

**South African
NATIONAL AND PROVINCIAL
ELECTIONS
2019**

**PARTY AGENTS'
MANUAL**

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This manual is only a guide, and is subject to the provisions of the electoral legislation. Produced by Education and Training Unit for Democracy and Development (ETU).

REFERENCES

Throughout this manual there are references to the IEC Election Guide and the IEC Election Legislation booklet. To save space the references appear in brackets and we use *Module, and the page number*, for a reference that you will find in the guide and *Legislation and page number* for anything that appears in the Legislation booklet. When a dispute arises with a presiding officer ask them to look for the official and legal answers in these documents. They will have a copy in each voting station.

1. Code of conduct

The same Code of Conduct (*Legislation, page 94-99*) applies as in all previous democratic elections. Political parties that break the Code can be fined, stopped from working in an area, or, have their votes in an area cancelled. The individuals who break the Code or commit other offences under the Electoral Act (*Legislation page 64-70*) can be fined or jailed. All parties, candidates, agents and party members are expected to stick to the Code of Conduct. Anyone who breaks it will commit a crime and can be prosecuted. The party may also be punished for an individual's behaviour.

Here are the main Do's and Don'ts of the Code of Conduct:

Do

- encourage all members and supporters to be tolerant of other parties
- condemn political violence
- support the right of all parties to campaign freely
- inform the proper authorities of all planned marches and rallies
- actively work with all IEC structures
- cooperate with police in investigation of election crime and violence
- respect the right of voters to make their own choices

Do not:

- use violence or threats against supporters of another party
- remove or destroy any other party's property, posters or pamphlets
- disrupt another party's public meeting
- stop other parties from canvassing or campaigning in your area
- threaten or stop people who want to attend meetings of other parties
- force people to join your party, attend meetings or donate money
- spread false rumours, lies or fake news about another party
- use violent language or urge people to use violence against any party or person.

2. Party agents and candidates

(Legislation page 46-47, 135-136, Module 4 page 32-36)

Every political party registered for the elections, can have two agents at a voting or counting station at any one time. In the case of a voting centre where there is more than one voting stream or sub-station at the same venue, a party is allowed two party agents for each sub-station at the voting centre. If there are too many agents in a small voting station it is best to agree that each party should have one inside and one outside at the queue. Votes are counted at the voting station and you can also have two agents inside during counting.

The role of the party agent is to watch the different steps in the voting and counting process to make sure that your party and your voters are not cheated. Agents play an important role to ensure the elections are free and fair, but in some cases agents themselves have disrupted elections.

Always behave in a way that helps to sort out problems and to promote peaceful elections. Try to solve problems with the presiding officer first. If you do not succeed take the matter to your party

monitoring structures or to the Municipal Electoral Officer who is in charge of elections in the area.

Here are the key things you should know about your role and rights:

- Agents do not have to register with the MEO. Agents must have a form from the party that authorises them to be agents. They must take this form with them to the voting station. Your party should supply the forms with a party symbol copies onto it, and signed by the authorized election coordinator or manager (*VEC 9 form*).
- Agents may watch all parts of the process except how voters cast their votes – so as not to compromise the secrecy of the vote. It is very important to watch the voter’s name being crossed off the voters roll, the issuing and stamping of the ballot and the marking of the finger. You may only watch voting by the presiding officer (or another IEC staff member) for illiterate or disabled voters who ask for help.
- Agents have to check the sealing of ballot boxes before and after voting, the filling in of reconciliation and result forms and the counting of every ballot paper. Make sure you are awake and alert and do not sign any forms unless you are sure the information is correct. At the same time try not to obstruct the process by being difficult – cooperate with the presiding officer and other agents, and check rules with your own party authorities if you do not agree with the presiding officer’s interpretation.
- Candidates are allowed in the voting station to observe, but must stick to the same rules as agents. No candidate may be an agent. Candidates must cover any party symbols when in a voting station. The presiding officer can decide how many candidates to allow inside at a time.
- Parties must ensure their agents are present for voting and counting processes. If an agent is not present or a party has no agent, it will NOT stop the voting or counting from proceeding.

Here are the most important things you may not do:

- Agents cannot wear any party symbols such as badges, caps and T-shirts, and will be given a special IEC tag to show they are agents. While it is not strictly illegal, it is also not recommended to wear obvious party colours. Some presiding officers may refuse you entry to the voting station and this may cause unnecessary conflict and delays for your voters.
- Agents may not do any kind of campaigning in the voting station and may not try to influence voters in any way.
- Agents may not interfere in any way with the voting procedure and must make suggestions, complaints or objections to the presiding officer, not to the staff.
- Agents may not speak to voters or officials except in the presence of the presiding officer. Make all complaints to the presiding officer first.
- Agents may not touch ballot papers at any time
- Cell phones may not be used at all by agents inside the voting station (only at the end when you are allowed to photograph the result slip that is displayed outside the voting station).
- When votes are counted, agents are not allowed to leave the station and come back in. Once counting starts, doors are locked.

