



THE STUDENT ELECTORAL  
COMMISSION 2022

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● **END OF TERM REPORT**

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## EXECUTIVE SUMMARY

Elections are the cornerstone of any thriving democracy. Without free, fair and credible elections, there can be no credible leadership, there can be no mandate from the people and there can never be representation. Indeed, elections are more than a mere right; they are a responsibility, a sacred duty that forms the towering pillar upon which all democracies stand.

Stellenbosch University has a vast and complex infrastructure of student governance. Atop this pyramid of governance are the structures outlined in section 3 of the Student Constitution, these are : (1) The Students' Representative Council, (2) The Evaluation Panel, (3) The Student Parliament, (4) The Student Court, (5) The Appeal Court, (6) The Academic Affairs Council, (7) The Prim Committee, (8) The Senior Prim Committee, (9) The Societies Council, (10) The Military Academy Student Council, (11) The Tygerberg Student Council, and (12) The Electoral Commission.

All these structures work together to ensure the protection, fulfilment and enjoyment of the rights enshrined in the Student Bill of Rights, i.e. Chapter 2 of the Student Constitution. The Preamble of the Student Constitution states: "We acknowledge our responsibility to participate in the democratic structures recognised by this Constitution." The preamble, rightly so, sets the tone for the proactive involvement of students in the processes and structures of governance, in this regard, no process is more important than elections. Stellenbosch University (SU) prides itself on having a robust electoral system that is independently run by students. This is an opportunity for students to advance their experiential education by acquiring critical skills that they can utilise in real-life situations while still at SU and in their future workplaces. Further, we hope that our student leaders will play a pivotal role in the advancement of South Africa's democratic processes.

As the Electoral Commission of 2022 we would first like to give an immeasurable thanks to the students who trusted us with this awesome responsibility of coordinating elections in Stellenbosch University. We are reminded of the words of Andrew Carnegie who stated that: "teamwork is the ability to work together toward a common vision, and the ability to direct individual accomplishments toward organizational objectives." The Electoral Commission has worked with one mind, one heart and one vision, which ultimately produced the results and success which we have enjoyed

throughout our tenure. As we are now at the end of our tenure we smile with glee at the commitment we have sustained in service to our constituency.

Managing electoral systems is a complex task, often resulting in several missteps and shortfalls; however, these are not symbols of failure rather they are opportunities for growth. Accordingly, this report will highlight some of the opportunities for growth we have identified during the execution of our responsibilities.

The Electoral Commission, as the Pre-eminent election regulator at Stellenbosch University, is a new structure which was established by the Student Constitution which was adopted by the Stellenbosch University Council in 2021. Accordingly, the Electoral Commission was empowered by the highest decision-making body in the institution to moderate student leadership elections. In order to carry out this responsibility the Electoral Commission undertook to develop and implement robust and necessary elections regulations that ensure that the autonomy of student structures is preserved while also cultivating compliance with the dominant institutional policies on elections.

The jurisdiction of the Electoral Commission is complex, in most cases the Electoral Commission shares concurrent jurisdiction with other structures in the management of elections. Navigating this complexity has been a mammoth task, the Officials of the Electoral Commission have done their best to navigate these murky waters.

Ultimately, the Electoral Commission produced a free, free and credible SRC election. We oversaw numerous elections, received and resolved various complaints and strengthened electoral security protocols in various structures. The Electoral Commission, therefore, is pleased to report that we have done our job exceptionally well.

