Electoral Commission makes use of different types of voting stations.

- **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 are in 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:** This is a voting station with a large number of registered voters that is divided into 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 classrooms 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.

Election	Number of voting districts	Percentage increase
2000	14 988	0
2006	18 873	25%
2011	20 859	11%
2016	22 612	8.4%

*Number of voting stations: 2016 Municipal Elections*

## 7.2 Ballot papers

As a result of municipal elections using both the first-past-the-post (FPTP or majoritarian) system and the PR system, different types of elections are held involving wards, local councils, district councils and metropolitan councils. Each election type has its own unique ballot paper, which is colour coded.

### Metropolitan council municipalities

There are two types of elections in each ward:

- The metropolitan council ward election
- The metropolitan council PR election

Voters receive two ballot papers:

- Ward ballot (white/grey): to elect a ward councillor to the metropolitan council

- Metropolitan council (PR) ballot (yellow): to elect representatives from political parties to the metropolitan council from the lists provided by parties that participate in the PR election for that metropolitan council.

### Local council and district council municipalities

There are three types of elections in local councils:

- The local council ward election
- The local council PR election
- The district council PR election

Voters receive three ballots papers in a local council:

- Ward ballot (white/grey): to elect a ward councillor to the local council
- Local council (PR) ballot (yellow): 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
- District council ballot (green): to elect representatives from political parties to the district council from the lists provided by parties that participate in the election for that district council municipality.

## 7.3 Voting

### 7.3.1 Eligibility to vote

To be eligible to vote in 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 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 in the form of a sticker provided during registration.



*Proof of application for registration*

Prisoners were given the right to vote in the national and provincial elections by a Constitutional Court ruling in March 2004. However, in terms of the current legislation, prisoners cannot vote in municipal elections.

South Africans can only vote abroad in national elections, but not in provincial or municipal elections.

### 7.3.2 Hours of voting

The operating hours of voting stations are from 07:00 to 19:00. However, the Commission may determine different voting hours in general or for specific wards. If such a determination is made, the relevant presiding officers will be informed by the local office of the Electoral Commission.

The operating hours for special voting at voting stations and home visits are from 08:00 to 17:00.

### 7.3.3 Voting station staff

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

# CODE OF ETHICS and Customer Service Pledge

## PURPOSE OF THIS CODE

FOR ELECTORAL STAFF

The purpose of this Code is threefold. Firstly, 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 may encounter. Finally, this Code is meant to serve as the foundation for the ethical work standards of staff.

## THE FOUR ETHICAL PRINCIPALS

### PRINCIPLE 1: Respect for the Rights and Responsibilities 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.
- Not 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 or medical conditions will be given preference.

### PRINCIPLE 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.

### PRINCIPLE 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.

### PRINCIPLE 4: 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.



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SOUTH AFRICA

Example poster of Code of Ethics of the Electoral Commission for voting stations

### 7.3.4 The voting process

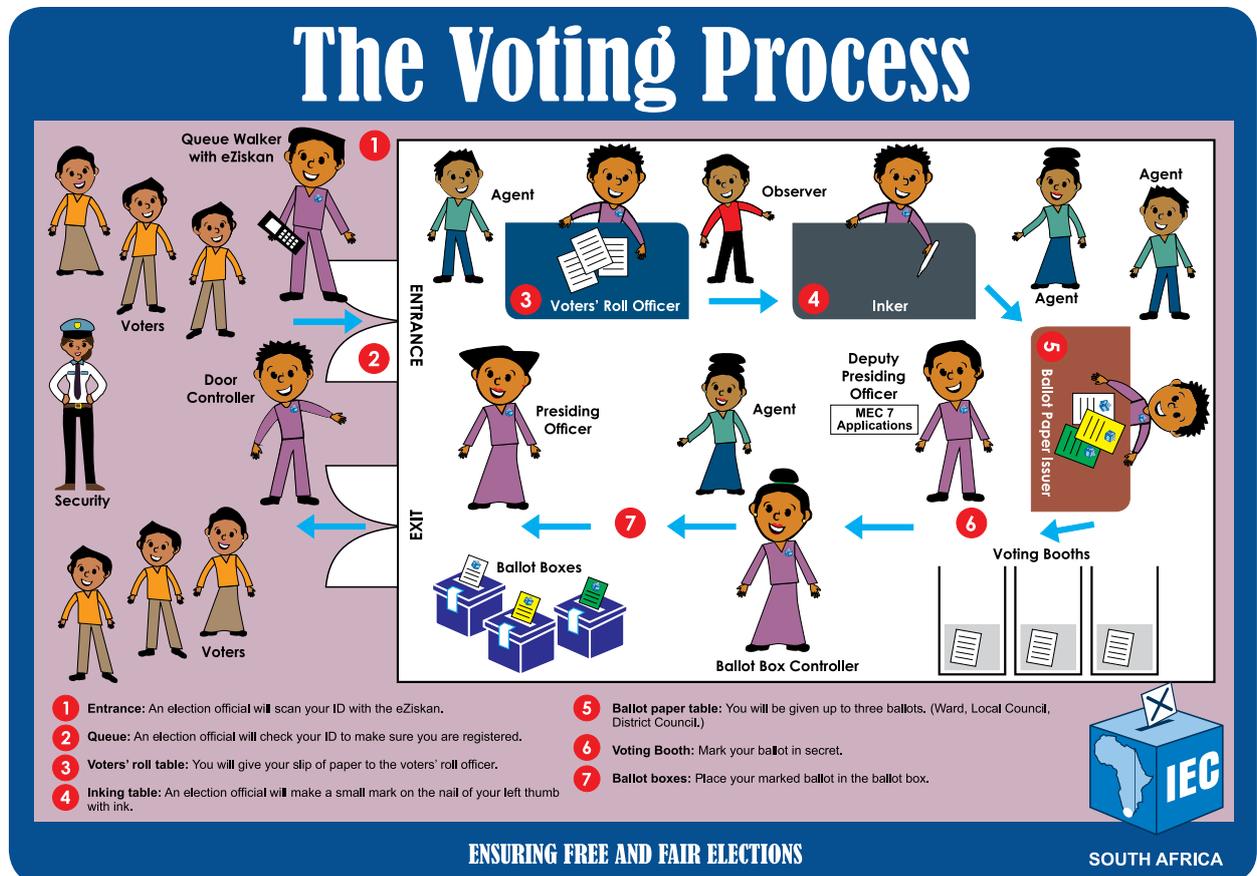
- **In the queue:** An election official will check the voter's valid ID to make sure that he or she is registered to vote.
- **At the door:** An election official will scan the voter's ID with a bar-code scanner (zip-zip) machine, which contains an electronic copy of the entire voters' roll. A slip is given to the voter confirming that he or she is a registered voter.
- **At the voters' roll table:** The voter will give the slip of paper to the voters' roll official, who checks to see if the voter's name is on the printed section of the voters' roll for his or her voting district. The voter's name will then be crossed off the voters' roll, which is a manual mechanism to ensure that voters only vote once.
- **At the inking table:** An election official will make a small mark on the nail of the voter's left thumb with indelible ink to show that he or she has voted.
- **At the ballot paper table:** The voter will be given two or three ballots, depending on the area in which he or she lives. An official stamp will be placed at the back of all each ballot to show that it was issued on Election Day. An election official will then stamp the green bar-coded ID (if that was the identification

document used) to show that the voter participated in the election.