3. Who can vote?

All South African citizens 18 and older are entitled to vote. On Election Day you can only vote if you are a registered voter and you have a bar-coded ID or a smart identity card or a Temporary Identity Card. If you lose your ID you can get a temporary replacement ID called a “Temporary Identity Certificate” is usually valid for two months.

4. Where can you vote

Voters should go and vote in the voting district where they are registered. There is only one voting station in each voting district. The voting station will probably be the same venue as the place where they registered.

If you will be outside your voting district on Election Day, you apply to cast a special vote (see page 7-9), or you can vote at any voting station by filling in a special form (**VEC4**). This is called a Section 24A vote, in reference to the section in the Electoral Act. Do not encourage voters to vote outside their VDs unless necessary, as this may lead to some voting stations serving so many people that they run out of ballots and materials.

The PO will check if you have a sticker receipt (written or printed) in your ID that proves you have applied to be a registered voter somewhere in South Africa, or will use the zip-zip to check where you are registered. If you are outside of the province in which you are registered to vote, you will only get a national ballot. (*IEC module 3, pages 34-35*).

The VD number on the sticker receipt in a voter's ID book starts with a number that indicates the province. For example, all KwaZulu-Natal voters have 4 as the first number. If the number is not the right one for the province you are in, the voter should only get a national ballot.

Please Note: The IEC will ask some voters to provide a description of their address on election day – these voters are already registered but need to provide details of where they live. The IEC will be using Zip Zip machines on Election Day – do not be suspicious, as this machine is not programmed to allow registration of voters on Election Day.

The entire voters roll is electronically loaded on the Zip Zip and the voter's ID will be scanned to determine if and where the voter is registered, and it will print a slip to help find the voter on the voter's roll.

The slip will show one of the following:

1. If the voter is registered at that voting station, the slip will show their number on the Voters Roll so that the Voters' Roll Officer can easily find the person's name on the paper copy of the voters roll inside the station.
2. If the person is registered in another voting district, the slip will show this, including the municipality and province – this slip must be given to the PO or Deputy Presiding Officer who is dealing with the applications for Section 24A votes.
3. If the person is not registered as a voter, the slip will indicate the reason why - either they never registered or according to the Department of Home Affairs, the person is deceased, or not on the National Population Register

5. Special votes

(Module 3, Special Votes page 30-39, Legislation 28-30, 105-123)

Special votes will be given to voters who are unable to come to the voting station on Election Day for one of the following reasons:

1. Security or election staff deployed outside their voting district
2. Infirm, disabled, elderly and pregnant people who are too frail to queue for long and want to vote at home. Sick people in hospital outside their voting district are also covered.
3. A registered voter who is unable to vote at their voting station on voting day owing to their intended absence from their voting district on voting day.

4. All RSA citizens who are outside the country, including people abroad on government service and their families. (This international special vote application process is already closed and registered voters will vote on 27 April from 7am to 7pm)

The VEC 1 form is used to apply for a special vote and VEC10 for a vote abroad.

Special votes at the voting station take place from 8am to 5pm. Party agents should report at 7am. Hoe visits will depart from the voting station.

How to apply for a special vote

Registered voters who intend to apply for a special vote must do so between 4 April and 18 April 2019:

- **Those who need a home or hospital visit** should do so by downloading the VEC1 form on the IEC website (www.elections.org.za) or getting it at their Municipal Electoral Office. The signed form must be hand-delivered to the MEO office.
- **For votes at the voting station on 6 or 7 May**, simply send your ID number by sms to 32249

1. Election and security staff

They can apply between 4 and 18 April to cast a special vote at the voting station serving the voting district in which they are registered, on the 6th or 7th May 2019. If they leave their area before that, they can make use of the provision to vote at a voting station outside their VD on Election Day, by voting at the station where they are deployed after filling in the VEC 4. Staff deployed to a province different from the one they are registered in, will lose their provincial vote, but will still get a national ballot.

2. Infirm, disabled, elderly and pregnant people

People who are too frail to come to the voting station on Election Day can apply for election officials to come and visit them at home or in institutions like hospitals.

If you will be outside your VD - a hospital for example - send a VEC 1 application form to the Municipal Electoral Officer's (MEO) office of the municipality in which the hospital is situated, before 5pm of 18 April 2019. If you want to be visited at home, send an application form to the MEO before 5pm on 18 April 2019. You can download the form from www.elections.org.za or get help from your party.

Parties should get hold of the VEC 1 application forms from the MEO or IEC website and, make copies and assist voters who want to apply for special votes.

Party agents and home visit special votes: party agents are allowed to observe the process (other than the actual voting) that takes place on home visits, but the owner/persons in charge of the house may refuse to give a party agent access. Party agents are also not allowed to travel in the same vehicle as election officers who are conducting home visits and must therefore make their own travel arrangements

3. Registered voters who will be absent from VD where they are registered, on voting day

Any registered voter who will not be able to vote on 8 May 2019 at the voting station in the VD in which they are registered to vote may apply for a special vote, to vote on 6th or 7th May 2019 at their voting station where they are registered. To apply for this type of special vote, send your ID number by sms to 32249 between 5 and 18 April 2019.