## RECOMMENDATIONS

### 1 Recommendations for urgent implementation

These recommendations have been compiled after due consideration of all the observations that are later outlined in this report. These recommendations for urgent implementation are not a complete reflection of all the recommendations made in this report but rather seek to highlight the common issues that require urgent attention, specifically from the functionaries within Student Affairs. Accordingly, the Electoral Commission makes the following recommendations:

- (1) Student Affairs must issue a general directive indicating that Student Leadership structures must use a singular virtual voting platform. The use of paper ballots, and other forms of physical voting must be strictly regulated and only available as a measure of last resort.
- (2) The SunSurvey voting platform has proven to be problematic when utilised under pressure, this platform must be further developed to ensure that it is secure, agile and user friendly.
- (3) The University must appoint a staff member who will be responsible for assisting election committees with legal advice, technical guidance and general election management training.
- (4) Election coordinators must be appointed to ensure that there is a central elections authority in each sphere of student governance, this is especially urgent for Faculty Student Committees. Further, each cluster must appoint an elections coordinator to ensure that the voting platforms for student communities are set up and managed efficiently.
- (5) Incentives must be improved in order to attract the best and most skilled student leaders who will form part of election committees. This includes cocurricular recognition and increases in honoraria for members of the Electoral Commission and the Tygerberg Election Committee.
- (6) All members of election committees must attend mandatory election management training that must be facilitated by industry experts at a training session organised by Student Affairs.
- (7) Student Affairs must capacitate structures such as the Electoral Commission and Student Parliament with the means to facilitate discussions around the development of basic norms and standards for student leadership elections.

- (8) The institutional support, especially from staff, for the Electoral Commission needs to be strengthened. The lack of institutional support is the greatest threat to the Electoral Commission.
- (9) Student Affairs must immediately liaise with the Military Academy to ensure that issues relating to the timing of the election are resolved and that the unconstitutionality that is rife in the process followed by the Military Academy in 2022 is addressed.
- (10) Student Affairs must urgently address the issues with student legislation on the Tygerberg Campus. It is recommended that a task team of policy developers be assembled for this purpose.

## **2 Recommendations for progressive realisation**

The following recommendations require programmatic efforts over a period of time and they offer suggestions on how to improve election management:

- (1) Student Affairs must facilitate the rollout of an institution-wide election awareness campaign. Partnerships must be developed with members of the Rectorate, deans of faculties and (senior/chief) directors of strategic divisions within the institution; the objective is to encourage students to participate in elections.
- (2) Student Affairs must establish a task team to review election guidelines periodically in order to ensure that they continue to be agile and effective for managing elections in the ever-changing context of the student leadership landscape.
- (3) University departments should offer more support for the election processes. This would include early endorsements from management structures via emails and social media (such as the official SU social media platforms), and endorsements from Student Affairs as well as the faculties themselves. If a structure is set up whereby these various departments take initiative each year to publicly endorse the process, it would enhance the work of the Electoral Commission (who, as students, cannot navigate the process as effectively) and would promote the legitimacy of the elections.
- (4) The SRC must appoint the Electoral Commissioners at the same time as when they elect the SRC managers or immediately thereafter.
- (5) The SRC should appoint two (2) Electoral Commissioners.

- (6) The Electoral Commission is a new structure, therefore, all previous benchmarks and standards will have very little comparative value. The University must invest heavily in this new structure if it is indeed concerned with ensuring free and fair elections across all student leadership structures.
- (7) The Electoral Commission is a creature of Student Affairs, it oversees the elections of all structures that fall under the jurisdiction of various departments within student affairs. Accordingly, the Commission should be the shared responsibility of all the departments of the division for Student Affairs. This will ensure greater access to resources and also ensure that the independence of the Electoral Commission is maintained.
- (8) The current budget of the Electoral Commission comes from the budget granted to the office of Student Governance, it is woefully inadequate for the role and function of the Electoral Commission. An underfunded Electoral Commission jeopardises the attainment of free and fair elections, firstly because the Electoral Commission will be required to cut certain programmes and activities which are vital to its purpose, but secondly it will discourage talented leaders from wanting to serve in the Electoral Commission because of the suffocating nature of a miniscule operational budget.
- (9) Considering the incapacity created by a small budget, it is recommended that the division for Student Affairs must subsidize certain functions of the Electoral Commission such as venue hiring and vehicle hiring, these costs have a direct impact on the ability of the Electoral Commission to ensure free and fair elections.

