

LOCAL GOVERNMENT ELECTIONS, 1995

COURSE TITLE: . MODULE 13 . PRESIDING OFFICER

STEPS	REG	TRAINER	TRAINEE	TIME
INTRODUCTION		<ul style="list-style-type: none">* Trainer welcomes delegates and introduce himself/herself		
		<ul style="list-style-type: none">* Ice Breaker Explain that delegates are to undertake a short, fun exercise to introduce themselves to each other and start them thinking about the elections		
		<ul style="list-style-type: none">1) Advise that 2 aspects of the elections are secret		
		<ul style="list-style-type: none">* One remains secret forever		
		<ul style="list-style-type: none">* The other is known only by the Returning Officer and is kept secret by him until the morning of the elections	<p>To identify:</p> <ul style="list-style-type: none">i) An individual's voteii) Official mark/instrument	

ii) Delegates are asked to identify what these two things are:

* Ask delegates to read Regulations 38 Read regulations 38
Trainer to instruct delegates how to identify a particular Regulation in the Proclamation

* Explain what is the official mark and the purpose for which it is used

iii) Divide delegates into small groups (3,4,5) depending on size of group

* Ask groups to create a fun design which could be used as an official mark and identify their group by giving the group a name Create and draw design and group name on flip chart

* All designs to be displayed on wall

* Independent judge to adjudicate.
Judge has been primed to give at least two groups the same top mark out of 10. i.e. two groups get 9/10

and other groups possibly 8/ 10

Read Regulation 73(1) (b)

- * Delegates asked " what happens in an election when more than one Candidate gets the same number of votes?"
- \$ Refer delegates to Regulation 73 (1) (b)
- * Run through the procedures as stated in the Regulations, using an empty box as a ballot boxx and the winning groups as Candidates.
- * Draw one winning name from the box and hand out packet of sweets to winning group. Sweets to be given all groups for being creative

2. CONTENT

THE FUNCTIONS OF THE PRESIDING OFFICER

Selection and training

31

- * Having been selected, Presiding Officers must undergo training including practical training on the voting process in order to manage his/her voting station

Listen and discuss; Check criteria for appointment; Refer to Regulation 3 1

3 1(5)

- * Based on evaluation, presiding officers are issued letters of appointment and assigned to voting stations

Refer to Regulation 3 1(5) and FORM ER6 A or ER 6C as applicable
See Hand out based on Module 16

Transparency No. 1-
Voting Station Lay-Out
TLC' or TMS/TMC as
applicable

- * Together with the Returning Officer and based on the voting station layout, determine the number of elections officers required including relief staff for each voting station and provide training

Refer to the applicable page 8 or 9 of the HAND BOOK

Functions on Appointment

35 (1) (2)

* On receipt of letter of appointment, make Declaration of Secrecy before the Returning Officer or Deputy Returning Officer and read and sign Code of Conduct

Refer to Reg. 35(1) and (2). Discuss FORM ER9 and Envelope ER29 (see hand out from Module 16) Also refer to reg. 72(2)(b)

* Arrange for the training of election officers; ensure you are familiar with the materials for training ,i.e; Module 14; Transparencies; Hand Book, and kit for practical training

The Day Before Election Day

Transparency No. 2 -
Voting Area

41(1)

J: Visit voting station to ensure that same is suitable for arranging furniture according to the voting station lay-out, and that the voting area meets the criteria stated in Regulation 41 as far as practicable. Check whether there is an adequate supply of water; electricity or alternative; toilet facilities, etc. and report whatever

Refer to regulation 41(1) and discuss the 3 components of the voting area

is lacking to the Returning Officer

41(2)		Define political activity	Refer to regulation 4 l(2) and discuss
43(1) (2)	*	Check whether an adequate supply of voting compartments, furniiture and other necessary conveniences have been provided for the voting station based on the lay-out	Refer to regulation 43(1) and (2). Discuss the construction of the voting compartments, and what is meant by an adequate supply of voting compartments and furniture
Transparency No. 3 - List of election material based on reg. 40(1)	40(1); 37	* Know where to collect election materials and the latest time possible (1700 hrs), and where to deliver ballot boxes and other election material at the close of voting. Run through regs. 34,35,.37,40,and 47 in relation to the list of election materials	Refer to regulation 40(1) and discuss the item listed. Refere to reg. 37 and discuss the ballot boxes ,how they should be marked for identi-fication. Also refer to Form ERI 1 (Module 16 hand out)
39	*	Emphasize why items (a), (b) and © are required and that the persons mentionend therein must make a Declaration of Secrecy on FORM	Refer to Regulation 39 and to FormER9 (Module 16 hand out)

