



# Xsê BE YOURSELF

## PREPARATIONS FOR 2019 NATIONAL AND PROVINCIAL ELECTIONS

**South African National Editors' Forum**  
**27 FEBRUARY 2019**  
**Media 24 Kingsway Avenue**  
**Auckland Park**



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# Context 2019 NPE

- Highly contested elections
- Increasingly litigious environment
- Increase in service delivery protests
- Governance and financial weaknesses in some municipalities
- Rise in intra-and inter-party conflict
- Increase in political assassinations
- Tenuous coalition and governance arrangements
- Negative economic outlook
- Perceptions of unequal service
- Mismanagement and corruption

# MANDATE: ELECTORAL COMMISSION

In terms of section 190 of the Constitution of the RSA, the Electoral Commission is mandated to:

- manage elections of national, provincial and municipal legislative bodies in accordance with national legislation;
- ensure such elections are free and fair; and
- declare the results of those elections.



# SOUTH AFRICA'S ELECTIONS TO DATE

- **5 National and Provincial Elections:**

1994

1999

2004

2009

2014

- **4 Municipal Elections:**

2000

2006

2011

2016

- **+/- 120 by-elections per year**

- **Next elections:**

**SA's 6<sup>th</sup> National and Provincial Elections to be held in May 2019**



# Provisional Timelines

## KEY PROVISIONAL MILESTONES FOR NPE 2019

- 1<sup>st</sup> Voter Registration Weekend and Address Harvesting: **10 – 11 March 2018**
- Registration of prisoners/inmates scheduled for **22-23 January 2019**
- Final Voter Registration Weekend: **26-27 January**
- Overseas registration: **1- 4 February 2019**
- Special voter registration drives for students undertaken on campuses **7 – 22 February 2019**
- **26 February 2019:** Proclamation of election date by President and Premiers and publication of election timetable
- **March - April 2019:** Candidate nominations.
- **6-7 May 2019:** Special Votes by pre application
- **8 May 2019:** Election Day.
- Prisoner votes and voting by citizens abroad

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## Election Timetable

- Proclamation of date of election to be determined by President & Premiers
- Thereafter, Electoral Commission will consult with political parties on NPLC & then publish an election timetable showing key activities & dates pertaining:
  - Publication of inspection voters' roll
  - List of addresses of voting stations & mobile voting stations
  - Candidate nomination activities
  - Certification of voters' roll
  - Special vote application dates – abroad & inside RSA
  - Special voting dates: 6<sup>th</sup> to 7<sup>th</sup> May 2019
  - Election date of 8 May 2019



# Why partner with the media?

- Maximise knowledge and awareness on the electoral processes;
- Maximise voter turnout;
- Create awareness during voting;
- Ensuring that all stakeholders are adequately informed on all aspects of the electoral process throughout the electoral cycle;
- Publicise official results.

# Who Votes In SA?

**Who:** South African Citizens in possession of a green bar coded SA Identity Document/ Smart ID Card or valid TIC.

18 years and older.

Registered to vote and appear on the certified segment of the Voters' Roll.

**When: 8<sup>th</sup> May 2019**

7:00 to 21:00 on election day

- **Where:** At the voting station for the voting district where you live and have registered. To find it:
  - Call 0800 11 8000 (7am to 9pm)
  - SMS ID number to 32810
  - Voting station finder app on elections.org.za
  - USSD string (\*120\*IEC#)
- **How:** Must be registered at the voting station and bring valid ID

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# LEGISLATIVE AMENDMENTS

- Electoral Laws Amendment Act has been assent on the 21<sup>st</sup> Jan 2019 by the President- Act 1 of 2019
- The key elements of the amendments include:
  - **Addresses:** To provide for the use of all available sources of data to obtain information necessary for the Commission to compile and maintain the national common voters' roll
  - **Electronic submissions:** To provide for the electronic submission of party registration applications