### **3 Recommendations for the incoming Electoral Commission**

The following recommendations are directed to the successors of the 2022 Electoral Commission:

- (1) The Electoral Commissioners must ensure that the Electoral Commission Assistants are appointed no later than 3 weeks after the Electoral Commissioners are appointed.
- (2) The Electoral Commission must ensure that the Tygerberg Election Convenor is appointed soon after the Appointment of the Electoral Commissioners.

- (3) The Electoral Commission must, with the help of the SRC, organise a liaison meeting with the various section 3 bodies to speedily establish the bureaucratic channels that will be utilised during the election period.
- (4) The Electoral Commission must establish and publish rules relating to how student leadership structures seeking advice ought to approach the Electoral Commission. This will ensure that access to the Electoral Commission is more efficient.
- (5) The Electoral Commission must set up the Elections Timetable as soon as possible, this timetable must be finalised after all the relevant stakeholders have been consulted.
- (6) SRC elections should be restructured to ensure that the ex officio SRC members' election caucuses are equally accessible to the general student body. Most students do not know who the ex officio members are, nor what their positions entail.
- (7) The Electoral Commission must establish rules that regulate SRC by-elections. This includes rules that prohibit by-elections after a certain date and after the election timetable has been promulgated.
- (8) The Rules of the Electoral Commission should be amended to oblige the Electoral Commission to provide updates and account on the Electoral Commission's work at every ordinary Students' Assembly Plenary session.

## CHAPTER 1: THE CONSEQUENCES OF RULES

### 4 The new constitutional order

In 2021, the Stellenbosch University Council adopted comprehensive amendments to the Student Constitution of SU. The new Student Constitution (2021 Revision, version 4.4) marked a decisive break from the electoral system of old; it introduced a new election regulator that has extensive powers. The Electoral Commission is a new structure that was borne of the former Students' Representative Council (SRC) Election Convenors; however, the responsibilities and powers of the Electoral Commission far exceed those of the former SRC Election Convenors. The new constitutional order clearly establishes the Electoral Commission as the primary election regulator in SU. In terms of the Student Constitution, the Electoral Commission has the following functions:

- (1) The Electoral Commission must ensure that SRC elections are free, fair and credible [s18(5) of the new Student Constitution].
- (2) The Electoral Commission presides over the election of the chairpersons and elected executive committee members of the Academic Affairs Council, the Prim Committee, the Senior Prim Committee, the Tygerberg Student Council and the Societies Council [s22(1)].
- (3) The Electoral Commission must manage the elections of the SRC and may monitor, audit and investigate any complaint(s) related to the elections of the Academic Affairs Council, Prim Committee, Societies Council, Faculty Student Committees, Society Committees, House Committees and Tygerberg Student Council and its constituent bodies [s23(1)].
- (4) The Electoral Commission may, in addition to the Student Electoral Act, adopt supplementary rules to ensure proper conduct during elections [s118(3)].
- (5) The Electoral Commission assistants, in cooperation with and under the supervision of the electoral commissioners, must ensure that all student leadership elections run smoothly [s119(3)].
- (6) The Electoral Commission must ratify the appointment of the convenor for Tygerberg before they will have all the powers that this Constitution ascribes to them [s124(2)].



- (7) The convenor for the Tygerberg campus, in cooperation with and under the supervision of the Electoral Commission, must ensure that the SRC election runs smoothly on the Tygerberg campus [s124(3)].
- (8) The Electoral Commission must manage the elections of the SRC and may monitor, audit and investigate/intervene in any complaint(s) related to the elections of the Academic Affairs Council, Prim Committee, Senior Prim Committee, Societies Council, Faculty Student Committees, Society Committees, House Committees and Tygerberg Student Council and its constituent bodies [s126].
- (9) Any complaint relating to any student leadership election, including any aspect that may jeopardise the freedom or fairness of the election and any decision or failure to make a decision by an electoral commissioner or respective election committee(s)/convenor(s), must be lodged with the Electoral Commission [s127].

