

# SAPS SECURITY TRAINING GUIDE (TOT)

## NPE 2014



2014 ELECTIONS



20 YEARS OF DEMOCRACY



SOUTH AFRICA

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### Acknowledgements

The Training and Staff Development unit of the Electoral Commission has written this guide for various officers who will form part of the election process and other stakeholders. This material has been a collective input of election administrators from across the country and over many years. As such, this guide will always be subject to improvement, as we receive new insights from the field.

Acknowledgements should therefore go to all those who contributed on improving this guide and training of electoral staff over the years. Any suggestions for future improvement must kindly be submitted to:

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### List of Acronyms

1	DHA	Department of Home Affairs
2	ID	Identity Document
3	PEO	Provincial Electoral Officer
4	TIC	Temporary Identity Certificate
5	VD	Voting District
6	VS	Voting Station
7	EPC	Electoral Project Coordinator
8	RS	Regional Supervisor
9	PO	Presiding Officer
10	DPO	Deputy Presiding Officer
11	VRO	Voters' Roll Officer
12	UBT	Universal Ballot Template

## FOREWORD

On behalf of the Electoral Commission we wish to thank you for your contribution to serve as an election officer/ stakeholder in the elections. Your commitment to the democratic process and your service to the nation are deeply appreciated.

The right to vote is a constitutional right that is bestowed on every citizen of the Republic of South Africa by the 1996 Constitution. It is the responsibility of every citizen to ensure that he/she exercises the right to vote, to ensure that they determine how their country is run. Elections are a cornerstone of democracy, as it gives people the right to choose who should govern them.

As an election officer/ stakeholder, you are charged with very important responsibilities. The way in which you carry out your duties will influence the confidence of voters, candidates and political parties in the integrity of the electoral process. Each election officer/ stakeholder has a role to play in ensuring a free, fair and credible process, and therefore in protecting the right of every registered South African citizen to participate in the elections. To play this role effectively, election officers/ stakeholders need to become familiar with the electoral laws, regulations and procedures so that they can competently carry out their tasks.

This training guide has been designed to give you the guidance you need about the election procedures, as well as your role as an election officer/ stakeholder. We believe that you will find this guide informative enough to answer questions you may have with regard to the execution of your duties. We further urge you to read the relevant electoral legislation to ensure that you are well informed about the details of the election process.

We therefore, once again, thank you for your service and wish you all the best for voting day. We hope that you will learn a great deal through this guide and that what you've learnt, makes your service to the electoral process much more rewarding.



The following icons are meant to direct the user



## OBJECTIVES OF THE GUIDE

This Security Guide is intended to clarify issues relating to security during the elections for both IEC personnel as well as the security forces. It will underline roles and responsibilities and will address the following questions:

- Who are the IEC role players in election?
- Who are the security forces/ personnel / role players in an election?
- The different tasks that the IEC staff and security forces perform in an election?

## MANDATE OF THE ELECTORAL COMMISSION

The Electoral Commission is an independent institution which is subject only to the Constitution and the law. It has been established in terms of the Electoral Commission Act 51 of 1996. Amongst other functions, it must manage elections, ensure that every election is free and fair, and promote conditions that are conducive to free and fair elections. It is in this light that the Electoral Commission has appointed you as the Presiding Officer to help to deliver this huge responsibility entrusted to it by the Constitution of the Republic of South Africa.

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

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



### Vision 2018 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*
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- *Transparency*
- *Participation*
- *Responsiveness*
- *Respect*



# Code of Ethics and Customer Service Pledge

FOR ELECTORAL STAFF

## PURPOSE OF THIS CODE

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

## THE FOUR ETHICAL PRINCIPLES

### PRINCIPLE 1: RESPECT FOR THE RIGHTS AND DIGNITY 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.
- No 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 and medical condition will be given first 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.

ENSURING FREE AND FAIR ELECTIONS

ELECTORAL COMMISSION  
SOUTH AFRICA



## Learning Outcomes

At the end of this unit, participants should be able to:

- 1) Understand the vision and mission of the Electoral Commission.
- 2) Understand the mandate and functions of the Electoral Commission.
- 3) Understand the legislative framework that governs the Electoral Commission
- 4) Understand the operations of the Electoral Commission.

## 1.1. INTRODUCTION

The Electoral Commission was established in terms of Chapter 9 of the Constitution of the Republic of South Africa to support constitutional democracy in the country. The main objective of the Commission is to: "strengthen constitutional democracy and promote electoral processes."

## 1.1.1. Vision

To be a pre-eminent leader in electoral democracy.

## 1.1.2. Mission

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



## 1.1.3. Vision 2018

The Electoral Commission views its mandate to the electorate in a very responsible and serious light, hence the introduction of Vision 2018. This document reaffirms the Vision: "To be a pre-eminent leader in electoral democracy".

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

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

### Vision 2018 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*

#### 1.1.4. Mandate: What governs us?

 In terms of section 103 of the Constitution of the Republic of South Africa, 1996, the Electoral Commission has to:

- i. Manage elections of national, provincial and municipal legislative bodies in accordance with the national legislation
- ii. Ensure that those elections are free and fair
- iii. Declare the results of those elections within a period that must be prescribed by national legislation and that is as short as reasonably possible.

 In terms of section 104 of the Constitution of the Republic of South Africa, 1996, the Electoral Commission and describes its powers, duties and functions. These include, among others:

- i. Compile and maintain a national common voters' roll by means of a system of registering eligible voters by utilising data available from government sources and information furnished by voters
- ii. Compile and maintain a register of political parties
- iii. Undertake and promote research into electoral matters
- iv. Develop and promote the development of electoral expertise and technology in all spheres of government
- v. Continuously review electoral legislation and proposed electoral legislation, and to make recommendations in connection therewith
- vi. Promote voter education
- vii. Declare the results of elections for national, provincial and municipal legislative bodies within seven days after such elections
- viii. Appoint appropriate public administrators in any sphere of government to conduct elections when necessary.

#### Legislative framework

There are a number of Acts and Regulations that are relevant to the Electoral Commission, such as the Constitution of the Republic of South Africa, the Electoral Commission Act, the Electoral Act and the Local Government Electoral Act. In addition to these Acts there are also regulations that provide guidelines on the execution of the Electoral Commission's mandate and functions. It is therefore important that you know the key chapters and sections of these documents so that you can be effective in the management of elections.

#### The distinction between an Act and a Regulation

An **Act** is a law enacted as primary legislation by Parliament. Before it is passed it becomes a "Bill". Once it is passed and signed by the President, it becomes an "Act".

A **regulation** will prescribe how the legislation must be implemented. A regulation does not have to go through the same process of an Act namely the drafting of a White Paper, a Bill and the parliamentary process. It is simply proclaimed / regulated by publishing it in the Government Gazette by either a responsible Minister or constitutional bodies.

**EXAMPLE:** Chapter 2 of the Electoral Act provides us with, the requirements for registration, the compilation of the voters' roll and objections.



The Regulations Concerning the Registration of Voters prescribe;

HOW we should go about the registration and objection process?

## 1.2. ACTS AND REGULATIONS THAT GOVERN ELECTIONS IN SOUTH AFRICA



The Electoral Commission Act, 1996

The Electoral Commission is a Chapter 9 institution that is tasked with strengthening constitutional democracy in accordance with the provision of section 181 of the Constitution of the Republic of South Africa, 1996.



The Electoral Commission Act, 1996

These make provision for the establishment and composition of an Electoral Commission to manage elections for national, provincial and local legislative bodies and referenda; the establishment, composition, powers, duties and functions of an Electoral Court; and provide for matters in connection therewith.

The objects of the Commission, as defined in section 4 of the Electoral Commission Act, 1996, are to strengthen constitutional democracy and promote democratic electoral processes. The duties and functions of the Electoral Commission are further defined in section 5 of the Electoral Commission Act, 1996. These include to:

ARCHIVE FOR JUSTICE

- i. Manage any election;
- ii. Ensure that any election is free and fair;
- iii. Promote conditions conducive to free and fair elections;
- iv. Promote knowledge of sound and democratic electoral processes;
- v. Compile and maintain a voters' roll by means of a system of registering eligible voters by utilising data available from government sources and information furnished by voters; Compile and maintain a register of parties;
- vi. Establish and maintain liaison and co-operation with parties;
- vii. Undertake and promote research into electoral matters;
- viii. Develop and promote the development of electoral expertise and technology in all spheres of government;
- ix. Continuously review electoral legislation and proposed electoral legislation, and to make recommendations in connection therewith;
- x. Promote voter education;
- xi. Promote co-operation with and between persons, institutions, governments and administrations for the achievement of its objects;
- xii. Declare the results of elections for national, provincial and municipal legislative bodies within seven days after such elections;
- xiii. Adjudicate disputes which may arise from the organisation, administration or conducting of elections and which are of an administrative nature; and
- xiv. Appoint appropriate public administrators in any sphere of government to conduct elections when necessary. Section 2 of the Electoral Commission Act, 1996, includes the holding of a referendum as one of the mandates of the Commission.