NOTE: Election workers and volunteers: If you are deployed outside your VD for election work for your party, please apply for a special vote and vote on the 6th or 7th of May. You will also avoid long queues that may keep you from your work on election day.

***CHECK IF YOUR SPECIAL VOTE HAS BEEN
GRANTED – SMS YOUR ID TO 32711***

4. Citizens who are outside South Africa on Election Day

All registered voters who are outside of South Africa are allowed to vote in national elections (not provincial elections). To qualify to vote abroad, a person needs to be registered to vote on either the international or the national segment of the voters' roll.

Applications for votes outside SA closed on 13 March and voting will take place on between 7am and 7pm on 27 April at all SA consulates, embassies and diplomatic missions. To vote abroad, a person needs to show both their identity document (or Temporary Identity Certificate or smart identity card) and a valid RSA passport.

Special voting process

A special vote follows the same process as the normal vote. The voter's ID is checked. Their name will be marked off on the special voters roll, and a finger will be marked. The ID is then stamped and the ballot stamped and issued. The ballot is marked in secret by the voter, unless they request help. It is then placed in a blank inner envelope by the voter, and this is placed in a bigger outer envelope marked with the voters' details. These envelopes are kept in a sealed ballot box until vote-counting time. Every night the presiding officer must take the sealed boxes to the safe storage place determined by the IEC.

Before the count, or during election day, the presiding officer must open the seals in front of agents. Every outer envelope must be checked against the marked off special voters list. Then the outer envelope can be discarded and the blank inner envelope should be added to a normal ballot box in the voting station for counting later.

6. Who will run the elections at all levels?

The Independent Electoral Commission (IEC) is in charge of managing and supervising the elections. In every province the IEC has set up an office under a Provincial Election Officer. In every local council area there is a Municipal Electoral Office with a Municipal Electoral Officer (MEO) and Election Project Coordinators (EPCs) who have been appointed by the IEC to organise voting stations, voter registration and to run the elections on Election Day.

In most areas the MEO is the Municipal Manager of the local municipality. The Municipal Electoral Officer (MEO) and the EPC are responsible for employing all staff and making all the practical arrangements for Election Day.

An Area (or ward) Manager is also appointed to manage a number of voting stations in an area or ward to make sure that all voting stations are open, staffed and supplied with equipment. The Area Manager will drive around on Election Day and help to sort out any problems that the presiding officer cannot deal with. They will also carry extra voting materials.

A presiding officer and election officials will be employed for Election Day in each voting station. The Presiding Officer will be in charge and can make a lot of decisions inside the voting station. If these decisions are problematic, party agents can formally object by filling in a form.

In a serious case of mismanagement or incompetence, agents should contact their PLC representative or local election office, and get them to contact the IEC's MEO or Provincial Electoral Office (PEO). If there are any problems with MEOs, please gather the facts and make objections to the PEO, via your provincial party liaison committee members, as speedily as possible.

7. Party Liaison Committees (PLCs)

(Legislation page 227-229)

The IEC has set up Party Liaison Committees at national, provincial and municipal levels to consult and inform political parties about the arrangements for the elections. Every party that appears on the national ballot, or the ballot of that province, has two representatives. The PLCs have no decision-making power but are there to advise the IEC and to deal with conflicts between different parties or between a party and the IEC.

All information about local arrangements for voting stations, special votes and mobile voting stations will be discussed at the local PLC meetings. On Election Day one of your local PLC reps should be at the MEO's office to deal with problems.

8. Voting day and hours

(Legislation page 31)

Voting will be for one day only (8 May 2019) and will be from 7am to 9pm. There will be between 1000 – 3000 voters per voting station and it should be easy to complete the voting in the time allowed. Anyone who is in the queue at 9pm and has not yet been able to vote, must be allowed to vote before the voting station can close.

9. Boundaries

(Legislation page 52, module 2 page 44)

The boundary for each voting station is set by the presiding officer. The fence of the boundary is part of the boundary (so no party posters on the fence). The boundary is the area within which no political activity is allowed. Party workers, other than agents must stay outside this boundary. No campaigning is allowed within the boundaries. The presiding officer must clearly mark the boundary and it can only be changed after consultation with the party agents and the security forces.

10. Prohibited activities on Election Day

(Legislation page 74)

On Election Day no one may organise ***a march, demonstration or political meeting***. Other political and election campaign activities are legal - like loud-hailing, door-to-door work and transporting voters.

No political activities are allowed within the boundary of the voting station. Parties should not play music or use loudhailers that can be heard clearly inside the voting station. Until midnight on 7 May 2019, all political activities are allowed.

Protests are not allowed outside voting stations as they may prevent people from voting or intimidate voters. Report protests to the SAPS immediately.

11. Dress and campaigning inside the boundaries

(Legislation page 136)

Agents and candidates may not campaign inside the boundaries of the voting station. No party emblems or slogans may be visible on their clothing. This means agents should wear neutral clothes and when candidates come into the station they should cover their party logos, buttons or badges, and T-shirts, with a jacket or jersey.

There are no laws or regulations that control what voters wear, but they may not try to influence other voters by talking, singing or holding placards, etc, inside the voting station boundary.