## **5 The Electoral Act**

The Electoral Commission is toothless without a proper understanding of the implications of the newly adopted Electoral Act. The Electoral Act is Schedule 1 of the new Student Constitution of SU. It sets out the broad norms and standards for all student leadership elections as well as ascribing rights and responsibilities to all candidates participating in student leadership elections. The consequences of the Electoral Act for student leadership are remarkable and may be summarised as follows:

- (1) It establishes a basic framework for all student leadership elections. This means that all elections must be consistent with its values, norms and standards; if not, that election is invalid.
- (2) It creates a legislative framework through which the Electoral Commission may adjudicate election-related disputes. This means that the Electoral Act may be used to invalidate unfair elections without needing to rely on the internal constitutional provisions of a particular structure. This is important because most student bodies have severely underdeveloped election regulations.
- (3) The Electoral Act can be used by student bodies to supplement their own election regulations to ensure broader access, greater transparency, fairness and credibility.

- (4) Most importantly, the Student Constitution allows the Electoral Commission broad powers to issue binding directives to any student body under its jurisdiction by allowing the Electoral Commission to augment the rules outlined in the Electoral Act as long as the subordinate legislation is consistent with the Electoral Act as well as the Student Constitution.

## 6 Alignment with the new Student Constitution

- (1) An unfortunate consequence of the comprehensive legislative reforms introduced by the new Student Constitution is that many student bodies' constitutions are no longer compatible with the new Student Constitution.
- (2) This report is cognisant of the misalignment between the new Student Constitution and the constitutions of various student bodies.
- (3) The Electoral Commission consequently decided to promulgate election regulations to bridge this gap.

## 7 Election regulations

- (1) In April of 2022, the Student Court affirmed that The Electoral Commission may promulgate binding election rules, regulations or directives that regulate its own activities as well as rules that must be complied with by all student leadership structures within its jurisdiction.
- (2) In order to give effect to this responsibility the Electoral Commission adopted a code of conduct which requires that any rules promulgated by the Electoral Commission comply with the following process:
  - (a) Election regulations must be developed by the Rules Committee.
  - (b) Election regulations must first be circulated within the Electoral Commission for comments before they are promulgated by the Rules Committee.
  - (c) Election regulations take effect on the day after they have been published by the Rules Committee.
  - (d) Election regulations are deemed to have been duly promulgated when they have been sent to the student leadership structures responsible for their implementation.
- (3) The Commission adopted various rules including:
  - (a) The Electoral Commission Code of Conduct (**Resolution No.4, 2022**)

- (i) Which provides for the responsibilities and powers of the Electoral Commission.
  - (ii) It also sets out the internal processes and procedures of the Electoral Commission.
  - (iii) Further, it regulates the internal accountability mechanisms of the Electoral Commission.
  - (iv) Finally, it sets out the manner in which the duties of the Electoral Commission are shared by its official.
- (b) Elections Timetable (**Resolution No.15, 2022**)
- (i) Sets out the Dates of the elections of the SRC.
  - (ii) It further establishes the deadlines for all other student leadership elections.
  - (iii) The timetable was later incorporated into **Resolution No.28, 2022**
- (c) The Student Leadership Election Regulations (**Resolution No.28, 2022**) as amended by **Resolution No.33, 2022**
- (i) These are the main election regulations that were created by the Electoral Commission.
  - (ii) These regulations set out the norms and standards for various student leadership structures in pursuit of giving effect to the values in the Student Constitution.
- (d) Tygerberg Prim Committee Chairperson Rules (**Resolution No.41, 2022**)
- (i) These rules were specially created for the Tygerberg Prim Committee which does not have a constitution and by extension has no codified election regulations.
  - (ii) The rules were drafted as an interim measure based on the requirements in the Tygerberg Student Constitution as well as the Electoral Act.
- (4) The Electoral Commission extensively consulted with various stakeholders prior to promulgating these rules. The Electoral Commission adopted a cautious

approach to its legislative powers in order to ensure that it does not unduly encroach onto the domain of student structures who share the responsibility of ensuring that their own election regulations comply with the requirements in the Student Constitution.