ER9

34	*	Go through Reg. 34 and emphasize the proviso at sub-para. (d)	Refer to Reg. 34 and discuss the classification
38(1)(C); 40(1)(i)		Discuss the importance of the official mark/instrument	Refer to regs 38(1)(C) and 40(1)(I) and Forms ER10A or 10B as applicable. Discuss
40(2)	\$	Explain the Forms ER20 how they relate the particular election and how part A should be completed. Also explain the receipt to be signed and given to the returning officer including the numbers and symbols of the ballot boxes received	Refer to reg. 49(2) and Hand out Form ER20 Discuss
	*.	Where necessary, finalise arrangement with the appropriate authority via the returning officer for parking and for co-ordinating traffic around the voting area Also make arrangements for food	Discuss how these may be best put in place

for the voting staff on election day

Prior To The Start Of Voting

- | | | | |
|----|---|---|--|
| 41 | * | Ensure the voting station, the inner perimeter and controlled area are clearly identified | |
| 45 | * | Draw attention to the hours of voting. Emphasize that the: voting station opens at 0700 hours, but that all staff must be at the station not later than one hour before the station is due to open (0600 hrs) | Refer to reg. 45. Listen and discuss |
| | * | Go through the Forms to be used prior to the start of voting | Refer to Forms ER6, ER9, ER1 I, ER12 (A) or(B), ER13, ER1 4 (A) or (B), ER20
Discuss the purpose of each form |
| | * | At 0600 hrs check to ensure that all staff members are present. Report any shortfall to the returning | Discuss the lay-out |

officer and arrange for additional staff. Determine the additional staff required according to the voting station lay out

*
Ensure there is adequate relief staff and that there is a police officer available for duty at the voting station

32(1)(b); 35(2)

*
Have all election officers sign letter of appointment ER6 (A) or © as applicable, and make Declaration of Secrecy. Form ER9

Refer to Regs. 32(1) (b) and 35 (2) (d). Discuss the implications of the Declaration of Secrecy

*
Do a final check whether there is an adequate supply of water, that toilet facilities are in place, whether there is electricity and if not, whether alternative arrangements have been made for lighting; and if necessary, whether there is someone available to coordinate traffic and parking around the voting area.

41 (b) and ©

*

Discuss the need to ensure tht no political activity is taking place in the inner perimeter or the controlled area

Refer to regulation 41 (b) and © and discuss

Transparency No. 1 -
Voting Station lay out

47

Arrange Voting Station

‡

Using, lay out, arrange furniture and voting compartments. Explain that depending on the number of registered voters for the voting station, there may be two tables, each with a voters' roll officer and two ballot paper controller officers showing the alphabetical distribution of the names on the voters' roll. Where the voting station is TMS/TMC, the same alphabetical distribution would apply for the TMC voting.

Refer to reg. 47 and to page 8 or 9 as applicable in the Hand Book. Discussion then practical exercise

46

*

Also using lay out, demonstrate the locations where the required posters must be placed: ER 12 (A) or

Refer to regs. 46 and 47. Discussion then practical exercise

(B). ER13, ER14 (A) or(b)

59; 52

Role of Agents and Messengers

- * Explain that agents are required to monitor the elections on behalf of their candidates or political parties;

they are entitled to raise objections to actions which in their view do not accord with the provisions of the regulations;

they may challenge any voter whom they believe is not the person whose name appears on the voters rot 1

Emphasize that in carrying out their functions they may not interfere with the voter
- Refer to regs. 59 and 52; to page 15 of Hand Book, para 4.2

41(1) ©

Role of the Security

- * Explain and discuss
- Refer to reg. 41(1) © and to pages 14 and 15 of Hand Book

42

Persons Authorised to Enter the Voting,
Station or Inner Perimeter

Refer to reg.42 and discuss in
particular 42(3)

- * Define the persons, other than
voters waiting to cast their votes,
who are authorised to enter the
voting station and inner perimeter.
Emphasize sub-para (3) of reg 42

Distribution of Materials

- * Except for the ballot box/es, the
ballot papers, official mark
instruments and voters' roll,
distribute remaining supplies
according to designation

pen or well sharpened pencil to be
attached to the writing surface of
each voting compartment

Refer to layout and discuss
what goes where

48

Seal ballot box/es

- * explain that the ballot box/es must

Refer to reg. 48, discussion

be sealed not more than thirty minutes before the start of voting (0630 hrs)

then practical exercise

- * demonstrate the procedures for sealing the ballot box/es

Distribute remaining materials

With staff at their respective table put in position

41(4)

ballot box/es (already sealed)