- **At the voting booth:** The voter will be directed to an empty voting booth to cast his or her vote by placing an X in the box next to the political party and/or candidate of his or her choice. Any mark is, however, acceptable, as long as it shows who the voter is voting for. If the voter makes a mistake, he or she may call an election official, who will provide the voter with a new ballot paper. Once finished, the voter needs to fold the ballot papers in half and leave the voting booth.
- **At the ballot box:** An election official stationed at the ballot box will check to see that the ballot papers have the official stamps on the back, and direct the voter to place them into the correct ballot box.



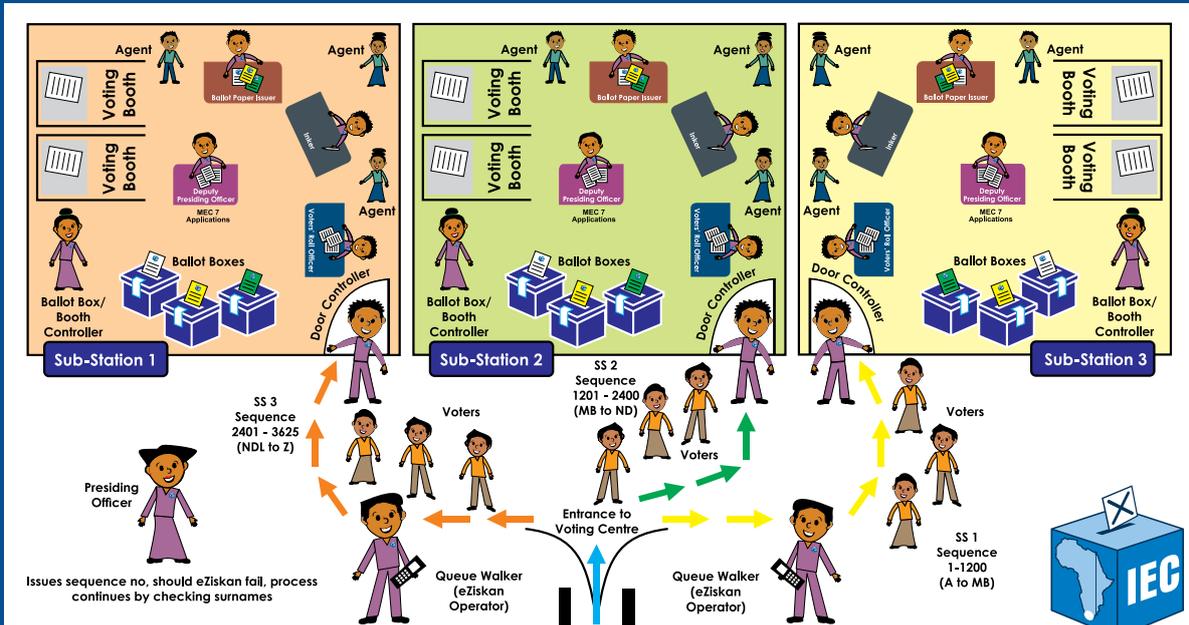
Marking of a voter's thumbnail



The voting station voting process

# Voting Centre Voting Process

## Typical sub-station layout with classrooms

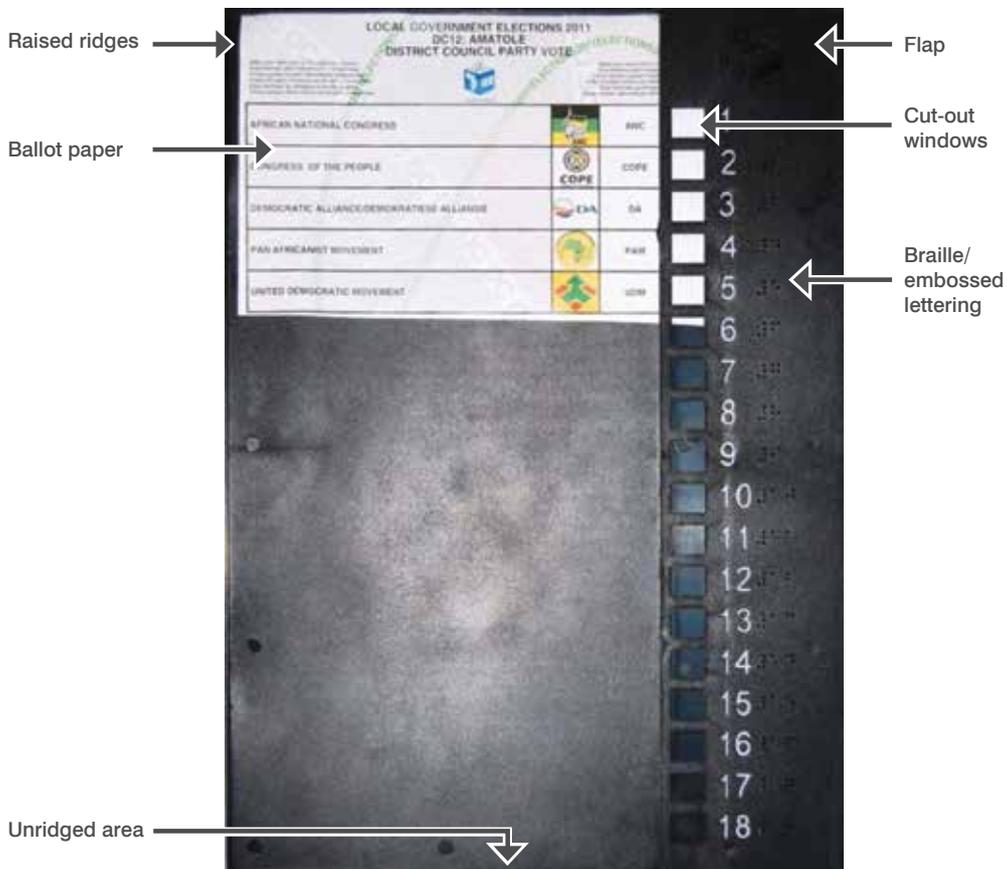


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### The voting centre voting process

#### 7.3.5 Assistance to voters



Universal ballot template

Assistance is given to voters who are disabled or illiterate.