- (5) As detailed in the report, below, of the Director of Compliance and Oversight, there was substantial compliance across the board with these regulations. Although there had been scepticism when the rules were introduced, student leadership structures grew to appreciate the stability that was introduced by the regulations.
- (6) Section 9 of **Resolution No.28, 2022** proved to be the most contentious rule promulgated by the Electoral Commission. The provision requires that election results be published to the voters in a particular structure. Various student structures had been consulted when the rule was drafted and eventually promulgated, however, some student structures and staff members had reservations about the impact and consequences of its enforcement. Fortunately, the Electoral Commission did not yield, and provided further comprehensive and constructive engagement on the reasons and justification behind the requirement. After extensive discussions with key stakeholders and those who were sceptical, the Electoral Commission is pleased to report that there was universal compliance with this rule. It is further encouraging to note that students, in their various spaces, began leading efforts to ensure that this rule was complied with universally. In all instances where the commission received reports of non-compliance with the rule, the commission was able to intervene and ensure compliance, except for the Election of the Lydia Residence House Committee which remains recalcitrant. Accordingly, the Electoral Commission has resolved to approach the Student Court to ensure that the blatantly unconstitutional election rules that allow Lydia Residence's impunity are set aside.
- (7) The Elections timetable (**Resolution No.15, 2022**) was another contentious issue. The timetable indicated that the dates for nominations of the SRC would be opened from 20 June 2022 – 10 July 2022, with the possibility of an extension till 18 July 2022. These dates were set by the Electoral Commission after

repeated and extensive consultations with all the relevant stakeholders, including the student leaders whose structures are represented on the SRC.

Two main issues arose with the timetable:

- (a) The first is with respect to the Election of the Military Academy Student Captain. The Electoral Commission has no jurisdiction on the Military Academy, however, due to the fact that the Student Captain is a member of the SRC who is expected to participate in the election of the SRC chairperson; the Electoral Commission has a duty to coordinate the two elections. The Electoral Commission extensively and comprehensively consulted with the incumbent Student Captain who is responsible for organising the election, an agreement was reached that the Student Captain would ensure that the elections are concluded prior to the SRC Chairperson election envisaged for 18 August 2022. It was on the basis of this agreement that the final election timetable was promulgated. After the promulgation of the election timetable, the Student Captain indicated that the Military Academy would no longer be holding their elections prior to 18 August 2022. A dispute between the Electoral Commission and the Student Captain then arose. The matter was referred to the Office of legal services for a legal opinion. The legal advice agreed with the Electoral Commission's submissions that the Military Academy would be acting contrary to the Student Constitution if they continued with their irrational plan to only conclude the elections in the 4<sup>th</sup> academic term. Consequently the Electoral Commission resolved that if the Military Academy did not conclude their election by 18 August 2022, they would simply not be represented at the first SRC meeting.
- (b) The second issue was a Student Court application lodged by two Students, coincidentally the Chairperson and Vice Chairperson of the SRC, who wanted the Student Court to declare the elections timetable unconstitutional because it opened nominations for the SRC during second opportunity exams and closed the nomination period during recess. The Applicants further wanted a blanket order declaring that any election activity that takes place in any structure during these periods is unconstitutional and set aside. The Application was of course founded on a misinterpretation and

misguided understanding of the Electoral Act, further the substantive concerns raised by the Applicants had already been considered and aptly catered for by the Electoral Commission. The Electoral Commission was further of the opinion that the litigation was malicious and an abuse of power by the Applicants who had previously squandered various opportunities to raise these concerns with the Electoral Commission before the nomination period commenced. Accordingly, the Electoral Commission resolved to oppose the Application. After 2 weeks of papers being exchanged between the parties the Court dismissed the Application.