# LEGISLATIVE AMENDMENTS

- The key elements of the amendments include:
  - **Internal party disputes:** To provide for the exclusive jurisdiction of the Electoral Court to adjudicate intra-party leadership disputes that have an impact on the Commission's preparation for elections
  - **IEC brand:** To provide for the prohibition of the use of the name and its acronym, logo, designs or electoral material used or owned by the Commission

# LEGISLATIVE AMENDMENTS

- **Voters' roll:**

- To revise the existing provisions relating to voter registration, voters' roll, voting districts and voting procedure
- To regulate the publication of, and objections to, a provisionally compiled voters' roll ahead of elections in order to establish a structured process for resolving these objections without jeopardising the preparations for elections

# LEGISLATIVE AMENDMENTS

- To provide for the circumstances under which a party agent may object to a voter whose name appears on the segment of the voters' roll for the voting district in which the voting station is located
- **Candidate lists:**
  - To provide for the chief electoral officer to notify the relevant parties where a candidate's name appears on multiple party lists and to afford such parties an opportunity to substitute that candidate and re-order their party lists

# Voter Turnout (NPE)

Election	Registered voters	Votes cast	Voter turnout
1999	18.17 million	16.22 million	89.3%
2004	20.67 million	15.86 million	76.73%
2009	23.18 million	17.91 million	77.3%
2014	25.38 million	18.65 million	73.48%



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# Electoral System

- NPEs – elections for one National Assembly and nine Provincial Legislatures. All ten elections occur on one day
- Vote for political parties on a proportional representation (PR) basis
- Political parties submit lists of candidates (no independent candidates)
- Do not vote for individual candidates in NPEs, only political parties

## **NPEs are less complex than LGEs:**

- LGEs use mix of ward election (first-past-the-post) and proportional representation (PR) election
- There are 10 elections in NPEs, compared to some 4 555 elections in last LGE
- No ward elections in NPEs



# Special voting

- Special voting in **NPEs** – both *inside & outside* of RSA
- Special voting in **LGEs** – only *inside* of RSA
- Special voting outside of RSA:
  - Voter registration outside of RSA at foreign missions
  - All registered voters to vote in national elections only (not provincial elections) from RSA foreign missions abroad
- **Special voting inside of RSA – home visit & voting station visit**
  - allow home visits for physically infirm, disabled, pregnant;
  - election officials, security personnel & any other registered voter who cannot vote on voting day to cast special vote at voting station two days prior to voting day in VD where registered to vote
  - Need to apply on [www.elections.org.za](http://www.elections.org.za) or via SMS or at municipal IEC office on stipulated dates

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# Voting

- Voting date already announced but still to be proclaimed by the President
- Voters vote in person at the voting station serving VD where voters applied to register to vote
- To vote, a voter must:
  - Be registered to vote
  - Have their green bar-coded identity doc or TIC or smartcard
  - Vote in person at voting station
- Voters voting inside RSA will receive a national ballot paper & a provincial ballot paper. Vote for political party of their choice (not individual ward candidate as in LGEs)
- Prisoners allowed to vote in NPEs – not in LGEs

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# Media at the Voting Station

- Upon entering the Voting Station, Media representatives should make contact with the Presiding Officer.
- Media representatives with the consent of the Presiding Officer will not need formal accreditation to gain access to Voting Stations.
- They will, however, be required to identify themselves clearly as members of the media by **presenting a valid press card or letter from their editor** (on the organisation's letterhead in addition to an ID or passport).
- Members of the media are allowed to take photographs, provided that the **secrecy of the ballot is not compromised** and **with the consent of the voter**.

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# Prohibition on publication of exit polls



## Section 109 of the Electoral Act, No 73 of 1998

During the prescribed hours for an election, no person may print, publish or distribute the result of any exit poll taken in that election.



- The media may not conduct any interviews within the boundaries of a Voting Station.
- All media enquiries should be directed to the IEC local office.