12. Party tables, tents, etc.

(Legislation page 247)

Parties are allowed to set up tables, gazebos or tents, outside the boundary of the voting station. These may not block or prevent (impede) voters from easily entering the voting station. Voters should not feel intimidated by the party workers, but parties may approach voters and invite them to their tables.

Presiding officers may instruct parties to move their structures further away or further apart from each other.

If a presiding officer does not allow these activities outside the boundary, complain to the MEO through your party liaison committee representative.

Before the start of voting, parties should agree among themselves where to place their structures. If they cannot agree the presiding officer may decide for them. A party that ignores the instruction of the Presiding Officer will be asked to remove their tables or tents, and if they still refuse, the Presiding Officer may request the security forces on duty to remove it.

13. Weapons

(Legislation page 98, 137)

No-one may carry a weapon inside the boundaries of a voting station other than the security forces on duty at that voting station. A weapon is defined as anything that is identified as a weapon by the security forces on duty.

14. Equipment at the voting station

When you arrive at the voting station check that all these things are available so that voting can go smoothly.

- ❑ **Furniture:** Voting booth/s, tables, chairs
- ❑ **Equipment:** Ballot boxes, IEC stamp for ballot, ink for marking thumb, Seals for the ballot box, identification tags for officials and agents, as well as trays, party stickers and rubber bands [for counting process]
- ❑ **Documents:** voters roll, ballots. The presiding officer should also have a copy of the Electoral Act, Regulations and presiding officer's handbook.
- ❑ **Forms:** the most important forms for election day are:
 - VEC 4 forms for voters from outside the VD area to apply to cast their vote
 - Objection and appeal forms for agents to object to different parts of voting and counting process (VEC 5-8)
 - Voting station checklists and diary– keeps a record of all boxes and ballots issued and used at that voting station.
 - Voting station result form – the slip that is filled in to capture and reconcile the votes cast.
 - **Envelopes:** there will be special envelopes, official stamps, objection forms, cancelled ballots, different types of disputed ballots (for the counting process), etc.

15. Staff in the voting station

(Module 4 page 49-50)

Most voting stations will have the staff listed below. Voting stations with many voters will have more staff and sub-stations or streams of voting happening at the same time. They will split the roll into portions – for example A-L and M-Z and form different queues according to voters' surnames. Mobile voting stations will only have four or five staff members who will play all the roles listed below.

- **Presiding officer (PO):** in charge of the voting station and voting and counting process
- **Deputy Presiding Officer (DPO):** deputy to the presiding officer, deals with voters who are at the wrong station and need to fill in VEC 4 forms. Address details gathering
- **Deputy Counting officer (DCO):** this officer will assist the Presiding Officer during counting
- **Queue walker:** checks IDs and directs voters to correct queue if more than one stream of voting. Forms short extra queue for elderly, disabled and infirm so they are served quickly.
- **Door controller:** uses zip-zip to get voters number on roll, prints sticker, check voters hands for ink mark, and sends voters to the correct voters roll table, controls access to the voting station
- **Voter's roll officers:** checks voter's name on roll and crosses it off. There may be a few officers at the table if there are many voters registered at that station. Each of them will have a section of the roll – for example A-L, M-N and O-Z
- **Address gatherer:** if the voter does not have details of an address or description of where they live on the roll, they will be sent to a table and helped to complete that before getting their ballots.
- **Inker:** Checks and marks left thumb of voter with visible ink
- **Ballot paper issuer:** Stamp the ID book of the voter and stamp each of the two ballots on the back and hand to voter. Explain how to mark and fold the ballot paper.

- **Voting booth and ballot box controller:** Directs voters to available booth and calls the presiding officer if the voter needs help or has spoiled their paper and wants another one. Looks at the back of ballot paper to check for official stamp and then allows voter to put ballot paper in correct box
- **Security:** Police or military staff are responsible for security of the voting station and its boundaries under the direction of the presiding officer. They must stop people with weapons from entering the boundary and may evict people at the instruction of the presiding officer. They may also accompany ballot boxes, or search for missing materials at the request of the presiding officer. (*IEC module 3, Voting, page 16*)

NOTE: apart from staff and party agents there may also be observers from civil society or other countries. They will be clearly marked as observers and may observe all processes except voting. They must observe the same rules as party agents.

16. Voting process

(*Legislation page 32-38, 123-127, Module 4*)

A voting station can consist of one venue with one stream of voting, or a number of venues at the same place (e.g. classrooms in a school). Such a station is called a voting centre and has a number of streams of voting according to the alphabet – perhaps a-l in one room, then m-n and then o-z. The same process is followed in each stream.

Open and seal boxes.

Before voting starts all the ballot boxes must be opened in front of the party agents so they can check that the boxes are empty. The boxes must then be sealed so that only the top slit is left open.

The box containing the special votes in their double envelopes should be kept separate and sealed until these are added to the ballot counting tables in front of all party agents. The box is opened and then the outer

envelopes are checked against the special voters roll. Only then are they opened and the outer envelope is set aside, the ballot is taken out of the inner blank envelope and added to the count.