### Electoral Act, 1998

The Electoral Act is much like an instruction manual for elections. It deals in detail with everything from what is required to register as a voter, to the sealing of ballot boxes. It outlines topics, such as the election timetable, the administration of elections, procedures for voting, counting and determining results, the accreditation of observers and voter educators and formulae for determining the composition of the national and provincial legislatures.

### The Regulations

- i. Election Regulations, 2004.
- ii. Regulations Concerning the Submission of Candidate Lists, 2004.
- iii. Regulations Concerning the Registration of Voters, 1998.
- iv. Regulations on the Accreditation of Observers, 1999.
- v. Regulations on the Accreditation of Voter Education Providers, 1998.

## 1.3. ELECTORAL OPERATIONS

### 1.3.1. Delimitation and Voting Station Identification

Delimitation is the process of drawing boundaries of voting districts. A cluster of VDs makes up a ward and a cluster of wards makes up a municipality. Each VD is assigned a voting station. Delimitation could therefore be described as the redrawing of VD boundaries in order to ensure that the population is equitably spread across voting districts to ensure ease of the administration of electoral processes and ease of access to voting stations by voters. Delimitation of voting district considers a variety of factors, such as traditional boundaries, physical characteristics of the region (geophysical features), socio-political context, distance and the number of people registered in each VD. Such factors also have a bearing on the threshold of voters per voting district.

### 1.3.2. Voter Registration

Voter registration is a process of including eligible voters in the voters' roll. Registered voters will be able to vote in national and provincial elections, local government elections, as well as by-elections. South Africa has a continuous voters' roll which means that a voter only has to register once, if his or her details remain unchanged. Should a voter's address change or, if the wards and / or voting district boundaries have been changed, then he or she would be required to re-register.

The physical address an applicant provides, determines the segment of the voters' roll their name will appear under. Providing a false address in this instance is a criminal offense.

The following conditions must be met for successful registration: The applicant must:

- i. Be a South African citizen.
- ii. Be at least 16 years old.
- iii. Have a green bar-coded ID, smart card or a valid Temporary Identification Certificate (TIC).

- iv. Apply in person at a place determined by the Chief Electoral Officer.

**NB** A person can only vote after they have registered.

1. The registration of voters is an on-going process which can be done at the local IEC office, every day from Monday to Friday, during office hours or;
2. During publicised registration weekends by IEC. The opening hours of the registration station will be determined by the Commission.
3. The Commission also conducts Targeted Communication and Registration (TCR) to advise voters whose voting district boundaries were affected by re-delimitation processes to ensure they re-register against a correct voting district.
4. Voters can check their registration status through:
  - IEC WEBSITE <http://www.elections.org.za>
  - SMS ID number to 32810
  - Toll-free phone call from a landline to the IEC call centre (0800 11 8000) - only available during specific periods announced by the Commission
  - [www.facebook.com/IECSouthAfrica](http://www.facebook.com/IECSouthAfrica)
  - @IECSouthAfrica



### 1.3.3. Proclamation of Elections

Proclamation refers to the publication of an election date in the Government Gazette.

The President of the Republic of South Africa is responsible for the proclamation of the national election's date in consultation with the Electoral Commission. Premiers or acting premiers of a province are responsible for the proclamation of the provincial election dates. Since national and provincial elections are held simultaneously, the President and Premiers will agree to proclaim on the same date. For local government elections, the proclamation is the responsibility of the Minister of Co-operative Governance and Traditional Affairs (COGTA). A by-election must be called within 90 days of the Electoral Commission being notified of a vacancy by the municipal manager in a local municipal council. The Electoral Commission will submit the by-election time-table to the Council and the MEC for Local Government. The latter then proclaims the by-election in a Government Gazette.

The voters' roll closes on the proclamation day, setting in motion a series of election activities that needs to be completed by specific dates and times in accordance with the election timetable. The election timetable spells out the important milestones that need to be achieved and most importantly, indicates the timelines for these milestones.

### 1.3.4. Election Timetable

According to section 20 of the Electoral Act, 1998, the Electoral Commission is required to 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 such an election.

**Example:** The Electoral Commission hereby gives notice that it has in terms of section 20 of the Electoral Act, 1998, compiled the election timetable set out below to apply to the election of the National Assembly that will be held on 22 April 2009 (A reference to "section" in this election timetable is a reference to that section of the Electoral Act, 1998 and a reference to "regulation" is a reference to that regulation in the Election Regulations, 2004)

Election timetables are published in the Government Gazette.

#### 1.3.5. Voting

Voting occurs when voters cast their vote on designated days at specific voting stations or at home. Ordinary voting occurs on an election day. However, special votes, including prison voting, occur prior to the official voting day.



**A person can only vote after they have been registered.**

#### 1.3.6. Counting

The counting of votes takes place at the voting station where votes were cast. The only exceptions are with a mobile station where counting takes place at the main voting station.

The counting must start as soon as possible after the voting station has been closed and must continue without interruptions until all the votes have been counted, even if it means working through the night. If the counting is suspended for any reason, the counting officer must make sure that all the voting materials are safe and cannot be tampered with.

#### 1.3.7. Announcement of Results

The results of each station are announced as soon as counting has been completed and political party representatives have signed the results slip. The declaration of results happens after all the results of all voting stations have been received at the national level, meaning, after all results have been electronically captured, audited and checked.

#### 1.3.8. Stakeholder Management

Stakeholder management refers to the establishment of relationships between the Electoral Commission and various stakeholders towards the promotion of electoral democracy.

Through building strong relationships and partnerships with strategic stakeholders, the Electoral Commission endorses and encourages a collateral and collective responsibility with partners in strengthening constitutional democracy and entrenching a culture of democracy.

**UNIT 2**  
**An overview of the National and Provincial Elections**

**Learning Outcomes**

**At the end of this unit, participants should be able to:**

- 5) Understand who is eligible to vote.
- 6) Describe the roles and responsibilities of the Presiding officer


The national and provincial elections involve voting for a party to represent a voter in the National Assembly (through casting a national ballot), and in the Provincial Legislature (through a provincial ballot). These elections are based upon a Proportional Representation System (PR) which means that a political party will be allocated a certain number of seats in the National Assembly and Provincial Legislatures depending on the number of votes received in the national and provincial election.

**2.1. INTRODUCTION**

 **Section 33 of the Electoral Act (1996) – Voting Procedure**

A voter may cast only one vote for a national election and one vote for a provincial election and may vote only at the voting station in the voting district for which that voter is registered. He/she must meet the following requirements:

- i. Be a South African citizen.
- ii. Be 18 years and older.
- iii. Possess a green bar-coded ID, a valid Temporary Identification Certificate or Smart ID Card.
- iv. Name must be on the relevant voting district segment of the voters' roll.


 **Section 33(1)(b) of the Electoral Act (1996) – Voting in other districts than the voter's district**

This means that voters who are outside their voting districts on Election Day may be allowed to vote at any voting station in the country, provided that they are registered (and can show proof of application for registration in the form of an e-Ziskana sticker in their identity document). Depending on whether the voter is inside or outside of their province of registration on voting day, will determine whether the voter qualifies for the national ballot only, or both the national and provincial ballots.

**2.2. SPECIAL VOTES**

**Special Votes:**

Certain voters will be allowed to participate on Special Votes days.

 **A special vote is a vote cast before Election Day as prescribed by section 33 (1&2) and section 33 (A) of the Electoral Act, as well as Chapter 3 of the Election**

**Regulations. There will be two (2) days allocated for special votes within South Africa during the 2014 National and Provincial Elections. These days will be prescribed in the election timetable.**

**2.2.1. Who qualifies for special voting / eligible to get a special vote?**

The following categories of persons are eligible for special votes:

1. Persons who cannot vote at a voting station in the voting district in which they are registered due to:
  - a. Physical infirmity, disability or pregnancy. This category of voters will be allowed to vote at home or place of residence.
  - b. Absence from the voting district while serving as an officer in the election concerned. They will vote in the voting district where they are registered.
  - c. Being on duty as a member of the security services in connection with the election. This category of voters will vote at a voting district where they are registered.
2. A person who is registered, but cannot vote in that voting district on Election Day, due to his/ her intended absence from that voting district.

**2.3. VOTING STATION STAFF**

The number of staff that will work at the voting station will vary, depending on the number of voters registered in the voting district. It is the responsibility of the Presiding Officer and the Deputy Presiding Officer to train the entire team and get them ready for voting day. The same staff responsible for voting will act as counting staff during the counting process. For this training, the focus will be on the Presiding officer.