**Assistance to voters living with disabilities**

Section 48(1) of the Municipal Electoral Act, Act No 27 of 2000, states that 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 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 presiding officer 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 during 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 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 is able to make a choice on the ballot paper; and
- assist the voter if he or she is unable to make a mark on the ballot paper.

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

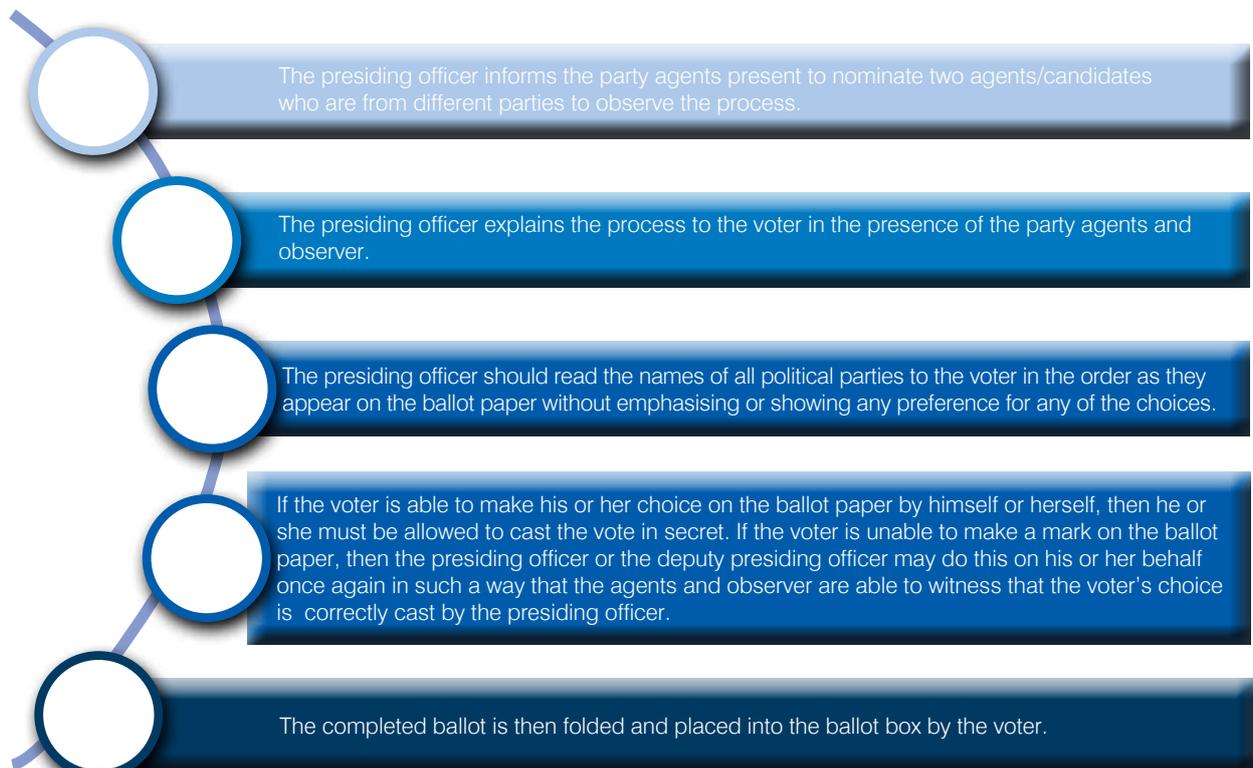
No party agents are allowed to observe the process of giving assistance to voters who are visually impaired.

**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 and note every form of assistance given to voters 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.



**Guide on how assistance is given to illiterate voters**

### 7.3.6 Special voting

Section 55 of the Municipal Electoral Act stipulates that any person who cannot vote on Election Day at a voting station in the district in which he or she is registered may apply for a special vote in that voting district.

#### Categories of special votes

There are two types of special votes:

##### 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 home or place of residence within the voting district where they were registered prior to Election Day. Voters who were successful in their application for a special vote home visit will be visited by voting officials at their home (or the place where they are living), which must be in the voting district where the voter is registered and allowed to vote.

##### Category 2

A voter who is registered, but cannot vote in that voting district on Election Day, due to:

- his or her intended absence from that voting district on Election Day;
  - being on duty as a member of the security services in connection with the election; or
  - serving as an officer in the election concerned,
- will be allowed to cast a special vote at a voting station in the voting district where he or she is registered prior to Election Day.

#### Applications

Any person can apply for a special vote provided they:

- are South African citizens;
- are a registered voter; and
- have a green, bar-coded ID, smart card ID or valid temporary identity certificate.

During the period specified in the election timetable, voters can apply for a special vote:

- online at [www.elections.org.za](http://www.elections.org.za);
- via SMS (the SMS number to apply for voting station visits is 32249);
- via the official IEC election app, which can be downloaded from the Apple App Store or Google Play Store; or
- by visiting their local Electoral Commission office and submitting a form to apply for a special vote in municipal elections: forms can only be hand delivered (no emails or faxes are accepted), but someone else can deliver the voters' completed forms on their behalf.

Voters are notified via SMS or email on the outcome of their application, but can also check the status of their special vote application online or via SMS by sending an SMS with their ID number to 32711.



The dates 1 and 2 August 2016 have been deemed special voting days as per the election timetable for the 2016 Municipal Elections. By law, special votes can only be cast on the dates specified in the election timetable. These usually fall a day or two before Election Day. (See the election timetable on page 31.)

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

- The left thumbnail will be marked with indelible ink.
- The voter's ID will be checked and stamped.
- A ballot paper or papers 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 another 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 (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 with the letters SV to indicate that the voter has cast a special vote.

# Special Voting - Process Flow

## Home visits Process Flow

- Electoral Commission officials identify themselves and explain the purpose of the visit.
  - Ask for the Identity Document of the voter.
  - Verify the identity of the voter by:
    - Checking the green barcoded identity document/valid TIC or smart ID card of the voter against the list of names.
    - Checking whether the voter's name is the same as that on the list.
  - Draw a line through the name of the voter on the approved list.
  - Vertically mark the left thumbnail of the voter with indelible ink.



- Stamp the identity document or TIC of the voter with the official security stamp.
  - DO NOT stamp the smart ID Card.**
  - Stamp the back of the ballot papers (three ballots if the voter is in a District Municipality or two if the voter is in a Metropolitan Municipality).
  - Provide the voter with the stamped ballot papers and give the voter a smaller unmarked envelope to insert the ballots.
  - Instruct the voter to place the marked ballot papers in the unmarked smaller envelope and seal it.