Refer to reg. 4 I(4)

Transparency Nos. 4 and 5 and where applicable No. 6

36(1); 36(4); 40(1)(i); 54(2) © and (d)

ballot papers - explain the different ballot papers for the types of elections, i.e. white; yellow; green

demonstrate how to

Refer to reg. 36(12) 36(4) 40(1) (1) 54 (2) (d) and 54 (2) (e)- discussion and practical exercise

record the serial number on the counterfoil of the ballot paper

fold the ballot paper

to stamp the back of the ballot paper in the space provided with

the official mark

40(1) (d); 54(2) ©

Voters' roll - Explain how to check the names and to draw a line through the name and serial number

Refer to 40(1) (d); 54 (2) ©
Discussion and practical exercise

Orderly Conduct of Voting

41(8)

*

Discuss with staff and the police officer on duty the powers of the presiding officer with respect to the orderly conduct of voting

Refer to reg. 4 l(8) and discuss

42; 35

*

Review with the entrance officers the persons to be permitted into the voting station and inner perimeter, other than persons waiting to vote

Refer to regs. 42 and 35

that such persons should have made a declaration of secrecy on Form ER9

Transparency Nos. 7 -
13

54

Explain in detail the functions of each election officer in the voting station i.e; the entrance officer, the voters' roll officer, the ballot paper officer (ward, TLC/TMS, TMC as applicable), officer monitoring the voting compartments, officer monitoring the ballot box/es, the voter's assistant (deputy presiding officer) the exit officer, the interpreters.

Refer to reg. 54; Module 14; Handbook pages 20- 23 and figures 1- 7 as applicable on pages 24-28 in Hand Book

Discuss the various functions

53(6)

*

Emphasize how to deal with problems such as

no ID document

discrepancies on ID documents

voter's name on voters' roll

line already drawn through name and serial number on the voters' roll

official mark not on ballot paper

Put the title of each election officer in the voting station, starting with the Entrance Officer and ask

Refer to information in square brackets in the functions descriptions as outlined in the hand book pages 20-23

Trainees to fill in the answers through group discussions

trainees to give a brief description of the persons functions.

Compare answers given with the functions as described in the regulation and the Hand Book

Open Voting Station: 0700 hrs

49(1)

*

Declare voting station open and instruct the Entrance Officer to admit the first voter

Refer to reg. 49(1)

41(8)

*

Control the number of voters in the voting station at anyone time

Explain that in order to maintain a steady flow: as soon as the voter leaves the table with the voters' roll, another voter should be admitted

Refer to reg 4 1(8) and discuss the smooth functioning of the voting station

Inspection of Voting Station

50(1)

Explain that regular checks of the

Refer to reg. 50(1); voting

voting station are important to ensure that posters are in place,,

station lay out and discuss

there is no interference with the voters

the staff is performing in accordance with the regulations

the voting compartments are arranged as required

ballot boxes are being monitored closely

50(2)

Inspection of Voting Compartments

Explain the reason for regular checks of the voting compartments when they are vacant, e.g.:

Refer to Reg. 50(2) and discuss

Form 12 is still in place

pen or sharpened pencil is still attached to the writing surface of each voting compartment

no other notice, paper, sign,

	writing or symbol is in the voting compartment	
50(3); 41(1) (b)	Emphasize the importance of periodic inspection of the inner perimeter	Refer to rreg. 50(3); 41(1) (b) Discuss
58(1) and (2)	Assisting Illiterate, Blind or Disabled Voters	
	Explain:	
	the illiterate, blind or disabled voter with a companion	
	the illiterate, blind or disabled voter without a companion	
	point out the information in square brackets at the end of para 7.5 (1) and (2) in the Hand Book pages 31 and 32	Refer to reg. 58(1) and 58(2) Paras. 7.5 (a) and (b) on pages 31 and 32 of Handbook Discuss the need for secrecy
53	How to resolve situations	
	Explain	
	line already drawn through the	Refer to reg. 53 , to page 29 of

	name and serial number of a voter	Hand Book and Form ER 15
	discrepancies on ID documents	Discuss refer to page 29 of HandBook
	voter's name not on voters' roll	refer to pages 29 and 300fHand Book
59	Objection to person being allowed to vote Go through the procedures to be followed	Refer to reg. 59; page 300f Hand Book and Forms ER16, ER1 7 and Envelope ERI 8 Practical exercise
57	Official mark not stamped on ballot paper/s Demonstrate	Refer to reg 57 and pages 30 and 31 of Hand Book Discuss
60	Spoilt ballot paper Go through the procedures	Refer to reg. 60 and page 31 of Hand Book Practical exercise using Form ER18
	Review the Forms to be used during the voting process, i.e ER15, 1R 16,ER 17, and Envelope ER18	Refer to Hand outs from Module 16

61

Close of Voting

41(1)(b)

Prior to 2200hrs, check persons in queue and advise police to allow all persons waiting to vote to assemble in the inner perimeter

At 2200hrs, close the door of the voting station.