Section 16 of the Electoral Act - Officers and voting stations

1. Presiding Officer

**2.3.1. Roles and Responsibilities of Voting Station Staff**

**2.3.1.1. The Presiding Officer (PO)**



Section 17 of the Electoral Act - Responsibilities of Presiding Officers

- i. Co-ordinates and supervises the voting at a voting station, to ensure that the elections are free and fair.
- ii. Takes all reasonable steps to ensure orderly conduct at a voting station.
- iii. Makes staff and stakeholders aware of all processes and procedures within the voting station.
- iv. Completes the checklist of all materials received and the ballot paper statement.
- v. Reports the opening and closing of voting station as well as report on voting progress.
- vi. Reports voter turnout to the local IEC office at stipulated times and completes the relevant section of the voting station diary.

- vii. Seals full ballot boxes and provide new ones by temporarily stopping the voting process (if necessary).
- viii. Prepares for the close of voting.
- ix. Clarifies the assistance to be provided to voters with special needs with party agents beforehand.
- x. Supervises the administration of section 24A applications.
- xi. Investigates, determines and record his/ her decision on the objection form
- xii. Rotates roles of voting station staff as and when deemed necessary.
- xiii. Oversees the counting process
- xiv. Correctly completes the result slips



Learning Objectives

At the end of this unit, participants should be able to:

- 1) Identify the different stakeholders in the voting station.
- 2) Define the roles and responsibilities of each stakeholder

Introduction

On Election Day, a number of people other than voters will be allowed to enter and remain inside the voting station and its boundary. These people will either play a security role at the voting station or monitor or observe the voting and counting processes. Before the start of voting, the Presiding Officer should meet with staff deployed to the voting station by different stakeholders (security services, political parties, media and observers) to discuss how the voting process will unfold.

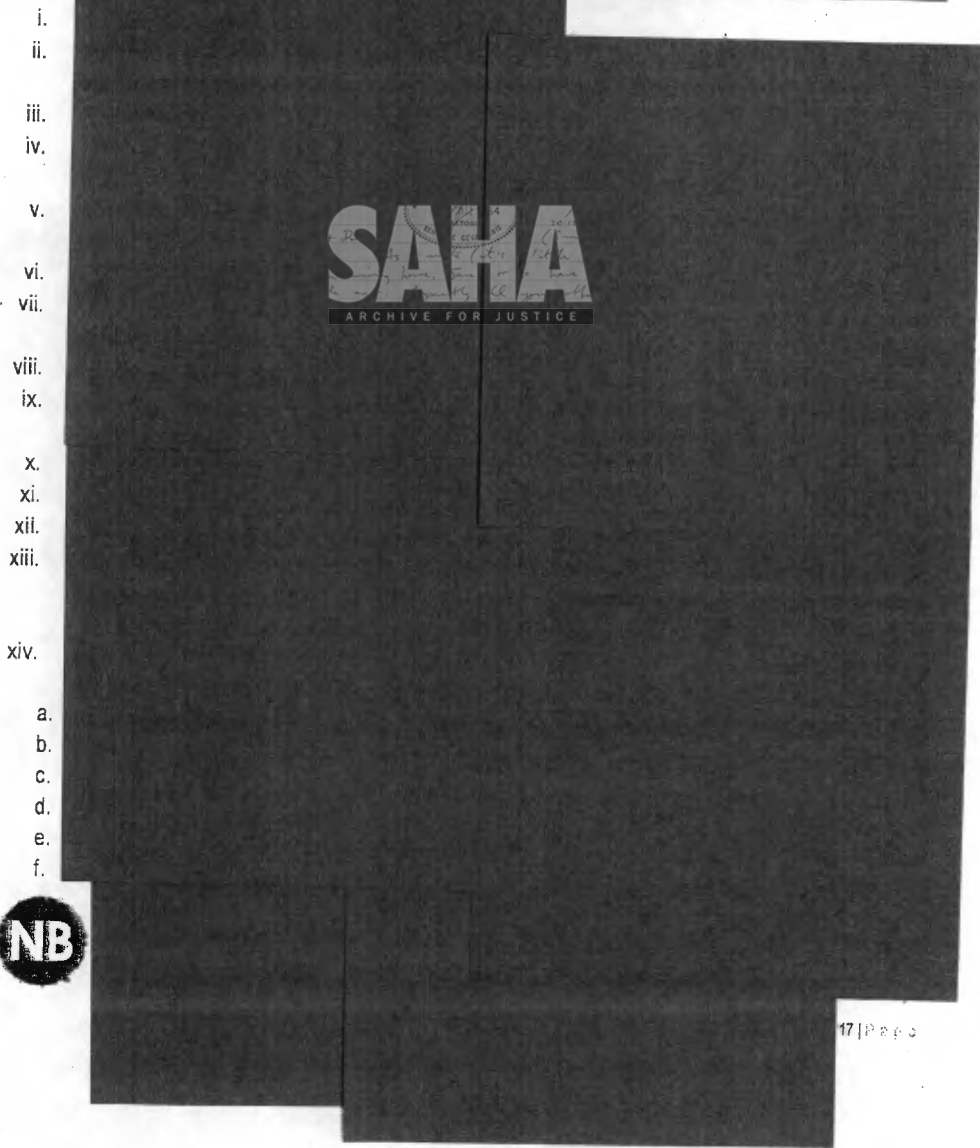
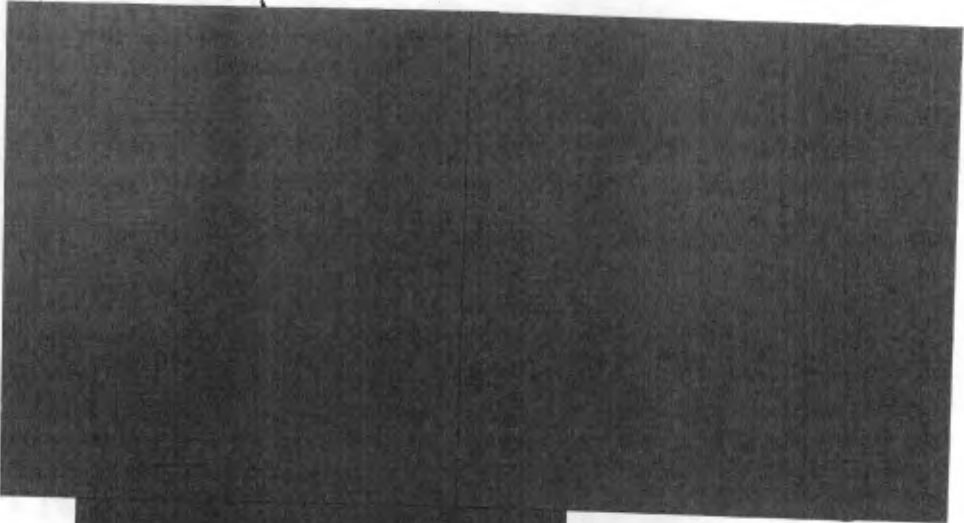
**NB** On Election Day, the Presiding Officer is the final authority at the voting station within the parameters of the law. This role carries with it a huge responsibility, therefore it is important to make legally guided decisions, in accordance with the Electoral Act and the regulations. Constant communication with all stakeholders is important.

Stakeholders at the Voting Station



- i. IEC
- ii. Legal Framework
- iii. Security Forces (SAPS, SANDF, NICOC)
- iv. Political Party Agents
- v. Conflict Management Committees





- i.
- ii.
- iii.
- iv.
- v.
- vi.
- vii.
- viii.
- ix.
- x.
- xi.
- xii.
- xiii.
- xiv.
- a.
- b.
- c.
- d.
- e.
- f.



**NB**



1.1.2. Conflict Management Programme (CMP)

The Conflict Management Programme aims to provide strategic interaction through facilitation, conciliation, mediation or arbitration in potential or actual conflict situations that arise prior, during and after the elections.

To achieve this, conflict resolution panellists will be set up in each Province. PEO's will decide on the deployment of panellists to investigate and resolve disputes. The panellists will:

- i. Liaise with provincial security (SAPS and SANDF) to assist in investigating reports and complaints of conflict.
- ii. Receive complaints and efforts from the public, political parties, MEO's and National Call Centre.
- iii. Determine the level of conflict and deploy a panellist accordingly.
- iv. Determine and substantiate the nature of the conflict.
- v. Report to the provincial office on the intervention.

**NB**

## 10 PARTY AGENTS / CANDIDATES

Party agents and candidates are important to ensure transparency in an election by observing the voting process. Whilst parties are not compelled to appoint party agents, their presence is encouraged. It is important to establish a good working relationship with party agents and candidates since they will interact with the Presiding officer as and when required in the voting station.