In the queue

An official will check the IDs of voters in the queue. If the voter is at the wrong station, they will be shown to the deputy presiding officer who will either direct the voter to the correct voting station if they have come to the wrong one or will help them to fill in the VEC 4 form to apply to vote outside their VD.

These steps will be followed in the voting station:

1. Voter shows ID at door, zip-zip scanner reads the barcode and prints slip
2. Voter's name is crossed off the voter's roll. (If the voter does not have an address or description of where they live on the roll, they will be sent to a separate table and will be helped to fill in a form providing details of where they live before proceeding to vote)
3. Voter's left hand is examined to see if it has been marked.
4. The voters left thumb must be marked by drawing a short line on the thumb and the nail at the point where the nail meets the cuticle, with visible special ink that cannot be washed off. The thumb is marked to see that the voter does not vote again. (Make sure that the correct marker pen is used so that the ink cannot be wiped off)
5. The voter's ID will be stamped
6. The voter is given one national and one provincial ballot paper. An official stamp must be put on the back of the ballot papers. If voting outside your province you will receive only a national ballot.
7. The voter goes into the voting booth and makes a cross/mark for a party on each of the ballot papers.

8. The voter folds the ballot papers and puts them into the ballot box. An election official will check to see that the ballots have the stamps on the back before they are placed into the boxes.

No left thumb to mark

If the voter has no left thumb or left thumb nail, any other finger on the left hand can be marked. If the voter has no fingers on the left hand, a finger on the right hand must be marked. If the voter has no hands, a special form must be filled in.

Sealing of full boxes

(Module 4, Voting, pages35)

Full ballot boxes as well as the remaining boxes at the end of voting, must be sealed by the presiding officer and kept in full view of agents.

17. Mobile voting stations

(Legislation page 38, 52,128-129)

The routes and times of where a mobile voting station will stop, must be publicised beforehand. The mobile station must stay in a specific spot until all the voters who arrived before the end of the stopping time that was publicised, have voted. The same rules that apply to normal voting stations will apply for mobile stations in terms of voting.

If a mobile station exists in the same district as a normal station, it is treated as a satellite station and votes must be taken back to the normal voting station for counting. The boxes must be opened and all the ballot papers mixed up, before counting starts.

Voting in prisons takes place on Election Day, and prisons are treated as satellite voting stations of the VD they are based in.

Please Note: Party agents are not allowed to travel in the same vehicle as election officers and must therefore make their own travel arrangements.

18. Voters needing assistance to vote

(Legislation page 34, Module 4 page 69-70)

If a voter needs help to vote because of disability they can bring a friend or relative to help them vote or they can ask the presiding officer for help. If the voter is illiterate, the presiding officer or another electoral official who has been delegated this task, may help the voter to vote. Illiterate people cannot use a friend or family member. If an electoral official helps the voter to vote, two party agents from different parties, or an observer and agent can watch. Parties should rotate agents and make some agreement about how to pair different parties.

19. Postponing or re-voting in specific VD

(Legislation page 21, 105)

The Act allows for two ways to deal with violence, cheating, loss of materials, intimidation, natural disasters and other factors that could prevent a free and fair election in a particular voting station:

Postpone: If voting has not started at a voting station and it is not reasonably possible to conduct free and fair elections on Election Day, the elections may be postponed to another day, as long as it is within seven days of the election date

Re-vote: If ballot papers used on Election Day at a voting station are lost, destroyed or unlawfully removed before the votes have been counted, a re-vote may be ordered by the Commission for that voting station on another date within seven days of the election date.

20. Counting

(Legislation page 129-131, Module 5, Counting)

In this election counting will happen at the voting station in most cases. If the voting station has different rooms for different parts of the roll (voting centre) then each voting centre counts separately and then the result is added together for the VD. Votes may only be counted in a different central place if this is needed to ensure free and fair elections or if the votes came from a mobile voting station and are taken to a central place for counting.

Each party is entitled to two agents at a counting centre (voting station) and four agents if the votes are counted at a central venue. Once the doors are closed and counting starts, the agents must stay inside and new agents are not allowed in.

There should be at least the following staff: counting officer and deputy, two to four counters. Some of the same staff who worked during the voting will count the ballots and it should take only a few hours.

The **Result Slip** is the most important document for checking that there is no cheating before counting. It will tell you how many ballots were given to the presiding officer, how many were used in the voting station and how many are left over. It also lists the results for each party, and the number of spoilt papers. It is used to reconcile the whole voting process. One agent from each party should sign the result slip next to the results for their party. You are allowed to photograph the result slip at the end when it is displayed outside the voting station. Send this picture to your party.