Explain that all persons within the inner perimeter who are entitled to vote should be allowed to exercise their right to vote. Go through the procedures

Refer to reg. 61 and discuss in groups the steps to be taken at 2200hrs.

62 (1) (a) ~~(d)~~

Seal aperture/s of ballot box/es

Explain how and when to seal aperture

that the activity should take place in the presence of persons authorised to remain in the voting station

emphasize not more than one

Refer to reg. 62 (1) (a) - (d) and to para. 7.6, pages 32 and 33 of Hand Book Discussion then practical exercise

agent and one messenger per
candidate or party

that any candidate or agent, who so
desires, should be allowed to affix
his/her seal to the aperture

62(l) (e) and (f)

Complete Form ER20

Explain that the Form ER20 for
ward, TLC/TMS, TMC as
applicable should be completed
separately

Refer to reg. 62 (1) (e) (f);
pages 32 and 33 of Hand Book,
applicable Forms ER20
Discussion ; practical exercise

Point out the importance of
completing these forms accurately.
i.e total no. of ballot papers issued,
including spoilt ballot papers,etc.

INFORM STAFF THAT NO ONE
IS ALLOWED TO LEAVE THE
VOTING STATION UNTIL ALL
MATERIALS ARE PACKED
AND READY FOR DELIVERY

Explain that

materials relating to the particular election must be packaged separately e.g; ward, TLC/TMS, or TMC elections and the applicable Forms used

the counterfoils of used ballot papers must be separated from the unused ballot papers

Go through the procedures for placing documents in envelopes

Refer to regs. 652(1)(f); 62(2),(3), (4), and (5) as applicable and refer to page 33 of Hand Book. Also refer to Forms ER6,ER9,ER 15,ER16,ER17,ER20 and Envelopes ER7,ER 18, ER19, ER21, ER25

Emphasize that

envelopes must be sealed with the presiding officer's official seal

that candidates or agents present

must be invited to affix his/her
own seal if desired

envelopes ER21 and ER25 must be
set aside separately

envelopes ER7, ER 18, and ER 19
must be placed in the single
container provided and labeled
with the applicable label ER23

Refer to reg. 62(3) (a) (b) ©; to
page 33 of Hand Book and to
Label ER23

presiding officer must affix his/her
official seal and invite candidates
or agents present to affix their
seals, if desired

presiding officer's official seal
must be placed in the applicable
envelope ER24, the flap must be
securely closed and signed by the
presiding officer

Refer to 62(3)(d), page 33 of
Hand Book and Envelope ER24

all remaining material must be
enclosed securely in container
provided, i.e; stationery, forms,
cutting instrument, sealing wax,
etc. and the applicable label ER22
affixed

Refer to reg. 62(4); page 33 of
HandBook and Label ER22

Practical exercise to
demonstrate the packaging of
material

Review forms to be used at the close of voting

ER6, ER9,
ER15,ER16,ER 17,ER20;
envelopes ER7,ER1 8, ER19,
ER2 1,ER24:, ER25 and Labels
ER22 and ER23

Delivery of Election Material

Explain that

63(1)

the presiding officer escorted by the police must deliver the sealed ballot boxes and the other material to the hands of the returning officer or deputy returning officer at the place notified on Form ER 1 1

Refer to reg. 63(1) and discuss

63(2)

candidates or agents present must be informed that they may follow the presiding officer to the place fixed for the delivery of material

refer to reg. 63(2) and discuss

Emphasize that the presiding officer is not obliged to await or to provide transportation for

any candidate or agent desirous of
following the election material

All persons to leave the voting
station. The presiding officer to
designate someone to ensure that
the area is cleaned, locked and the
key returned to the appropriate the
place

63(3)

Receipt of ballot boxes and other election
material

Go through the procedures

issue of receipt for items delivered

compare statement issued when
presiding received materials with
receipt now being issued

reconcile numbers on ballot boxes;
and the counterfoil numbers of
ballot papers shown on the Form
ER20 as received by the presiding
officer

note any discrepancies and affix

Refer to reg. 63(3) and page 34
of Hand Book

Discuss

signatures