### 10.1 Role of Party Agents (Section 25 of the Electoral Act 2001)

#### 10.1.1 Party Agents / Candidates

Every registered party contesting an election may appoint:

- a. Two party agents for every voting station.
- b. Four party agents where voting and counting do not take place at the same place.
- c. Two Party agents per substation in a Voting Centre.

#### A party agent:

- (a) must be a South African citizen and;
- (b) may not be a candidate in an election.

Political parties must complete and sign a VEC9 (Appendix 9) form for the appointment of party agents for special voting and Election Day separately. Appointed party agents must present a signed VEC9 form and a green bar coded ID / valid TIC or smart ID card to the PO, on both occasions.

Party agents are free to move around and observe all activities within the voting station. Their movement is however limited where the secrecy of the ballot may be compromised (**they are not allowed to see how the voter votes**).

The Presiding Officer may limit the number of agents to at least one per party to observe proceedings at each of the following four points where the size of the venue does not allow for more or alternatively where it may impede the free flow of voters.

- (a) The point where voters submit their identity documents for the purpose of marking off their names on the voters' roll.
- (b) The point where ballot papers are handed over to voters.
- (c) The point where voters hands are marked with an indelible ink.
- (d) The point where section 24A applications are administered.

To ensure that all parties have an opportunity to observe all processes it will be necessary to rotate at the points where he/she has limited the number of agents.



### 10.2 Role of Party Agents (Section 25 of the Electoral Act 2001)

- i. Observe the voting process on behalf of their parties and candidates at voting stations.
- ii. Raise objections to any alleged irregularities relating to voting, verification, sorting and counting procedures.
- iii. Append their signatures on ballot boxes and results slips.

- iv. Observe assistance to voters.
- v. Accompany and observe casting of special votes during home visits and at the voting station, where possible.

#### 2.8.1 Location of Party Facilities

##### **No agent or candidate may within the boundaries of a voting station-**

- (a) Display or distribute any party bill-board, poster, placard or pamphlet;
- (b) Wear, carry or display any clothing, headwear, footwear or other apparel in such a manner that any writing, picture or sign thereon relating to any political party is visible;



**This only applies to party agents and not voters. Voters may wear what they want including party t-shirts, and any other apparel of their choice.**

- (c) Attempt to induce, influence or persuade a person to vote or not to vote for a particular party; or
- (d) Attempt to induce, influence or persuade a person not to vote.

#### 2.8.2 Location of Party Facilities

- i. A party may not place or position its temporary operational facility in a manner that is likely to impede voters' free and direct access to the entrance of a voting station.
- ii. If, in the opinion of the presiding officer, a facility is likely to impede voters' access, the presiding officer may instruct the party to move the temporary operational facility elsewhere.
- iii. If parties cannot agree amongst themselves on the positioning of their facilities, the presiding officer may be called upon to decide the dispute and issue instructions accordingly to parties.
- iv. The presiding officer may instruct any person who acts in contravention of these regulations to move his or her facility from the designated area and where necessary, request any available security officer to remove any person not in compliance and his or her temporary operational facility, from such area.



**Anyone who fails to carry out a lawful instruction of the presiding officer or a security officer is guilty of an offence punishable by a fine or a period of imprisonment not exceeding one year.**

#### 2.9. MEDIA

Media representatives with the consent of the PO will not need formal accreditation to gain access to voting stations but they will be required to identify themselves clearly as members of the media by presenting a valid press card or letter from their editor (on the organisations letterhead) in addition to an identity document or passport.

Members of the media are allowed to take photographs, provided that the secrecy of the voter is not compromised.

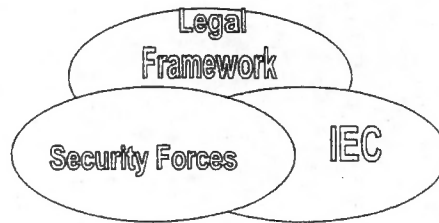


Learning Outcomes

At the end of this unit, participants should be able to:

- 1) Understand the importance of security in ensuring a free and fair election.





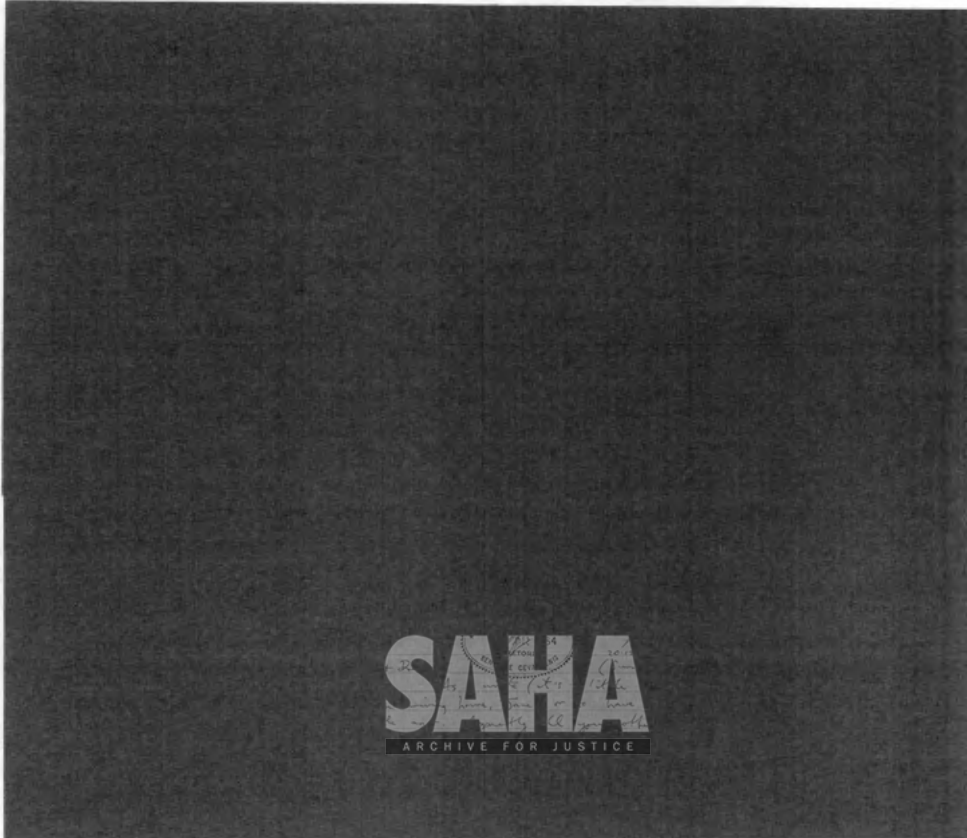
From the above it can be seen that there are overlapping areas in that all security related actions must be within a legal framework (laws) and also be an extension of the IEC security requirements.

#### 4.4 OBSTRUCTION OF ELECTION OFFICIALS: ELECTORAL CODE OF CONDUCT

The Code of Conduct, as contained in the Electoral Act, makes provision for the prosecution of individuals in certain circumstances that may influence the results of an election. Thus, the SAPS is authorised to act on the following:

- i. Contravention of the Code of Conduct (Fine / Imprisonment of 10 years).
- ii. Undue influence to persuade a person to vote or not to vote for a particular party or candidate (Fine /Imprisonment of 5 years).
- iii. Interference with the independence of the Commission (Fine/Imprisonment of 10 years).
- iv. Receiving or promising to advantage a person in turn for a favour (Fine/Imprisonment of 10 years).
- v. Prevent persons gaining reasonable access to voters (Fine/Imprisonment of 5 years).
- vi. Unlawfully prevent holding of political meetings, marches or demonstrations (Fine/Imprisonment of 5 years).
- vii. Impersonation of candidate, officer or employee of Commission, observer or voter education provider (Fine/Imprisonment of 10 years).
- viii. Intentional false statements (Fine/Imprisonment of 10 Years).
- ix. Infringement of secrecy (Fine/Imprisonment of 10 years).
- x. Print, manufacture, remove, damage, and destroy voting or election material (Fine/Imprisonment of 10 years).
- xi. Removal of placards, billboard, posters (Fine/Imprisonment of 5 years).
- xii. Display or distribute election related billboard, placard, pamphlet or poster within the voting station boundary as pre-determined by the Presiding Officer (Fine/Imprisonment of 5 years).
- xiii. Obstruction of non-compliance with directions of Commission, CEO or other officer (Fine/Imprisonment of 10 years).
- xiv. After election is called, printed election material must bear words "advertisement", name of publisher and printer (Fine/imprisonment of 5 years).
- xv. On voting day, no political marches, meetings, demonstrations or political events (Fine/Imprisonment of 5 Years).
- xvi. Publication of exit polls (Fine/Imprisonment of 5 years).