Counting process at a voting station

1. Ballot boxes must be taken to the counting tables and their seals checked before opening them. No pens or pencils are allowed on the table.
2. A box is then opened and the ballots put on the table. Agents may not touch ballots.
3. The different ballots (national and provincial) must be separated and counted by separate teams of counters to see how many ballots were cast.
4. The ballot papers should first be unfolded and placed face down on the table and checked to see if they all have the official stamp from that voting station on the back. Ballot papers without the stamp are placed aside and not counted.
5. Each pile of ballot papers must then be counted and the total of each type of ballot paper found in the box must be written on the form
6. Then each paper must be examined to see whom the voter voted for. If it is clear it must be placed in the tray with the party's name on it. If it is not clear, keep it aside in a pile of questionable ballots for checking later.
7. When all the ballots are sorted go through the pile of questionable ballots one by one to decide if any of them should be spoilt votes: because you cannot see who the voter chose (spoilt papers have no mark, two or more marks or it is unclear next to which party the mark falls. Any kind of mark is acceptable.) (*Module 5, page 19 has examples*)
8. The presiding officer must decide and party agents may disagree with a decision made by the presiding officer and can file an objection on a special form.
9. If a questionable paper is accepted by everyone, it is added to the pile of normal papers in the correct party's tray. If it is accepted but someone objects, it is still counted but kept in a separate envelope marked "Disputed but counted"

10. Spoilt papers are called rejected ballots and must be filed separately in envelopes marked “Rejected” if no-one objects. If someone objects it must be kept in an envelope marked ”Disputed and not counted”
11. The number of rejected ballots that are not counted must be written on the result slip.
12. The piles for each party are then counted and put in bundles of ten ballots. At the end all the bundles for each party must be added up to decide what number of votes they got. The result must be written on the result slip.
13. The total of all the votes for all parties (from the different ballot boxes used in that voting station) must then be added up to check that it is not more than the number of ballot papers that were issued. The result must be written on the voting station result slip.
14. As soon as all party agents agree to sign the two copies of the result slip, the materials and ballot papers are taken back to the MEO’s office. The result slip should be sealed in a transparent plastic envelope – to tamper with it the seal will have to be broken. One copy of the results slip for the national and the provincial elections will be displayed at the voting station and the other taken to the MEO office. It will be entered into the national computer by an IEC data capturer or IEC staff member, and then checked by an auditor. The result slips are also faxed or scanned to the provincial IEC office and scanned so as to be available to IEC staff and party representatives at the provincial and national results centres.
15. If the MEO has access to a photo-copier, all parties that have agents present at the MEO office on election night are entitled to get a free copy of each result slip after they are processed. They can also be photographed with cell phones once they are displayed outside the voting station.

Counting at a counting centre.

The process for counting votes at a central counting centre is the same, except that the presiding officer must come and hand over all the records and ballot boxes to the counting officer. A result slip for each election (national and provincial) must be completed for each separate voting district/voting station.

If there are any problems like missing boxes or too many ballot papers inside a ballot box, the counting officer must get an explanation from the presiding officer and must also inform all party agents present. If there is no acceptable explanation, the security forces must be asked to investigate immediately.

It is very important to keep all voting stations' counting processes completely separate so that proper records can be kept and monitored.

21. Objection and complaints

(Legislation, voting page 35-36, Module 4 and 5, 'Voting and Counting, VEC 5-9)

Party agents can make objections to decisions of the presiding officer about:

- whether a voter is entitled to vote (if the agent suspects fraud) (*VEC 5*),
- the counting or rejection of ballots (*VEC 6 and 7*),
- the verification process (*VEC 8*) or
- objections to the conduct of an electoral officer, agent or any other person at a voting station (*VEC 5*).

It is important that the objection be made 'timeously' –e.g. if objecting to a voter being allowed to vote, the objection must be made before that voter is issued with a ballot paper. Check the relevant

section in the Electoral Act and Election Regulations which apply to the different types of objections.

Objections must first be made to the presiding officer on the correct VEC form that you can get from the presiding officer. The presiding officer must look at the form, make a decision and write their decision on the form. If your objection is rejected, no action will be taken by the presiding officer. The presiding officer must keep the forms and hand them to the MEO at the end of counting.

During counting, and before the results slips are completed, an objection can be made in regard to the vote count. The Presiding Officer may then order a recount. Do not request a recount unless you have reasonable grounds for believing an error has been made. Please note that the Presiding Officer can refuse a recount if a recount has been done twice before.

Candidates are not allowed to lodge objections, - that is why parties have agents, because it is their responsibility to lodge objection on behalf of a party

Presiding officers can sometimes make the wrong decisions. If you believe your complaint is serious and may affect the elections or the rights of voters, you should immediately contact your party liaison representative at municipal or provincial level. They can try to get intervention from the IEC or the MEO to address the problem.

You can also appeal against a presiding officer's decision and make a formal objection to the IEC in Pretoria, but this will only be dealt with after the voting finishes. Objections will only be heard on issues that relate to counting and voting and it is unlikely that anything will be done about your complaint unless it has an effect on the outcome of the election (makes a material difference to the result). Contact your PLC Rep so that a formal appeal or objection can be made to the IEC office in Pretoria not later than 9pm on the 10th May 2019.