## CHAPTER 2: INTERNAL GOVERNANCE

### 8 The nature of the Electoral Commission

The 2022 Electoral Commission was the first of its kind. Never before had a structure that even resembles it been established at SU. This meant that the Electoral Commission had no blueprint to learn from and no experiential advisor to speak to. Further, the expansion of the responsibilities of the Electoral Commission which saw the Electoral Commission become an investigative, regulatory, advisory, organising, oversight and audit body for over 150 student leadership structures meant that the Commission had to heavily invest in the development of its internal bureaucracy. In this regard the Electoral Commission consulted various stakeholders in the elections management industry in order to develop its internal capacity and processes.

The Commission published the Explanatory Note (**Resolution No.13,2022**) which attempts to explain the internal structures and functions of the Electoral Commission. This chapter seeks to report back on the effectiveness of this internal bureaucracy.

### 9 The Electoral Commission values, mission and vision

- (1) The Electoral Commission was acutely aware that before it would begin fulfilling its responsibilities and functions it needed to develop an internal value system that would be the thread that weaves together the ethic of its work. As can be noted below electoral transparency, which the Electoral Commission identified as especially lacking in the SU student leadership landscape, was front and centre in the orientation of the Electoral Commission.
- (2) The Electoral Commission is founded on the following values:
  - (a) Transparency.
  - (b) Accountability.
  - (c) Participation.
  - (d) Integrity.
  - (e) Responsiveness.
  - (f) Efficacy; and
  - (g) Impartiality.

(3) Vision

To be a pre-eminent leader in electoral precision by sustainably fostering a participatory student electoral democracy through vibrant and transparent student leadership elections.

(4) Mission

The Electoral Commission is an independent body that safeguards free and fair elections across Stellenbosch University student leadership structures. The Electoral Commission does this through the participation of students and candidates in the electoral processes which embody the values of the University.

## 10 The Tygerberg Election Committee

(1) Both the Student Constitution and the Tygerberg Student Constitution establish that there is a Tygerberg Election Convenor who functions under the supervision of the Electoral Commission. However, these two constitutions do not harmoniously reflect the relationship between the Tygerberg Election Committee and the Electoral Commission, in order to resolve this issue, the Electoral Commission was of the view that it would be more prudent to devolve its responsibilities and powers as it relates to the Tygerberg campus to the Tygerberg Election Committee.

(2) Accordingly, the Electoral Commission code of conduct regulates the relationship in the following terms:

(a) The Tygerberg Election Committee is led by the Tygerberg Election Convenor who is appointed in terms of section 124(1) of the Student Constitution.

(b) The Tygerberg Election Committee functions in cooperation with and under the supervision of the Electoral Commission.

(c) The Tygerberg Election Committee ensures that SRC elections run smoothly on the Tygerberg Campus.

(d) The Electoral Commission delegates the following powers to the Tygerberg Election Committee:



- (i) To manage the elections of the Tygerberg Student Council. Including the election of the Chairperson and Executive of the Student Council.
- (ii) To monitor, audit and investigate student leadership elections of the Tygerberg student leadership structures that fall within the jurisdiction of the Electoral Commission.
- (iii) To promulgate, subject to ratification by the Rules Committee, any binding election regulations for Tygerberg student leadership elections.
- (e) The Tygerberg Election Convenor serves as an Ex-officio Member of the Electoral Commission.