#### 4.5. SECURITY CHECKLISTS



##### 4.5.3. PEO Offices and Local IEC Offices Protection

- i. PEO Offices – The facilities are safeguarded by commercial security contractors.
- ii. Local IEC Offices – To be protected by the SAPS if and when required. (Depending on the crime threat analysis) (refer to CTA)

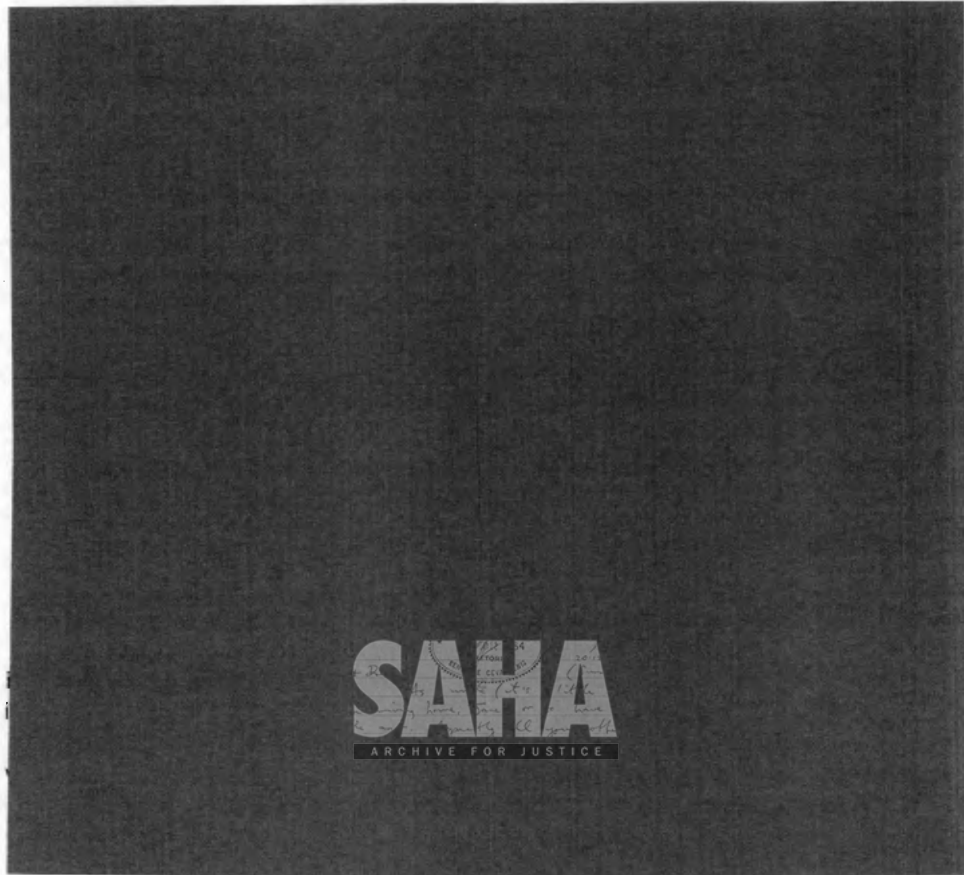
##### 4.5.4. Polling Stations Protection (Including Mobile Voting Stations)

- i. Normal policing will take place at these venues.
- ii. Where applicable police escorts will be provided to safeguard transportation of electoral registration equipment. (refer to CTA)





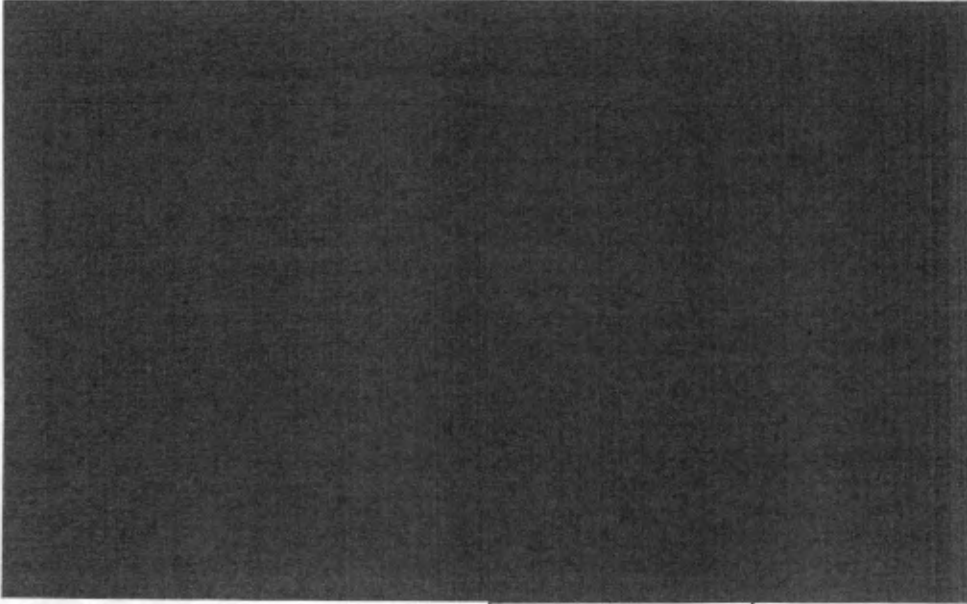
#### 4.6. SECURITY CONTINGENCY PLAN FOR VOTING STATIONS



##### 4.7.1. Fire

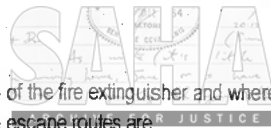
- i. If it is safe to do so, extinguish the fire with the available fire extinguishers. Otherwise evacuate the immediate area of the fire and close the doors behind you.
- ii. Contact the Emergency official.
- iii. If the fire rages out of control, evacuate the building/floor according to Procedure A.
- iv. Smoke and gas may be dangerous. Try to avoid all smoke filled areas.
- v. If you must move through smoke-filled areas, stay close to the ground and cover your mouth with a wet cloth.
- vi. If trapped, close doors and seal vents of doors with material which may be available.
- vii. STAY CALM
- viii. Move to a window and attempt to attract attention.

#### 4.7.2. Armed Attacks and Hostage Situations



#### 4.7.4. General Hints

- i. Always stay calm.
- ii. Never use lifts as an escape route.
- iii. Acquaint yourself with the operation of the fire extinguisher and where it is installed.
- iv. Make sure that you know where the escape routes are.
- v. Always report suspicious objects and persons immediately to the Emergency official.
- vi. Never ignore a fire, however small. Report it immediately to the Emergency official.
- vii. Good housekeeping and safe habits reduce fire hazards.
- viii. No information is to be conveyed to the media or persons not involved.
- ix. Assist voters / visitors. They are not familiar with the procedures.



#### 4.8. REGULATIONS RELATED TO ACTIVITIES PERMISSIBLE OUTSIDE VOTING STATIONS ON VOTING 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. It is however also necessary that voters must not feel intimidated or inhibited by certain activities in the proximity of entrances to voting stations.

##### 4.8.1. Areas of Application

These regulations apply to vacant areas immediately adjacent to the boundaries of voting stations.



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SAPS SECURITY TRAINING GUIDE (TOT)

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## Table of Contents

- Unit 1: An overview of the Electoral Commission
- Unit 2: An overview of the National and Provincial Elections
- Unit 3: Stakeholders in a Voting station
- Unit 4: Security for Elections



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## The Electoral Commission of South Africa (IEC)

- Established in terms of chapter 9 ss 190 – 191 of the constitution of the Republic of South Africa, 1996 (Act 108 of 1996)
- The Electoral Commission Act 51 of 1996 & Regulations
- The Electoral Act 73 of 1998
- Municipal Electoral Act 27 of 2000



**In terms of Section 190 of the Constitution of the Republic of South Africa, 1996 the IEC must:**

- **manage elections** of national, provincial and municipal legislative bodies;
- ensure that those elections are **free and fair**; and
- **declare the results** of those elections




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## An overview of the Electoral Commission

1. Impartiality
2. Integrity
3. Accountability
4. Transparency
5. Participation
6. Responsiveness
7. Respect





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ELECTORAL COMMISSION

## Section 5 of the Electoral Commission Act, 1996 the mandate of the Commission is to:

- compile and maintain **voters' roll**;
- compile and maintain a register of **parties**;
- undertake and promote **research** into electoral matters;
- develop and promote the development of electoral **expertise and technology** in all spheres of government;
- continuously **review electoral laws** and proposed electoral laws, and make recommendations;
- promote **voter education**;
- declare the **results** of elections for national, provincial and municipal legislative bodies within seven days; and
- appoint appropriate public administrations in any sphere of government to conduct elections when necessary



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## Mandate continues

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ELECTORAL COMMISSION

- Manage any election
- Ensure that any election is free and fair
- Promote conditions conducive to free and fair elections
- Promote knowledge of sound and democratic electoral processes
- Establish and maintain liaison and co-operation with parties.
- Promote co-operation with and between persons, institutions, governments and administrations for the achievements of its objective
- Adjudicate disputes that may arise from the organisation, administration or conduction of elections and which are of administrative nature.