22. CHECKLIST

Before Election Day

- ❑ Get party agent authorisation form (*VEC 9*) from your party – without it you cannot be a party agent
- ❑ Attend any training offered by the IEC or your party
- ❑ Make sure you know who in your party to communicate with on election day and where to send reports – branch and local offices as well as party representative at the MEO office.
- ❑ Make sure you know the names and contact details of the local IEC staff and your local and provincial party representatives

On Election Day: when you get there

- ❑ Take with to the voting station: your ID, your authorisation form, this handbook, a pen and notebook, a fully charged cell phone (remember not to use it in the voting station for calls or photos or social media), some food and drink for the day, some warm clothes.
- ❑ Get to the voting station at 6am and introduce yourself to the presiding officer, staff and other agents.
- ❑ Check inside and outside the voting station to see if all equipment is in place, if the queue area is properly organised and the boundary clearly marked.
- ❑ Check that voting booth is placed so no-one can see voting
- ❑ Check arrangements for toilets, water, first aid, security and telephones.
- ❑ When the presiding officer opens the ballot boxes check that they are empty and then properly sealed. Only the special votes box should have ballots in sealed envelopes inside.
- ❑ Keep record of the number of ballots at the voting station.
- ❑ Record the time voting starts.

During voting:

- ❑ Remember to vote if you did not cast a special vote already
- ❑ Check whether voting is going fast enough and if not, try to help overcome problems – mostly problems are caused by bottlenecks where too many voters are waiting for one part of the process. Make suggestions to the presiding officer.
- ❑ Regularly check each table and the work of each official. Try to share watching with other agents – especially at the voter’s roll table, the hand-marking and the ballot-issuing. You may watch everything except how voters cast their ballots.
- ❑ Bring problems to the attention of the presiding officer and keep good notes about them. Make objections on the right forms when needed – get them from the presiding officer.
- ❑ Stay in touch with your election coordinators and local offices and report serious problems.
- ❑ If the presiding officer does seriously wrong things and does not respond to objections, report to the MEO through your PLC rep or local or regional election coordinator, get help.
- ❑ If you are prevented from observing staff or chased away from the voting station, report to your PLC rep, or local or election coordinator, and get help.

At the end of voting:

- ❑ At 9pm, check that the queue is closed, but that all voters already in the queue are still allowed to vote. Saps or the IEC can place one of their members at the end of the queue to stop new people joining.
- ❑ Watch sealing of the boxes, count left over ballot papers and stamps
- ❑ Check the filling in of the voting station report form
- ❑ If the counting is happening somewhere else, follow the vehicle that takes the boxes
- ❑ Make sure that party agents are inside the voting station before the counting starts, as the doors will be locked and no one allowed to enter thereafter

During counting:

- ❑ Stay inside since you may not be allowed back in if you leave.
- ❑ No pens are allowed on table and no agent may touch a ballot.
- ❑ Follow every step of the counting and check that boxes are sealed before opening.
- ❑ Check all numbers that are written on report and result forms.
- ❑ Check all spoiled papers and discuss.
- ❑ Sign the voting station result slip only if you are sure the figures are correct.
- ❑ Write down results or photograph result slip and report to your election coordinator.

23. Quick solutions to problems

Party Agents not accepted by Presiding Officers because:

1. They are not registered with the MEO

Party agents do not have to register with the MEO. They only need to report at the voting station with the VEC 9 form from the party authorizing them to be agents, which they should hand to the PO. A party can have many agents for each station but only two may be inside the boundary at any one time.

Action:

- Ask the presiding officer to look *at the IEC module 3, Voting, page 17-18 or Legislation page 46-47*, where it says agents must have a letter of appointment and present it to the PO.
- If this does not work, call your PLC representative or coordinator in the area and ask them to contact the MEO.

2. *They do not have a VEC 9 form authorising them from the party*

Agents need a copy of the official VEC 9 form from their party with all their details on it. Without this form, the presiding officer can refuse permission for an agent to come inside the voting station.

Action:

- The only solution is to get a form.
- If your local coordinator does not have extra copies of the official party forms to fill in, go to the MEO, get the official IEC forms and get the party's local election coordinator to fill it in for an agent. Or get a party VEC9 form scanned and sent to your local office and deliver it to the agent.

3. *There are already two agents from your party inside*

Any party can have only two agents inside at a time. If there is more than one stream of voting you can have two agents per stream.

Action:

- Work out shifts for the extra agents so that they can relieve those inside at a later time.

Party agents prevented from getting to the voting station

Preventing party agents from getting to a voting station is an election crime.

Action:

- Make sure you are safe, and report to the SAPS officer at the voting station and ask for assistance, or contact your coordinator, the MEO or the police for assistance.

Candidates campaigning in the voting station or excluded from the voting station

Candidates are allowed in the voting station as observers. Candidates are not allowed to act as party agents. They cannot campaign or talk to voters inside the boundary. They must have an IEC candidate certificate. They should not wear party branded clothing, rosettes, bags, stickers or caps.

Action:

- Take the issue up with the Presiding Officer
- If you have already tried this and it was unsuccessful, phone the MEO directly or send a message with all the facts to your PLC rep or coordinator and ask them to follow up

Voting stations not open because of:

1. *Lack of staff*

The MEO is responsible overall for staffing and should have some reserve staff nearby. The Ward or Area Manager or Presiding Officer should sort out the problem or contact the MEO if needed. Voting stations can operate with less staff than planned as long as there is a presiding officer and a few others.