- Thank the voter and leave for the next home visit.
  - Once all visits are completed, return to the voting station.
  - At the voting station, draw a line through the name of each voter on the voters' roll as per the list.
  - Mark SV next to the voter's name on the voters' roll.
  - Place the sealed envelope in the ballot box.

- Allow the voter to vote in secret.
  - The voter must return the sealed unmarked envelope to the voting officer who in turn:
    - Inserts the smaller envelope inside the bigger marked envelope.
    - Fills the voter's name, ID number and the VD number on the bigger envelope in the presence of the voter and agents.
  - The voter seals the bigger envelope.
  - Allow the voter to place the envelope in the box file.

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Home visits process flow chart

# Special Voting - Process Flow

## Special Voting at the Voting Station

- Verify the identity of the voter by:
    - Checking the details of the voter on the green barcoded identity document / valid TIC or smart ID card, against the list of names provided.
    - Checking whether the voter's name does appear on the list.
  - 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.**

- If the voter's name appears on the list:
    - Draw a line through the name of the voter on the approved list.
    - Draw a line through the name of the voter on the voters' roll as per the approved list.
    - Mark SV next to the voter's name on the voters' roll; and
    - Vertically mark the left thumbnail of the voter with the indelible ink.



- 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 inside the ballot box.

- Stamp the identity document or TIC of the voter with the official security stamp.
    - DO NOT stamp the smart ID card.**
  - Stamp the back of the ballot papers (three ballots if the voter is in a District Municipality and two if the voter is in a Metropolitan Municipality).
  - Fill in the voter's name, ID number and the VD number on the bigger marked envelope in the presence of the voter and agents, and hand both envelopes to the voter.

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Special voting station process flow chart

## 7.4 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. 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.

A 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.

## 7.5 Political party agents

### Appointment of party 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. In some cities where there are many voters at a voting station, the Electoral Commission can set up different queues (called 'streams') of voters at a voting station in different rooms of a bigger voting centre. Parties and independent candidates can then have agents for each stream.

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.

Party agents:

- must be South African citizens;
- must not be a candidate for that election; and
- must be issued with an appointment form by their party or ward candidate, and a notice must be given to the presiding officer.

### Role of party agents

Party agents may:

- observe and represent the interests of their parties or candidates in ensuring free and fair elections;
- 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; and
- make any complaints to the presiding officer or counting officer.

### Rules governing party agents

A party 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.

Party agents are accommodated as set out above on a rotational basis agreed upon among themselves or, should they fail to do so, as directed by the presiding or deputy presiding officer. The allocation of party agents is done in a manner that ensures that all parties have an equitable opportunity of observing the process.

## 7.6 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.

## 7.7 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 ROC.

Voting hours in the municipal elections are from 07:00 to 19:00. 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 19:00).

Voters, party agents, candidates 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 at 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.

## 7.8 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 secret or can be identified during vote counting, some people might be intimidated into not voting as they had truly intended.

In South Africa, a voter participation survey conducted in 2013 showed that 95% of voters were satisfied with the secrecy of their vote and that the secrecy of their vote had not been compromised.

## 7.9 Counting process

Counting takes place at each voting station immediately upon conclusion of voting on Election Day. All votes cast over the course of the special voting days and Election Day will be counted together. Votes can be counted at a central place if this will help ensure free and fair elections, or if the votes come from a mobile voting station. In addition to the voting station officials, the Electoral Commission can employ counting officials to assist with the counting. All counting officials will work in shifts allocated by the presiding officer.

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

- The counting officer
- The deputy counting officer
- Counting staff
- Observers
- Members of the security services

- Party agents
- Candidates
- A member of the Commission and an officer of the Commission
- Any other person or category of persons authorised by the CEO.

The counting officer may order any of the above, with the exception of a commissioner of the Electoral Commission or one of its employees, to leave the counting venue if that person's conduct is disruptive to the counting process. The counting officer must give reasons if he or she so ordered someone to leave the counting venue. If the person refuses to comply with such an order, the counting officer may instruct a member of the security services to forcibly remove that person, and record the incident in the Election Diary.

No person is allowed to leave the counting station before the counting process has been completed or finalised.

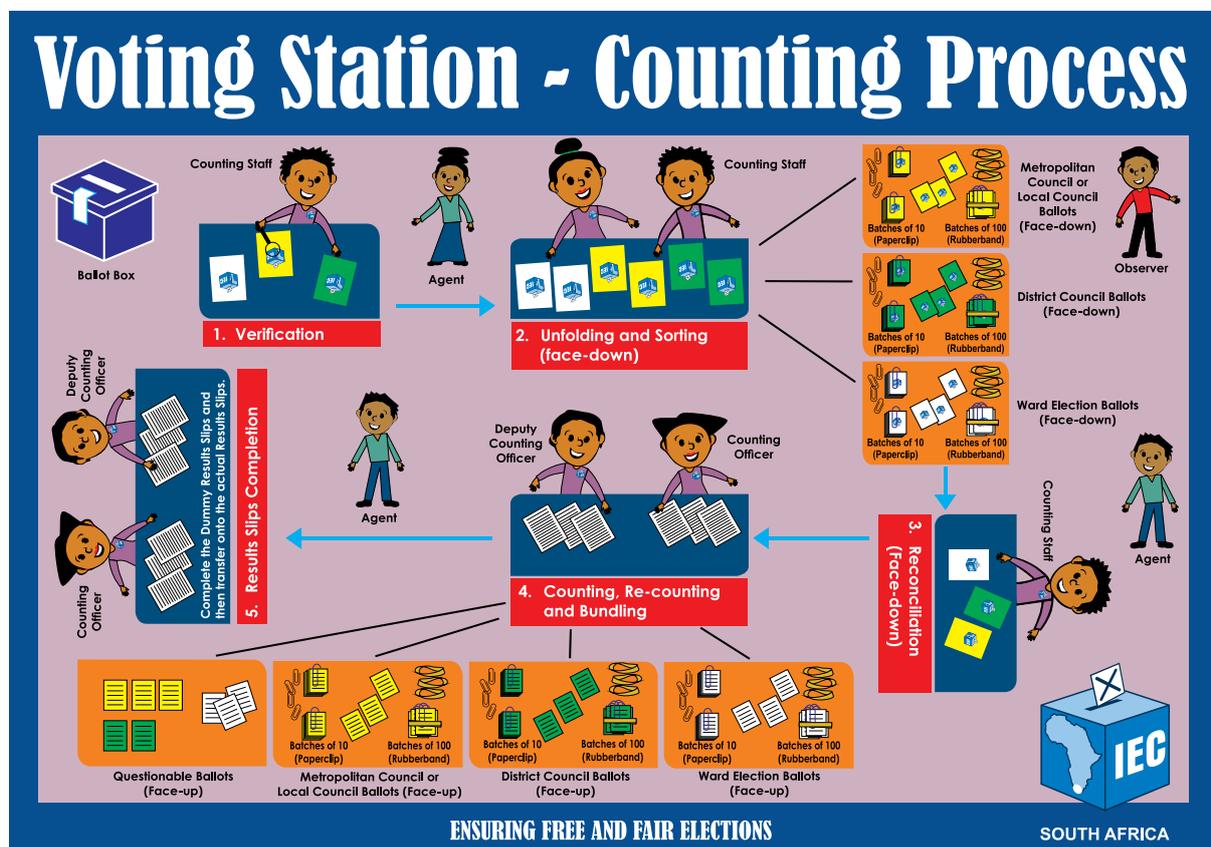
In preparation for counting and in order to ensure that counting continues without any interruption until all the votes have been counted, the counting officer:

- briefs the security officer to prevent access and exit from the counting venue;
- where possible, locks the doors; and
- requests everyone to switch all cell phones off.

