Election Administration Manual

The South African Local Elections and Governance Support Project

Prepared by CORE
ELECTION ADMINISTRATION MANUAL

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CODE OF CONDUCT FOR ELECTION OFFICERS

The object of the Code is to commit every election officer to make sure that every voter exercises his or her right to vote in secrecy, dignity, comfort, and confidence.

1. Every election officer shall undertake:
   1.1. To do nothing to influence any voter to vote or not to vote for any candidate or party;
   1.2. To maintain the secrecy of voting at every voting station;
   1.3. To perform with care, competence and courtesy, all duties and functions in accordance with the lawful instructions of the Returning Officer;
   1.4. To be strictly impartial in these duties and functions, and to do nothing by way of action, attitude, or manner of speech, to give any other impression;
   1.5. To reject affirmatively and to dissociate himself or herself from any intimidation, force, sexual harassment, hostility, injury, disadvantage or threat of reprisal to any person or damage to any property which may disrupt or influence the process or result of the election; and
   1.6. To keep safe all election material entrusted to him or her.

2. Every election officer shall refrain from any attempt, offer or request:
   2.1. To find out how a voter has voted or intends to vote;
   2.2. To get a voter to show or make known how he or she has voted;
   2.3. To put any mark on a ballot paper so that a voter can be identified;
   2.4. To influence or assist a person to vote in the knowledge that such a person is not entitled to vote;
   2.5. Without due authority to disclose which candidate or party has been voted for on any ballot paper or papers; or
   2.6. Without due authority to approach, assist, signal or speak to any voter from the time the voter has entered the inner perimeter of the voting station.

3. No election officer shall, without due authority:
   3.1. Place any official mark on a ballot paper or take any ballot paper or supply any ballot paper to any person;
   3.2. Make any mark on a ballot paper or put any ballot paper into a ballot box;
   3.3. Take any ballot paper out of the voting station;
   3.4. Approach or touch a ballot box;
   3.5. Go into a voting compartment, except when specifically instructed to check its contents and it has no voter inside, or when lawfully helping an illiterate, blind or disabled voter;
   3.6. Break the seal or fastening or open or remove any contents of a ballot book, ballot box, parcel or envelope containing election material;
   3.7. Remove from a voting station any election material, or by act or omission assist anyone else to do so;
   3.8. Mark or write on, or delete any mark or writing from any election.
4. No election officer shall:
   4.1. Accept directly or indirectly any money, gift or promise from any candidate or party or any representative of such candidate or party;
   4.2. Impede or prevent any voter, election officer, candidate, representative, agent, messenger, or other election officer from gaining access to a voting area in the authorised manner and the prescribed hours;
   4.3. Destroy, hide or damage any election material;
   4.4. Destroy or alter a ballot paper or the official mark on it;
   4.5. Put anything other than a ballot paper or papers under due authority into a ballot box;
   4.6. Smoke or, except where required for the purpose of the election, light a match or lighter or any flammable substance in a voting station;
   4.7. Save with the express permission of the Returning Officer, eat or drink in a voting station or place of counting.
   4.8. In a voting station or inner perimeter or place of counting introduce, retain or consume any beverage containing alcohol or any other intoxicating or narcotic substance; or
   4.9. In a voting area wear any badge or emblem or apparel or article of clothing which associates or is reasonably likely to associate such election officer with any party or candidate in the election.

5. Every election officer in the course of his or her duty shall with courtesy, impartiality and due regard to the dignity, confidence and apparent needs of a voter:
   5.1. Request a voter to display his or her identity document;
   5.2. Request a voter to state his or her name and address;
   5.3. Carefully identify and rule out the number, name and address of such voter, if any, in the voters’ roll;
   5.4. Where necessary, request the Returning Officer for assistance or advice;
   5.5. Direct a voter to a voting compartment or to a ballot table;
   5.6. Inform a voter that directions for guidance are posted inside the voting compartment;
   5.7. Tell a voter where to deposit a ballot paper or papers after the voter has exercised his or her vote;
   5.8. Direct a voter to the exit of the voting station after the voter has completed the voting process;
   5.9. Inform any voter who is blind, illiterate, infirm or disabled, or who requires a translator, that such voter may get assistance from an election officer and direct the voter to that officer or where appropriate, direct that officer to the voter.

6. Any election officer who is appointed to assist a voter who is blind, illiterate, infirm or disabled shall do so only to the extent requested by such voter and with due regard to the right of such voter to choose to mark or otherwise deal with his or her ballot paper or papers personally and in secret.
7. Every election officer is committed to give special assistance, consideration, courtesy and respect to any voter who has difficulty or is unable to provide an appropriate identity document or address, or whose name is absent or has been cancelled or removed from the list of voters on the voters' roll, or whose capacity or entitlement to vote is challenged.

8. Every election officer shall undertake:
8.1. To attend and to be present at all training classes or workshops and the voting station or stations to which he or she is allocated during the hours designated by the Returning Officer;
8.2. To report for duty punctually and to complete any forms or declarations required in terms of the Local Government Transition Election Regulations, 1994;
8.3. To carry out his or her responsibilities without bias, advantage or preference and with due regard to the special needs of illiterate, uncertain, disabled or otherwise disadvantaged voters; and
8.4. To maintain and support an atmosphere of quiet efficiency, dignity, integrity and security within the voting station and inner perimeter, and notwithstanding any objection, disturbance or altercation, to continue to perform his or her particular and immediate duties with care and application.

9. Every election officer accepts that special conditions or unforeseen events may require an election officer to perform his or her duties under unusually difficult circumstances, and may require an election officer willingly to perform new or additional tasks which are within his or her capacity but which fall outside his or her designated duties.

10. Every election officer shall:
10.1 Recognise the need for and legitimacy of the presence of duly authorised candidates, agents, representatives and messengers in the voting station and inner perimeter;
10.2 Accept the role of these persons as observers and monitors and, where permitted in terms of the Local Government Transition Election Regulations, 1994, the right of any such person to object through the Returning Officer to irregular procedures or questionable voters;
10.3 a. Acknowledge and accept that a candidate, agent, representative or messenger is not entitled or empowered to give or convey any directive or instruction to any election officer and that an officer is not permitted to follow or implement any such purported directive or instruction; and
b. Immediately report any such purported directive or instruction and identify the person or persons concerned to the Returning Officer;
10.4 At all times maintain a courteous, impartial and impersonal relationship with all candidates, agents, representatives and messengers within the voting station and inner perimeter; and
10.5 Acknowledge that an election officer is not entitled as of right to receive, and shall not expressly or impliedly request, any refreshment or personal service from any candidate, party, agent, representative or messenger: Provided that
an election officer may accept unsolicited and modest refreshment offered openly and equally to all officers at a voting station by or with the concurrence of a majority of candidates and parties whose names appear on the ballot paper for that ward.

11. No election officer shall, during the election period:
11.1 Be a candidate or on a party list at the election;
11.2 Be a nominated member of or on the supplementary list for appointment to the transitional authority;
11.3 Work for or be paid by any party or candidate in connection with the election; or
11.4 Be the holder of an office in a party.

12. For the purpose of this Code of Conduct for Electoral Officials:
12.1 "Inner perimeter" means any place referred to in regulation 41(1)(b);
12.2 "Voting area" means any place referred to in regulation 41(1);
12.3 "Voting station" means any place referred to in regulation 41(1)(a).