Action:

- If there are enough staff to start suggest to the presiding officer that staff play more than one role and that voting should start while he/she tries to get reinforcements.
- Ask the PO to report the problem to Area Manager or MEO.
- If this is impossible send someone to the MEO or contact your PLC representative at the MEO office or your coordinator.
- Do whatever else you can to help – but do not take over the work of IEC staff as party agents may not do this.

2. *Lack of material and equipment*

The MEO is responsible overall for materials and should have some reserve materials and equipment. The Area Manager is probably the

closest person who can supply extra materials. The Presiding Officer should sort out the problem with the area manager or contact the MEO if needed. Voting stations cannot operate without ballot papers, voter's rolls, ballot boxes, a booth, stamps and ink for marking fingers. Some of the other equipment you can do without or wait for – for example the envelopes used for counting.

Action:

- Ask the PO to report to the Area Manager or the MEO.
- If impossible send someone to the MEO or contact your PLC representative at the MEO office or your coordinator.
- Do whatever else you can to help – e.g. Borrow tables and chairs from houses nearby if you are short.

3. *No access to building*

All voting stations are booked for a few days and paid for by the IEC. Owners are responsible for ensuring that the building is opened at 6am on Election Day. The PO is supposed to have checked arrangements the day before. The MEO and Area Managers should have copies of the contracts and contact details of the owner. Equipment may be inside or outside the locked building – find out!

Action:

- Do everything you can to help find the person with the key – ask neighbours where the caretaker or principal (if it is a school) lives. Get the PO to request help from the SAPS to open the doors. (It is much cheaper to replace a lock or window later, than to hire a new venue or postpone the election.)
- If the venue cannot be opened, ask the PO to get hold of the Area Manager or the MEO and to report the situation. Try to find another venue nearby or ask the MEO to re-locate outside – with a tent if possible. Any change of venue should be well publicised through putting up notices and leaving people at the old venue to re-direct voters.
- Do whatever else you can to help

4. *No electricity and phones*

All voting stations are meant to have some form of lights and a phone or radio (through SANDF). Voting can go ahead without power or phones until it gets dark. MEOs are meant to have reserve mobile lights.

Action:

- Carry on with voting while trying to sort out this problem. Ask the PO to get hold of the Area Manager or the MEO and to report the situation. If this is impossible send someone to the MEO or contact your PLC representative at the MEO office or your coordinator
- Do whatever else you can to help – for example borrow gas or paraffin lights from people in the area, use cell phone torches, try to get someone with a cell phone to come and sit at the voting station
- If you have a car use it to fetch lights from the MEO if necessary and if there is electricity nearby, borrow extension cords and connect a light.

Violence in the area, voters stopped from coming to the voting station

Voting should not proceed if any voters are unable to get to the voting station or if there is a threat to staff and voters at the voting station. The police and SANDF are responsible for protecting voters and staff and dealing with violence. Their work is coordinated by an Area Operations Coordinating Committee and the MEO should be in contact with them

Action

- Make sure all staff, ballots and voting equipment are safe as a first priority and move away from the voting station if necessary.
- If there is an invasion or hijacking of a station, ask the PO to prioritise securing ballots already cast and the voters roll as these cannot be redone later – those who already voted have had their fingers marked and they have gone home.
- Ask if the PO has contacted the MEO or local police station or Area Ops Coordinating committee and reported the situation and what was the response from security forces.
- Contact your party structures or the police for help.
- If the trouble comes from supporters of your party try to calm them down and to stop any destruction of ballots or threats to staff. Contact your leaders to come and help protect the voting process and IEC staff.
- If voting has to stop and there is a possibility that staff may have to evacuate, ask the PO to seal the boxes and take them with.

Fraud and other irregularities

- If you see any fraud or irregularities, report to the presiding officer immediately.
- If not successful, get help from you party structures. Try to stay in the voting station and write down everything you see.
- Remember you are not allowed to take photos or film inside a voting station
- Send someone to inform coordinator or call PLC representative, MEO or police.

PHONE NUMBERS FOR ELECTION DAY

IEC:

MEO _____

EPC _____

Area/ward Manager _____

PARTY:

PLC rep at MEO office _____

Local coordinator _____

Provincial office _____

POLICE _____

EMERGENCY NUMBER _____

AMBULANCE _____

FIRE BRIGADE _____

ALARM COMPANY FOR VENUE _____

REPORTING

It is important to know what is happening at every voting station so that support can be sent if needed. All problems should be reported to your PLC representative at local level. You can also enter the details online if you have access to a cloud based system.

If no access to cloud, you can use sms or WhatsApp to send messages to your local coordinator. Apart from problems, there are five important things to report:

1. **Opening time** - sms to your local coordinator: “VD number ... opened at”
2. **Turnout at midday** - sms: “VD number ... turnout is out of ... registered voters”
3. **Turnout at 5pm**, sms: “Vd number ... turnout is out of ... registered voters”
4. **Time voting ended** - sms: “VD number voting ended atpm.”
5. **Result when available** - sms “Number of votes cast on national ballot, spoilt votes....., ANC ... , DA EFF IFP Other “ or send photo of result slip