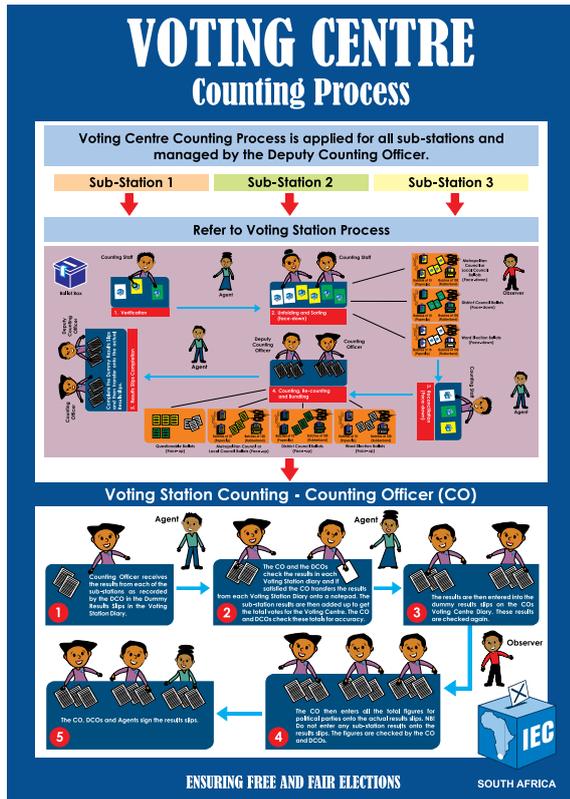
The counting process takes place as follows:

- Each voting station is issued with two or three results slips depending on whether the voting district is in a local or metropolitan council.

- The presiding officer becomes the counting officer and the deputy presiding officer becomes the deputy counting officer.
- Cell phones must be switched off, except that of the counting officer.
- The counting officer advises all those present of the counting procedures and confirms the rules regarding acceptable and unacceptable ballots.
- The numbered and sealed ballot boxes are opened.
- The ballots are unfolded, sorted and reconciled by the election officials.
- Ballots are counted, checked and bundled, and the recorded votes are entered onto a results slip.
- The recorded votes are entered onto both results slips (in duplicate) by the counting officer, and signed off by the deputy counting officer, in the presence of at least two party agents; these party agents must then also affix their signatures to the results slips.
- The ballots are then placed back into the ballot boxes, which are then resealed and kept in storage for six months after the election in the event of any queries and challenges.
- The one results slip is sealed in a tamper-evident bag and sent to the Municipal Electoral Office, where the results are verified and scanned, captured and transmitted to the Electoral Commission's central results system.
- The other copy of the results slip is displayed outside the door of the voting station.



Voting station counting process



### Voting centre counting process

### Questionable ballots

- A ballot is regarded as questionable if:
- the intention of the voter is not clear;
  - it appears that the voter's identity may be indicated on the ballots, e.g. the name of the voter;
  - the Electoral Commission's official security stamp is not on the ballot; and
  - the ballot paper does not appear to be an official ballot paper issued by the Electoral Commission.

- A ballot must be rejected (regarded as spoilt) if:
- the marking on the ballot paper indicates the identity of the voter;
  - more than one vote is cast on the ballot paper;
  - the ballot paper is unmarked;
  - the ballot paper is marked in such a way that the voter's choice is not clear (this is the most difficult and controversial incident; guidelines are given below);

- the ballot paper is not marked at the back with the official security stamp; and
- the ballot paper is not an official ballot paper.

If a ballot paper is rejected, the word 'rejected' is written on the back of the ballot and it is counted with all the rejected ballots. A rejected (spoilt) ballot can be disputed by a party agent or candidate. If this happens, it is marked as 'disputed' in addition to 'rejected' and recorded as such on the results slip. The counting officer is the only person who can decide to accept or reject a ballot paper. He or she will inform the party agents and candidates of his or her decision and they may accept or dispute the decision. Despite the dispute by party agents or candidates, the decision of the counting officer stands.

However, if a party agent is not in agreement with the decision of the counting officer on an objection to counting at a voting station, the complainant may lodge a section 65 objection to the Commission if the complainant is of the view that the matter is material to the results of the election.

# EXAMPLES Rejected Ballots

**1. Choice of voter is not clear.**

Better Future Party	<input checked="" type="checkbox"/>	BFP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Sunrise Party	<input type="checkbox"/>	TSP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The New Day Party	<input type="checkbox"/>	NDP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clear Vision Party	<input type="checkbox"/>	CVP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consensus Party	<input type="checkbox"/>	CP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**2. Choice of voter is not clear.**

Better Future Party	<input checked="" type="checkbox"/>	BFP	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The Sunrise Party	<input type="checkbox"/>	TSP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The New Day Party	<input type="checkbox"/>	NDP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clear Vision Party	<input type="checkbox"/>	CVP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consensus Party	<input type="checkbox"/>	CP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**3. Choice of voter is not clear.**

hok nice

Better Future Party	<input checked="" type="checkbox"/>	BFP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Sunrise Party	<input type="checkbox"/>	TSP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The New Day Party	<input type="checkbox"/>	NDP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clear Vision Party	<input type="checkbox"/>	CVP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consensus Party	<input type="checkbox"/>	CP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**4. Choice of voter is not clear.**

Better Future Party	<input checked="" type="checkbox"/>	BFP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Sunrise Party	<input type="checkbox"/>	TSP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The New Day Party	<input type="checkbox"/>	NDP	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Clear Vision Party	<input type="checkbox"/>	CVP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consensus Party	<input type="checkbox"/>	CP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**5. More than one mark on the ballot. Choice of voter is not clear.**

Better Future Party	<input checked="" type="checkbox"/>	BFP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Sunrise Party	<input type="checkbox"/>	TSP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The New Day Party	<input type="checkbox"/>	NDP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Clear Vision Party	<input type="checkbox"/>	CVP	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consensus Party	<input type="checkbox"/>	CP	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**7. A mark for two different parties (other than a cross). Choice of voter is not clear.**