## 11 Composition

The Code of Conduct of the Electoral Commission establishes that the Electoral Commission consists of the following Officials–

- (1) The Electoral Commissioner(s) as appointed by the SRC –
  - (a) On 25 March 2022 the SRC Executive Committee appointed only one (1) Electoral Commissioner, Mr Yanga Keva. Of course, this is a notable departure from the historic precedent of two Election Convenors being appointed. Of course, it is notable that in 2021, one of the two appointees resigned early on in their term resulting in the 2021 Election largely occurring under the leadership of a singular Convenor.
  - (b) As has been noted above, the new Student Constitution is very ambitious, it exponentially increased the work of the Electoral Commission. A further complication is that the language of the Student Constitution indicates that it intends for there to always be more than one Electoral Commissioner.
  - (c) The Code of Conduct requires that the portfolios of Chief Electoral Officer and Chairperson only be held by Electoral Commissioners, it further requires that if there is only one Electoral Commissioner, then that individual must occupy both positions. Thus, Mr Keva was the Chief Electoral Officer and Chairperson of the Electoral Commission.
  - (d) The absence of a second Electoral Commissioner caused various issues regarding oversight over the performance of the other Officials of the

Electoral Commission. This was especially true when Mr Keva was absent from the Republic for a 10-day period. During this time an Acting Electoral Commissioner was appointed (**Resolution No.46, 2022**) through the procedures and powers granted to the Chairperson by the Code of Conduct.

- (e) This arrangement was wrought with its own shortcomings. Accordingly, it is highly recommended that in future, there be at least two (2) Electoral Commissioners appointed.
- (2) The Electoral Commission Assistants as appointed by the Electoral Commissioners.
  - (a) Following the Appointment of the Electoral Commissioner, Electoral Commission Assistants were appointed after a rigorous selection process.
  - (b) There were 5 vacancies that were advertised, and 19 Applications were received.
  - (c) On 20 April 2022 the following persons were appointed as Electoral Commission Assistants:
    - (i) Sinegugu April (Assigned: Director of Electoral Administration)
    - (ii) Xola Njengele (Assigned: Director of Electoral Regulations)
    - (iii) Leoné Wilkinson (Assigned: Director of Election Marketing and Campaigns)
    - (iv) Natalie Mashele (Assigned: Director of Finance and Logistics)
    - (v) Kgalalelo Koloti (Assigned: Director of Compliance and Oversight)
- (3) The Tygerberg Election Convenor, as appointed by the Tygerberg Student Council.
  - (a) Following the Advisory Opinion of the Student Court, the Electoral Commission consulted the Tygerberg Student Council Executive Committee on the process they intended to follow, regarding the appointment of the Tygerberg Election Convenor. The Electoral Commissioner approved the process.

- (b) The Tygerberg Student Council appointed Mr Wade Du Plessis as the Tygerberg Electoral Commissioner, in terms of the Student Constitution this appointment needed to be ratified by the Electoral Commission in order for the appointee to begin functioning.
- (c) On 22 April 2022 a special/urgent meeting of the Electoral Commission was convened, and the Electoral Commission, by unanimous consent voted to ratify the appointment.
- (d) The Tygerberg Election Convenor appointed the members of the Tygerberg Election Committee on 18 May 2022.

## **12 The Office bearers**

It was determined that although the Student Constitution establishes the membership of the Electoral Commission, the titles in the constitution do not articulate the various roles of the members. In order to ensure that the Electoral Commission members have specific tasks and duties the Code of Conduct further establishes that the Electoral Commission Officials may be responsible for the following portfolios –

- (1) The Chief Electoral Officer of the Electoral Commission.
  - (a) This portfolio may only be held by an Electoral Commissioner.
  - (b) The holder serves as the principal operations leader of the Electoral Commission.
- (2) The Chairperson of the Electoral Commission.
  - (a) This portfolio may only be held by an Electoral Commissioner.
  - (b) The holder serves as the executive leader of the Electoral Commission
- (3) The Tygerberg Election Convenor.
  - (a) Who serves as an ex officio member of the Electoral Commission
- (4) The Director of Electoral Administration.
  - (a) Who serves as the principal administrator of the Electoral Commission
- (5) The Director of Electoral Regulations.
  - (a) Who serves as the Policy head of the Electoral Commission.