# Counting of Votes

- Counting occurs immediately after voting
- Counting is witnessed by agents and observers
- Party agents co-sign results slips at each voting station
- Results slips posted on door of voting station and captured centrally
- Independent auditors monitor and verify entire process (international auditing firm)
- Parties and observers can compare voting station slip results with results captured centrally



# Results

- Electoral Commission must determine & declare the results within seven days, but not before 21:00 on the second day after voting or before all objections received in terms of section 55 have been resolved
- One results slip completed for each election at each VD; & signed by political party agents
- Recording of results into computer system at IEC municipal offices
- Results slips scanned for national & provincial IEC officials & political party reps at results centres to check scanned image against recorded election results
- External auditors contracted to verify correct recording of results
- Automated quality controls of recorded results
- Results publicly available at results centres & to media

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# Objections

- Allowed during voting & counting
- Resolved by presiding officer
- Decision of presiding officer can be appealed to Electoral Commission
- Objection to registered voter without address on voters' roll being eligible to provincial ballot based on address provided on voting day by voter being outside of province of registration
- Presiding officer cannot decide on such objections – must be decided by Electoral Commission
- Objections 'material to results' (section 55):
  - In by 21h00 on 2<sup>nd</sup> day after voting
  - Follow specified requirements in Electoral Act
- Electoral Commission required to resolve in two days after voting
- Electoral Court may be approached to appeal decision of Commission

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# Election Code of Conduct

Electoral Code of Conduct details a list of prohibited conduct including:

- Using language which provokes violence
- Publishing false information about other candidates or parties
- Plagiarising any other party's symbols, name or acronyms
- Generally abusing a position of power, privilege or influence to influence the outcome of an election.

Any person who breaches the Code is guilty of a criminal offence and can be fined or sent to prison for up to 10 years.

Political parties that breach the Code can:

- be fined up to R200 000
- have to give up the party's election deposit
- be stopped from working in an area
- have their votes in an area cancelled
- can have their party registration cancelled

# Role of Media

- Every registered party and candidate must:
  - Respect the role of the Media and not prevent their access to public political meetings, rallies, etc;
  - And must take reasonable steps to ensure journalists are not subjected to intimidation, harassment, threats or physical assault by their members and supporters.

# Accreditation of Media: National/Provincial Operations Centres

- IEC to issue an invitation to all media houses to apply for accreditation
- On-line Accreditation system
- Dual Accreditation
- Vetting System
- Approval of Accreditation

# Security Considerations

- Work with security agencies to safeguard the electoral process.
  - Anticipate hotspots and no go areas
  - Static deployment and response capacity of SAPS
  - Escort of security sensitive material by SAPS and Municipal Police
  - Safeguard MEO offices especially during candidate nomination and result collation
  - Training of SAPS Members to assist during Election Day

# Key Risks Ahead of NPE 2019

- **Resources**

- The current fiscal constraints present challenges in available resources – especially for additional areas of responsibility (including address sourcing and implementation of party funding legislation).
- The increasing use of litigation to resolve electoral disputes is placing an additional burden on resources.
- Fragile coalitions in a number of municipal councils has led to an increase in the number of by-elections and dissolved councils which further divert resources from the general elections.

# Key Risks Ahead OF NPE 2019

- **Voters' roll (addresses)**
  - The address matter on the voters' roll
- **Cyber threats**
  - Cyber-attacks on elections have increased significantly in recent years. This includes:
    - direct attacks on electoral systems to attempt to manipulate the process or to simply undermine trust in the process; and
    - the use of social media platforms (especially fake news) in an attempt to influence the outcome of elections.

# Key Risks Ahead of NPE 2019

- **Protest actions**

- On-going service delivery, political and community protests throughout the country pose a significant risk to smooth and safe registration and election activities.
- Current protests are increasingly violent and intended to cause maximum disruption.
- The high-profile nature of the elections may be used to draw attention to the grievances of citizens and communities.



THANK YOU