Better Future Party	<input checked="" type="checkbox"/>	BFP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Sunrise Party	<input type="checkbox"/>	TSP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The New Day Party	<input type="checkbox"/>	NDP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clear Vision Party	<input type="checkbox"/>	CVP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consensus Party	<input type="checkbox"/>	CP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Better Future Party	<input checked="" type="checkbox"/>	BFP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Sunrise Party	<input type="checkbox"/>	TSP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The New Day Party	<input type="checkbox"/>	NDP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clear Vision Party	<input type="checkbox"/>	CVP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Consensus Party	<input type="checkbox"/>	CP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENSURING FREE AND FAIR ELECTIONS SOUTH AFRICA

Example of rejected ballots

# EXAMPLES: Valid Ballots

**1. Choice of voter is clear.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	
Clear Vision Party	👁	CVP	✓
Consensus Party	👉	CP	

**2. Choice of voter is clear.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	✗
The New Day Party	☘	NDP	
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	

**3. Choice of voter is clear.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	✗

**4. Choice of voter is clear.**

Better Future Party	☺	BFP	✗
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	

**5. Only one mark for one specific party. Choice of voter is clear.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	✗

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

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	

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

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	✗
Clear Vision Party	👁	CVP	✗
Consensus Party	👉	CP	✗

**8. Mark other than cross is made for one party. Choice of voter is clear as no other such mark appears.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	

**9. Mark other than cross is made only for one party. Choice of voter is clear as no other such mark appears.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	

**10. Choice of voter is clear.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	

**11. Choice of voter is seen as clear where lines cross inside the box.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	✗
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	

**12. Choice of voter is clearly shown by any mark.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	5
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	

**13. Choice of voter is clear.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	✗
Clear Vision Party	👁	CVP	
Consensus Party	👉	CP	

**14. Choice of voter is clear.**

Better Future Party	☺	BFP	
The Sunrise Party	☀	TSP	
The New Day Party	☘	NDP	
Clear Vision Party	👁	CVP	✗
Consensus Party	👉	CP	

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

~ Louis L'Amour



ENSURING FREE AND FAIR ELECTIONS

SOUTH AFRICA

Example of valid ballots

## 7.10 Activities that are restricted on Election Day

It is in the interest of free and fair elections that contesting parties should be allowed to continue with lawful and legitimate election-related activities immediately outside voting stations. However, voters must not feel intimidated by certain activities in the proximity of the entrances to the voting stations they are obliged to use when proceeding to cast their votes in elections.

The Municipal Electoral Act therefore restricts certain activities on Election Day.

- On Election Day, no person is allowed to:
- hold or take part in any political meeting, march, demonstration or other political event;
  - engage in any political activity, other than casting a vote, in the area within the boundary of a voting station; or

- print, publish or distribute the result of any exit poll taken in that election during the prescribed voting hours.

Furthermore, political parties may not place items such as tents, tables or caravans in a way that blocks voters from free and direct access to the voting station.

The presiding officer can:

- instruct a party to move their facilities and get help from a security officer to achieve this; and
- resolve disputes between parties about where to place their facilities.

Anyone disobeying a presiding officer or a security officer can be fined or imprisoned for up to one year.



# YOUR TOMORROW IS IN YOUR HANDS

Your hands are always sending a message to the world, whether through a tune or a text, or a big thumbs up. On 3 August, use them to send a message about the future you want, by voting in the Municipal Elections.

**GO VOTE**

**3 AUGUST 2016 | 7AM-7PM**

**MUNICIPAL  
ELECTIONS  
2016**



Print advert encouraging South African youth to vote in the 2016 Municipal Elections

# Post-election period

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## 8.1 Results process

The tabulation of results takes place at the voting station. Provisional results for each voting station are displayed outside the voting station when counting is finished. The results from each voting station are also sent to the municipal offices of the Electoral Commission, where they are verified and scanned, captured and transmitted to the Commission’s central results system.

The dual scan-capture feature of this system makes the image of the original results slip available, together with the captured result. Moreover, the capturing entails a double-blind process and validations, and is audited by independent auditors.

The overall election results will be worked out at centralised ROCs under the control of the Electoral Commission: one national ROC based in Pretoria and one provincial ROC in each province.

Where exceptions are raised by the results system – for example, with an exceptionally high or low voter turnout – a team at the national ROC checks the exceptions and, if necessary, takes steps to resolve the matter.

The Electoral Commission also invites accredited observers, party/independent candidate agents and party representatives to these ROCs to check that everything is done correctly and fairly.

Only the Electoral Commission has the legal authority to announce election results. This is to ensure that all objections are addressed by the Electoral Commission prior to the announcement of the final result. The Electoral Commission will then determine the seat calculation and seat allocation, and announce the election results within seven days.

## 8.2 Objections and appeals

Throughout the voting and counting process, any voter, party agent or ward candidate can lodge an objection to any alleged irregularity at a voting station that could affect the results, and a record is kept of these objections.

During voting, voters, party agents and ward candidates can object to the following:

- A voter being allowed to vote, or being allowed to vote at a particular voting station
- A voter being given too many or insufficient ballot papers
- A voter being refused a ballot paper
- The conduct of a voting officer, party agent or any other person.

During counting, a party agent or candidate may object to any decision made by the counting officer with regard to the following counting processes:

Example of results slip

- The verification procedure
- The sorting of ballot papers
- The counting of votes and the determination of the results.

The counting officer or deputy counting officer will handle objections related to counting at a counting station. He or she must ensure that the objection forms (MEC13 and MEC15) are readily available to provide to party agents/candidates to complete each time objections are raised, and keep a record of all objections raised and the decisions that were made.

However, if a party agent is not in agreement with the decision of the counting officer on an objection to voting or counting at a voting station, the complainant may lodge a section 65 objection to the Commission if the complainant is of the view that the matter is material to the results of the election. Such objections directed for the attention of the Commission must be lodged before 17:00 on the second day after voting takes place (usually the Friday after Election Day).

These objections, which are viewed as being material to the election results, are dealt with directly by the Commission, which will investigate any such objection, request evidence in doing so, and make a decision. The Commission must make a decision on the objection within three days of receiving it.

Any person not satisfied with that decision can appeal to the Electoral Court. The Electoral Court is a specialised court with the status of a High Court and has jurisdiction over all electoral disputes and breaches of the Electoral Code of Conduct. This court is easily accessible and has a speedy process for dealing with matters brought before it.

### 8.3 Declaration of results

After all objections have been dealt with, the Electoral Commission must announce the final results and seat allocation for metropolitan and local councils within seven days of Election Day. In practice, election results usually become available within about three days of Election Day.