## OBJECTIVES OF THIS TRAINING

- This Security Training is intended to clarify issues relating to the provision of security during the elections for both IEC personnel as well as the security forces.
- It outlines the roles and responsibilities of various stakeholders and addresses the following questions:
  - Who are the IEC role players in election?
  - Who are the security forces/ personnel / role players in an election?
  - The different tasks that the IEC staff and security forces perform in an election?



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# An overview of the Electoral Commission



## UNIT 1



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## An overview of the Electoral Commission

### Vision

- To be a pre-eminent leader in electoral democracy.

### Mission

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

## Electoral Act, 1998 (Act No. 73 of 1998) and Regulations

### Act

An Act is a law enacted as primary legislation by Parliament. Before it is passed it becomes a "Bill". Once it is passed and signed by the President, it becomes an "Act"

### Regulations

A regulation will prescribe how the legislation must be implemented. A regulation does not have to go through the same process of an Act namely the drafting of a White Paper, a Bill and the parliamentary process. It is simply proclaimed / regulated by publishing it in the Government Gazette by either a responsible Minister or constitutional bodies.

## **Electoral Act, 1998 (Act No. 73 of 1998) and Regulations**

### **Electoral Act, 1998**

The Electoral Act is much like an instruction manual for elections. It deals in detail with everything from what is required to register as a voter, to the sealing of ballot boxes. It outlines topics, such as the election timetable, the administration of elections, procedures for voting, counting and determining results, the accreditation of observers and voter educators and formulae for determining the composition of the national and provincial legislatures.

### **The Regulations**

- i. Election Regulations, 2004.
- ii. Regulations Concerning the Submission of Candidate Lists, 2004.
- iii. Regulations Concerning the Registration of Voters, 1998.
- iv. Regulations on the Accreditation of Observers, 1999.
- v. Regulations on the Accreditation of Voter Education Providers, 1998.

## Introduction To The Electoral Commission's Operations

- Section 181(1) of the Constitution of the Republic of South Africa, 1996. The role of the Electoral Commission as a chapter 9 institution is to strengthen constitutional democracy in the Republic.



## Introduction To The Electoral Commission's Operations

- The concept of democracy is commonly understood to refer to a political system of government for the people by the people. In this module, democracy is defined as a form of government in which all eligible citizens have an equal say in the decisions that affect their lives. It allows eligible citizens to participate equally; either directly or through elected representatives in the proposal, development and creation of laws.



## Electoral Operations

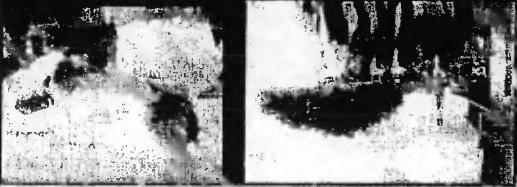
### Delimitation and Voting Station Identification

- Delimitation is the process of drawing boundaries of voting districts. A cluster of VDs makes up a ward and a cluster of wards makes up a municipality. Each VD is assigned a voting station.



# VOTING DISTRICTS (VDS)

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## Electoral Operations

### Voter Registration

- Voter registration is a process of including eligible voters in the voters' roll. Registered voters will be able to vote in national and provincial elections, local government elections, as well as by-elections

**NB** A person can only vote after they have registered.



## Electoral Operations

### Proclamation of Elections

- Proclamation refers to the publication of an election date in the Government Gazette.
- The President of the Republic of South Africa is responsible for the proclamation of the national election's date in consultation with the Electoral Commission.




## Electoral Operations

### Election Timetable

- According to section 20 of the Electoral Act, 1998, the Electoral Commission is required to 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 such an election.
- Election timetables are published in the Government Gazette.

## Electoral operations

### Voting

- 
- Voting occurs when voters cast their vote on designated days at specific voting stations or at home. Ordinary voting occurs on an election day. However, special votes, including prison voting, occurs prior to the official voting day.

**NB** A person can only vote after they have registered.

## Electoral Operations

### Counting

- The counting of votes takes place at the voting station where votes were cast.
- The counting must start as soon as possible after the voting station has been closed and must continue without interruptions until all the votes have been counted.



## Electoral Operations

### Announcement of Results

- The results of each station are announced as soon as counting has been completed and political party representatives have signed the results slip.
- The declaration of results happens after all the results of all voting stations have been received at the national level, meaning, after all results have been electronically captured, audited and checked.





## Electoral Operations

### Stakeholder Management

- Stakeholder management refers to the establishment of relationships between the Electoral Commission and various stakeholders towards the promotion of electoral democracy.



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# An overview of the National and Provincial Elections



## UNIT 2



## Overview of NPE

- The NPE involves voting for a party to represent a voter in the National Assembly and the Provincial Legislature through casting of:
  - National Ballot
  - Provincial Ballot
- These elections are based upon Proportional Representation System (PR). *The PR system means that the political party will be allocated a certain number of seats in the National Assembly and Provincial Legislatures depending on the number of votes that it received nationally and provincially.*



## Overview of NPE

A voter may only vote once and he or she must:

- Be a South African Citizen
- Be 18 years and older
- Possesses a green bar coded ID, or a valid Temporary Identification Certificate (TIC) or a Smart ID Card
- Be registered to vote before proclamation



## Overview of NPE

### Section 24A of the Electoral Act 73 of 1998 – Voting in voting district where not registered

- This means that voters who are outside their voting districts on Election Day may be allowed to vote at any voting station in the country, provided that they are registered (and can show proof of application for registration in the form of an e-Ziskan sticker in their identity document). Depending on whether the voter is inside or outside of their province of registration on voting day, will determine whether the voter qualifies for the national ballot only, or both the national and provincial ballots.

## Overview of NPE

### Who qualifies for special voting / eligible to get a special vote?

- The following categories of persons are eligible for special votes:
- Persons who cannot vote at a voting station in the voting district in which they are registered due to:
  - Physical infirmity, disability or pregnancy. This category of voters will be allowed to vote at home or place of residence.



## Overview of NPE

### Who qualifies for special voting / eligible to get a special vote?

- Absence from the voting district while serving as an officer in the election concerned. They will vote in the voting district where they are registered.
- Being on duty as a member of the security services in connection with the election. This category of voters will vote at a voting district where they are registered.
- A person who is registered, but cannot vote in that voting district on Election Day, due to his/ her intended absence that voting district.



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## Roles and Responsibilities of a Presiding Officer

- Co-ordinates and supervises the voting at a voting station, to ensure that the elections are free and fair.
- Takes all reasonable steps to ensure orderly conduct at a voting station.
- Makes staff and stakeholders aware of all processes and procedures within the voting station.
- Completes the checklist of all materials received and the ballot paper statement.
- Reports the opening and closing of voting station as well as report on voting progress.
- Reports voter turnout to the local IEC office at stipulated times and completes the relevant section of the voting station diary.





## Roles and Responsibilities of a Presiding Officer (Continue)

- Seals full ballot boxes and provide new ones by temporarily stopping the voting process (if necessary).
- Prepares for the close of voting.
- Clarifies the assistance to be provided to voters with special needs with party agents beforehand.
- Supervises the administration of section 24A applications.
- Investigates, determines and record his/ her decision on the objection form
- Rotates roles of voting station staff as and when deemed necessary.
- Oversees the counting process
- Correctly completes the result slips





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# Stakeholders in a Voting station

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**UNIT 3**



## Stakeholders in a Voting Station

### MAJOR ELECTION SECURITY ROLE PLAYERS

- IEC
- Legal Framework
- Security Forces (SAPS, SANDF, NICOC)
- Political Party Agents
- Conflict Management Committees





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## Roles and responsibilities of stakeholders



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## Roles and responsibilities of stakeholders





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## Roles and responsibilities of stakeholders



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# Security contingency plan for voting stations





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## Role and Responsibilities for Contingency



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# Role and Responsibilities for Contingency