The Electoral Commission must then inaugurate district councils within 14 days after Election Day. Local councils nominate 60% of the councillors to represent them in the district councils. Some 40% of the councillors in the district council are elected directly by voters on Election Day.

### 8.4 Calculation and allocation of seats

Once the results have been announced and published, the allocation of seats takes place for metropolitan, local and district council elections.

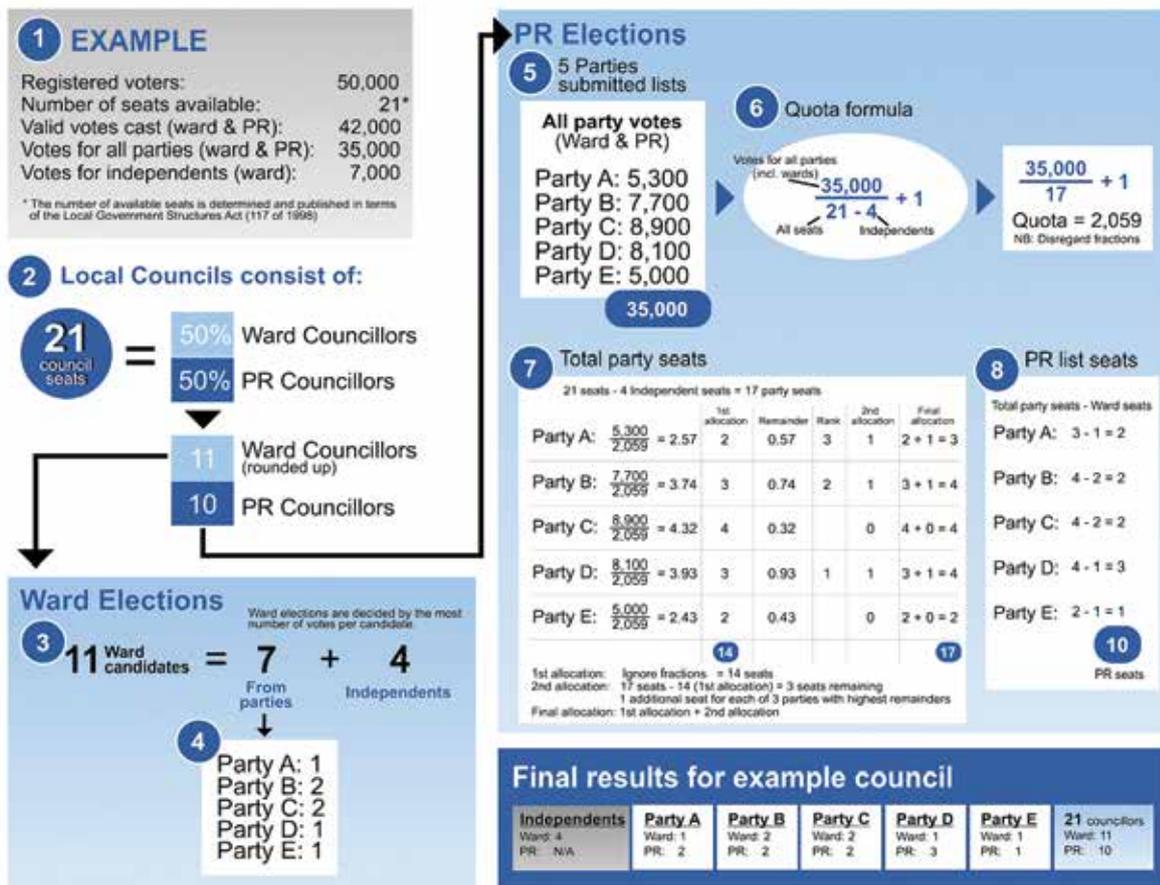
#### Metropolitan and local councils

In metropolitan and local councils, half of the council seats are allocated to directly elected ward councillors (as indicated on the ward ballot paper), and the other half are allocated to political parties on the basis of the results of the PR ballot papers.

The ward councillors are elected first. The remaining seats are then allocated to political parties based on proportional representation. The PR allocation takes into account how many ward seats a party has already won to make sure that the final number of seats a party has does not exceed the percentage of the vote they won. So, for example, if a party won 50% of the wards and 50% of the PR votes, that party will not receive any proportional seats.