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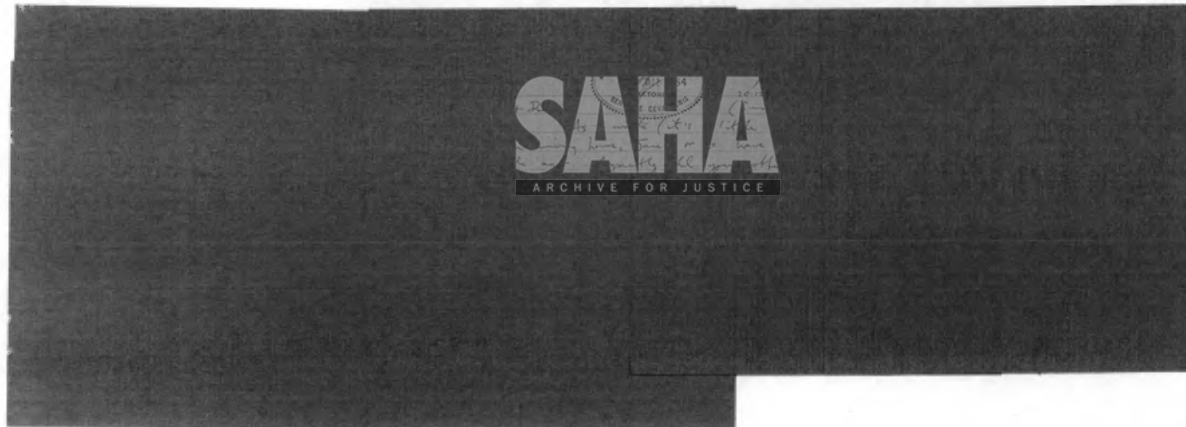




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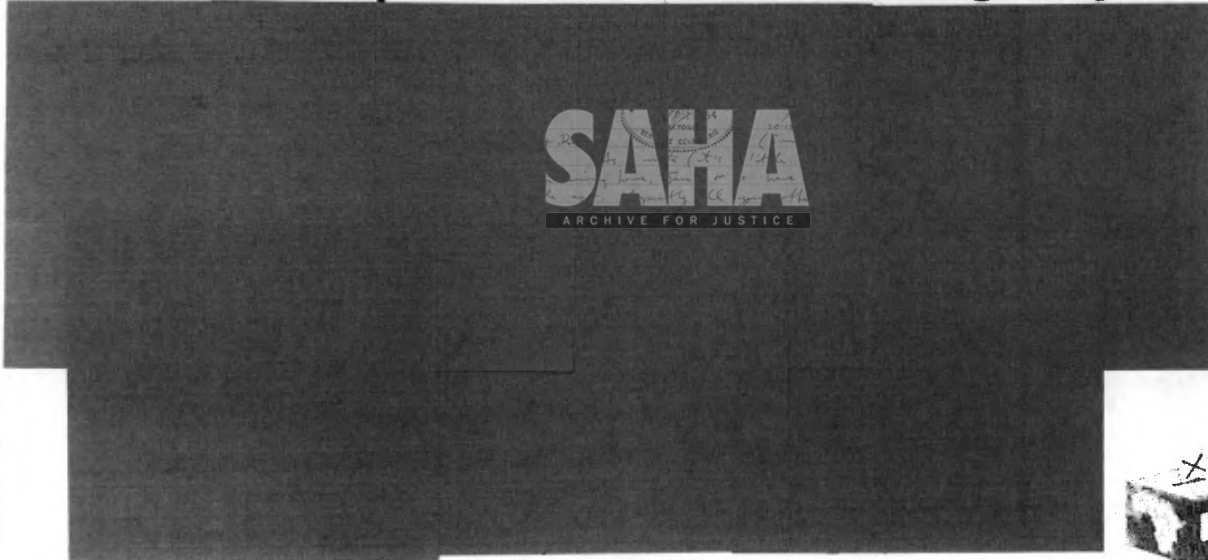
## Role and Responsibilities for Contingency





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# Role and Responsibilities for Contingency



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## Roles and responsibilities of stakeholders

### Party Agents

- Observe the voting process on behalf of their political parties
- Raise objections to any observed or alleged irregularities
- Append their signatures to ballot boxes

## Roles and responsibilities of stakeholders

### No party agent or candidate may within the boundaries of a voting station-

- Display or distribute any party bill-board, poster; placard or pamphlet;
- Wear, carry or display any clothing, headwear, footwear or other apparel in such a manner that any writing, picture or sign thereon relating to any political party is visible
- Attempt to induce, influence or persuade a person to vote or not to vote for a particular party; or
- Attempt to induce, influence or persuade a person not to vote.

**NB**

*This only applies to party agents and not voters. Voters may wear what they want including party t-shirts, and any other apparel of their choice.*



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## Roles and responsibilities of stakeholders

### Location of Party Facilities

- A party may not place or position its temporary operational facility in a manner that is likely to impede voters' free and direct access to the entrance of a voting station.
- The presiding officer may instruct any person who acts in contravention of these regulations to move his or her facility from the designated area and where necessary, request any available security officer to remove any person not in compliance and his or her temporary operational facility, from such area.

**NB** *Anyone who fails to carry out a lawful instruction of the presiding officer or a security officer is guilty of an offence punishable by a fine or a period of imprisonment not exceeding one year.*

## Roles and responsibilities of stakeholders

### Media

- Media should note that voters, party agents, candidates and accredited observers have to be interviewed outside of the voting station boundaries

**NB**

*Media is not suppose to conduct interviews inside the voting station*

**NB**

*All media enquiries should be directed to either the media centre at the national results centre or provincial centres.*



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# Voting Stations



## UNIT 4

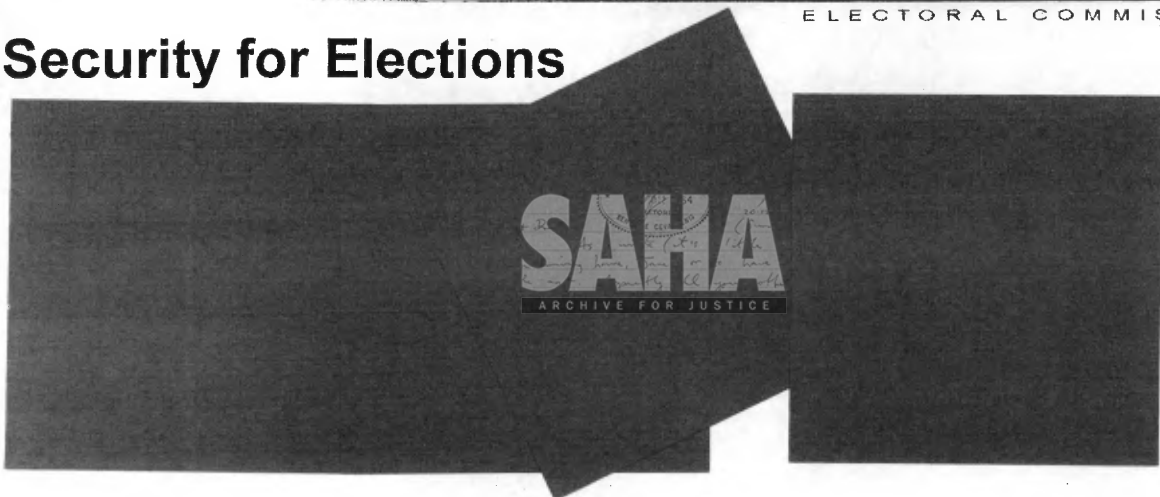


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# Security for Elections



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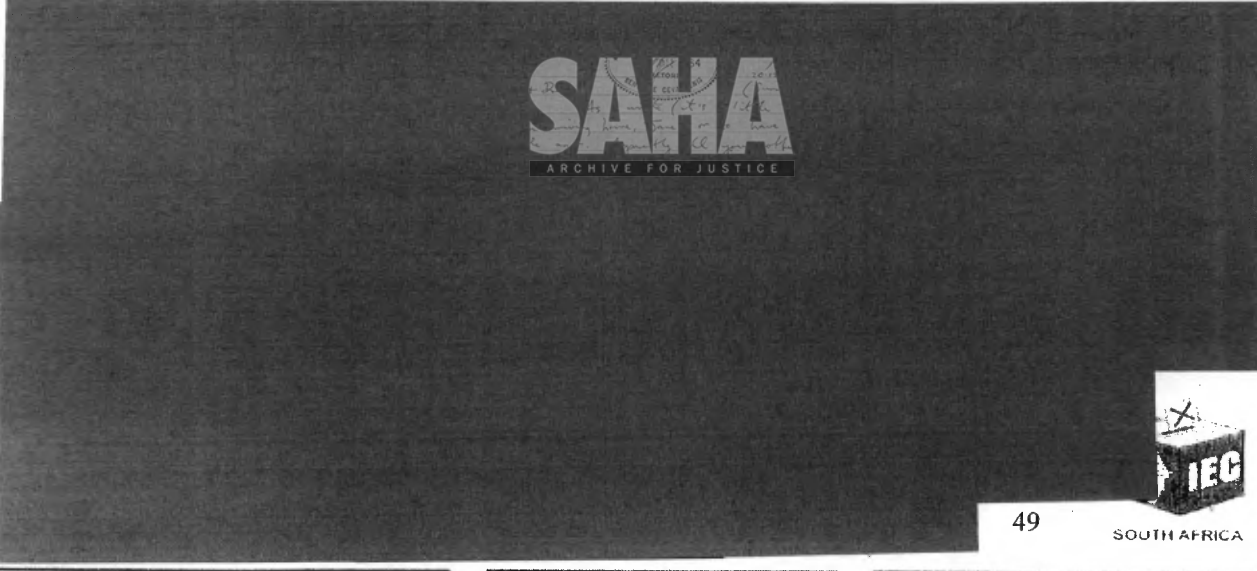
## Planning doctrine



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# Election Security Framework



## Election Security Framework

### OBSTRUCTION OF ELECTION OFFICIALS: ELECTORAL CODE OF CONDUCT



- The Code of Conduct, as contained in the Electoral Act, makes provision for the prosecution of individuals in certain circumstances that may influence the results of an election.