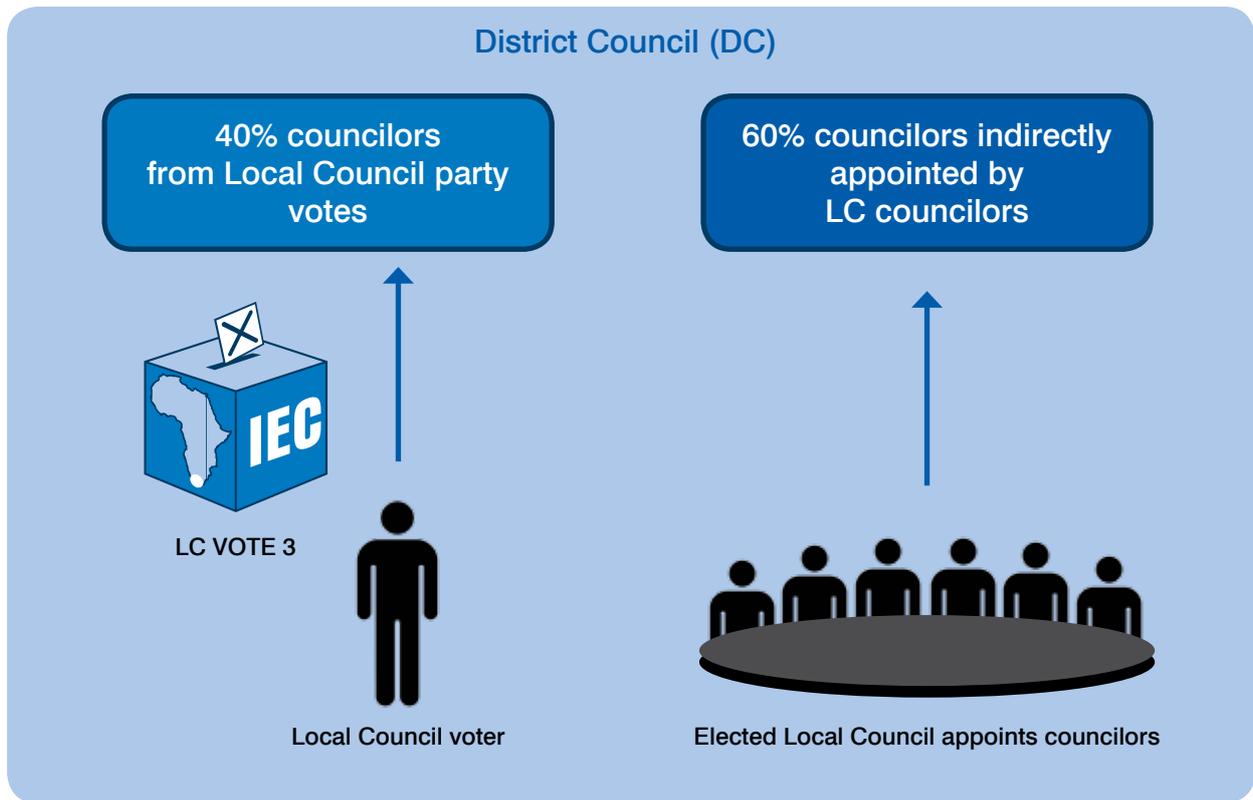
#### District councils

For district councils 40% of the seats are directly elected by voters on Election Day on the party list ballot for the district council. Some 60% of district council seats are appointed by local council representatives to represent the local council on the district council. For example, if a local municipality is given five seats on the district council and Party A gained 60% of the seats on the local council, then Party A's councillors should fill three of the five seats. The other two seats should be allocated to other parties according to the number of votes received. This needs to occur at the first meeting of the newly elected local council within 14 days of Election Day.



The calculations for seat allocation are described in Schedule 1 of the Local Government Structures Act (117 of 1998)

Seat allocation for metropolitan and local councils



*Seat allocation for district councils*

# Observers

9

## 9.1 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](http://www.elections.org.za). Alternatively, the application forms can be obtained from Mbalu Duma at +27 (0)12 622 5875.

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](http://www.elections.org.za).

Any person appointed as an accredited 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.

## 9.2 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 Organisation of African Unity (OAU) 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.

Observers may do the following:

- Observe the voting process at voting stations
- Observe the counting of votes at a voting station
- Observe the final counting, determination and declaration of the final results by the Commission
- Present themselves 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.

### Certificate of Accreditation as an Observer

This is to certify that

**XXX**

Has, in terms of section 86 of the Electoral Act, 1998, been accredited for one year to observe an election on condition that the Code for Accredited Observers is adhered to at all times.

Signed:	Date of issue:
.....	8 JUNE 2016
<b>Chief Electoral Officer</b>	

ELECTORAL COMMISSION  
ENSURING FREE AND FAIR ELECTIONS  
SOUTH AFRICA



Accreditation certificate

## 9.3 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.

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.

## 9.4 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
  - 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.

## 9.5 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 suspend the accreditation after giving reasonable notice of cancellation to that person. A hearing may be called by the Commission and an appropriate decision taken after consideration of all the facts.

## 9.6 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.

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 pens with them;
- keep a record of where they observed and what they observed; and
- make sure they have their identification apparel and letter of authority with them when visiting:
  - Voting stations
  - Counting stations
  - Result centres
  - Electoral Commission offices.

# Appendices

# Appendix A: Summary of key election players

## 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 before 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.

## 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.

## 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.

## 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.

## Party (and independent ward candidate) 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. In some cities where there are many voters at a voting station, the Electoral Commission can set up different queues (called 'streams') of voters at a voting station in different rooms of a bigger voting centre. Parties and independent candidates can then have agents for each stream. 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.

## 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.

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

AM	Area Manager
CEO	Chief Electoral Officer
CO	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
LGE	Local Government Elections
MEA	Municipal Electoral Act 27 of 2000 and Regulations
MEO	Municipal Electoral Office
PEO	Provincial Electoral Office
PO	Presiding Officer
RS	Regional Supervisor
TIC	Temporary Identity Certificate
VC	Voting Centre
VD	Voting District
VRO	Voters' Roll Officer
VS	Voting Station

# 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

- (1) 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.
- (2) 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.

# Appendix D: Code of Conduct for Observers

1. 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 Commission;
    - (b) the degree of freedom of political parties to organise, move, assemble and express their views publicly;
    - (c) the opportunity for 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:
    - (a) the Commission;
    - (b) any electoral officer;
    - (c) any employee or officer of the Commission; or
    - (d) a member of the security services acting on the instructions of an officer.
2. The accredited observer and any person appointed 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.

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

## National Office

Election House  
Riverside Office Park  
1303 Heuwel Avenue  
Centurion  
Tel: 012 622 5700  
Fax: 012 622 5784

## Provincial offices

### Eastern Cape

Provincial Electoral Officer: Mr Thami Mraji  
MrajiT@elections.org.za  
Tel: 043 709 4200

### Free State

Provincial Electoral Officer: Mr Jabulani Tshabalala  
tshabalalaj@elections.org.za  
Tel: 051 401 5000

### Gauteng

Provincial Electoral Officer: Mr Masego Sheburi  
sheburim@elections.org.za  
Tel: 011 644 7400

### KwaZulu-Natal

Provincial Electoral Officer: Mr Mawethu Mosery  
MoseryM@elections.org.za  
Tel: 031 279 2200

### Limpopo

Provincial Electoral Officer: Ms Nkaro Mateta  
MatetaN@elections.org.za  
Tel: 015 283 9100

### Mpumalanga

Provincial Electoral Officer: Mr Steve Ngwenya  
NgwenyaS@elections.org.za  
Tel: 013 762 0640

### Northern Cape

Provincial Electoral Officer: Mr Bonolo Modise  
ModiseB@elections.org.za  
Tel: 053 838 5000

### North West

Provincial Electoral Officer: Dr Tumi Thiba  
ThibaT@elections.org.za  
Tel: 018 391 0800

### Western Cape

Provincial Electoral Officer: Rev. Courtney Sampson  
SampsonC@elections.org.za  
Tel: 021 910 5700

## You can also find the Electoral Commission on:

- Website: [www.elections.org.za](http://www.elections.org.za)
- Call centre: 0800 11 8000
- Facebook: [www.facebook.com/IECSouthAfrica](http://www.facebook.com/IECSouthAfrica)
- Twitter: @IECSouthAfrica
- YouTube: [www.youtube.com/user/IECSouthAfrica](http://www.youtube.com/user/IECSouthAfrica)
- Instagram: [www.instagram.com/iecsouthafrica](http://www.instagram.com/iecsouthafrica)

## Join the Twitter conversation:

- #2016MunicipalElections

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

## 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.

## 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 the car rental company at hand in case you get stranded.



Electoral Commission  
of South Africa

ELECTION HOUSE  
Riverside Office Park  
1303 Heuwel Avenue  
Centurion, 0157  
Private Bag X112  
Centurion, 0046  
South Africa

Contact centre: 0800 11 8000  
Tel: 012 622 5700

Email: [iec@elections.org.za](mailto:iec@elections.org.za)

Website: [www.elections.org.za](http://www.elections.org.za)



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