## **SAPS is authorised to act on the following:**

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- Undue influence to persuade a person to vote or not to vote for a particular party or candidate (Fine /Imprisonment of 5 years).
- Interference with the independence of the Commission (Fine/Imprisonment of 10 years).
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- Unlawfully prevent holding of political meetings, marches or demonstrations (Fine/Imprisonment of 5 years).

## SAPS is authorised to act on the following: (Continue)

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- Print, manufacture, remove, damage, and destroy voting or election material (Fine/Imprisonment of 10 years).
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- Infringement of secrecy (Fine/Imprisonment of 10 years).

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- Display or distribute election related billboard, placard, pamphlet or poster within the voting station boundary as pre-determined by the Presiding Officer (Fine/Imprisonment of 5 years).
- Obstruction of non-compliance with directions of Commission, CEO or other officer (Fine/Imprisonment of 10 years).
- After election is called, printed election material must bear words "advertisement", name of publisher and printer (Fine/imprisonment of 5 years).
- On voting day, no political marches, meetings, demonstrations or political events (Fine/Imprisonment of 5 Years).
- Publication of exit polls (Fine/Imprisonment of 5 years).




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# SECURITY CONTINGENCY PLAN FOR VOTING STATIONS







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# SECURITY CONTINGENCY PLAN FOR VOTING STATIONS



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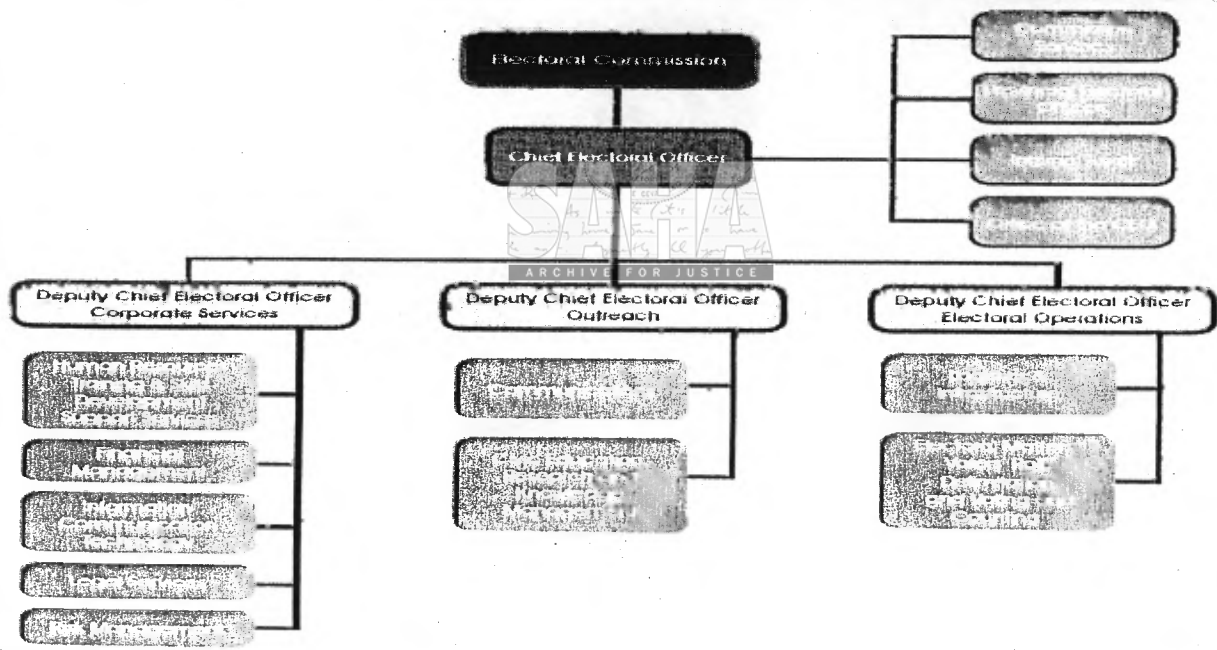
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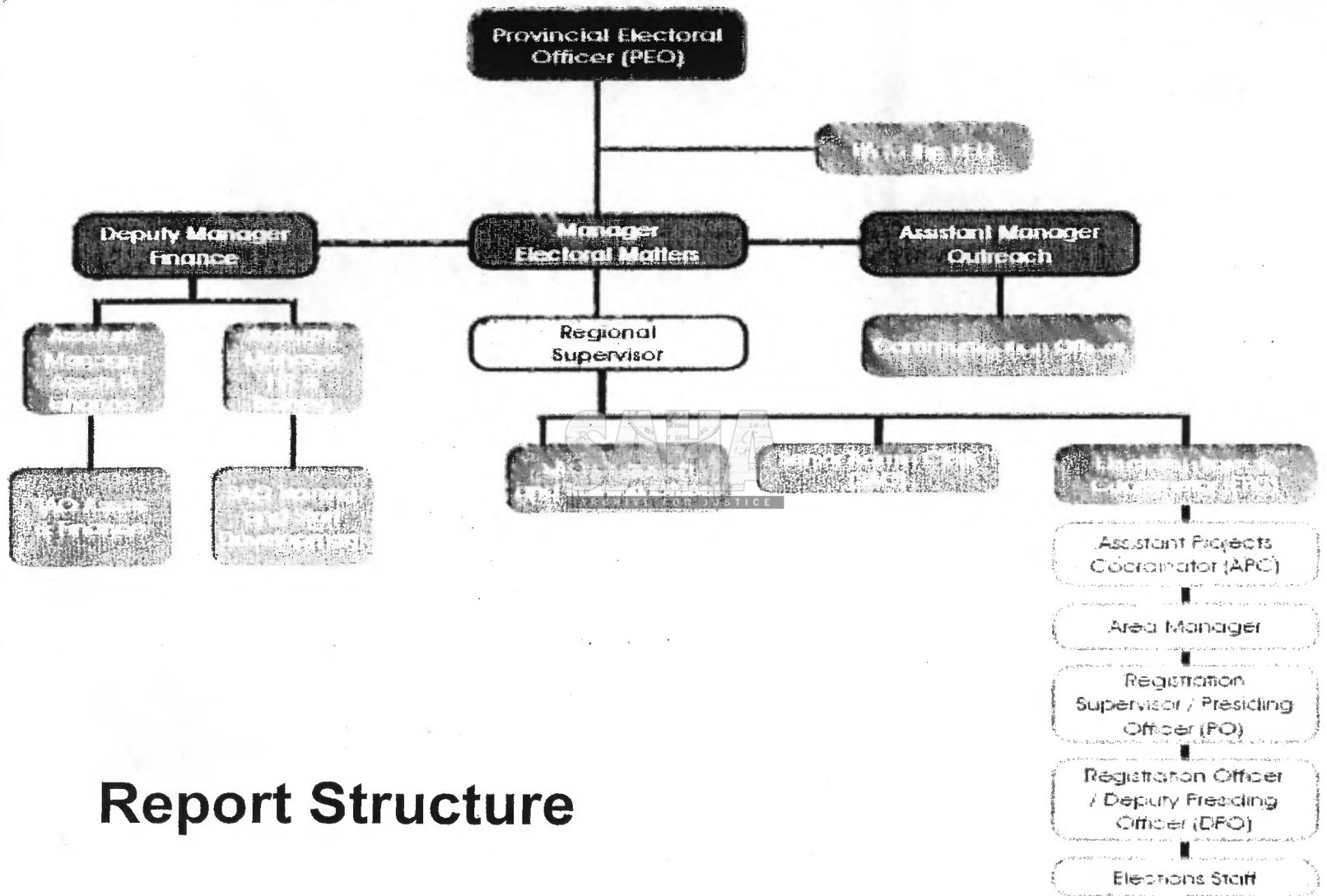


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# Structure

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## Report Structure