- (6) The Director of Election Marketing and Campaigns.
  - (a) Who serves as the media coordinator of the Electoral Commission
- (7) The Director of Finance and Logistics.
  - (a) Who serves as the resources manager of the Electoral Commission
- (8) The Director of Compliance and Oversight.
  - (a) Who serves as the investigative officer of the Electoral Commission.

### 13 Jurisdiction

The Electoral Commission's jurisdiction is very wide, the Constitution restricts the application of the powers of the Electoral Commission based on the tier level of the structure concerned. Accordingly, the following tier levels define which structures fall within the jurisdiction of the Electoral Commission –

- (1) Tier one (1) –
  - (a) **Structures:** The Students' Representative Council.
  - (b) **Involvement:** Organise, Manage, Convene, Preside over caucuses, Monitor, Investigate & intervene.
  - (c) **Responsibility shared with:** N/a
  - (d) **Regulation capacity:** Exclusively regulated by the Commission through its binding rules and election regulations.
- (2) Tier two (2) –
  - (a) **Structures:** Academic Affairs Council Exec, Military Academy Student Captain, Prim Committee Exec, Senior Prim Committee Exec, Societies Council Exec & Tygerberg Student Council Exec.
  - (b) **Involvement:** Preside over caucuses, Monitor, Investigate & intervene.
  - (c) **Responsibility shared with:** Election Committees of the various bodies who organise and convene the elections.
  - (d) **Regulation capacity:** Regulated by the Election Committees and Binding Election regulations and directives from the Commission.

(3) Tier three (3) –

- (a) **Structures:** Faculty Student Committees, Society Executive Committees, House Committees, Tygerberg Student Council constituent bodies.
- (b) **Involvement: Monitor,** Oversight, Investigate & intervene.
- (c) **Responsibility shared with:** Election Committees.
- (d) **Regulation capacity:** Regulated by Election Committees and binding Election regulations issued by the Commission

#### 14 Subcommittees

The Electoral Commission recognised that some of the functions and powers of the Electoral Commission would be more efficiently exercised if the work was split between various sub committees. Accordingly, the Commission established the following standing subcommittee

(1) The Operations Committee

- (a) The purpose of this subcommittee is to manage the day-to-day affairs of the Electoral Commission.
- (b) The Committee serves to respond to emergencies and to determine the strategies of the Electoral Commission.
- (c) The Operations Committee functions similarly to an Executive Committee.

(2) The Rules Committee

- (a) The purpose of this subcommittee is to draft, review, consider and establish all new election policies which the Electoral Commission has the power to create.
- (b) This subcommittee also functions as the internal disciplinary committee of the Electoral Commission.
- (c) The Rules Committee also advises the Electoral Commission on legal matters and election policies.

(3) The Liaison Committee

- (a) The purpose of this subcommittee is to engage with various stakeholders on behalf of the Electoral Commission.
- (b) The subcommittee is primarily responsible for public relations management and establishing strategic partnerships.

#### (4) The Electoral Forum

- (a) This subcommittee was established in order to act as a forum that will ease communication and coordination across the Stellenbosch, Tygerberg and Military campuses.
- (b) The Electoral Forum has both deliberative and accountability functions.
- (c) Certain powers of the Electoral Commission may only be exercised by the Electoral Forum.

## CHAPTER 3: STUDENT LEADERSHIP ELECTIONS

### 15 Students' Representative Council elections overview

- (1) The SU SRC elections are conducted in terms of s18 and Chapter 14 of the Student Constitution, read with Schedule 2 of the Student Constitution.
- (2) The membership of the SRC consists of general members as contemplated in s25(1) of the Student Constitution as well as ex officio members who are members of the SRC by virtue of leading s3 bodies. These members are outlined in s25(2)-(7) of the Student Constitution.
- (3) In this report the ex officio's elections will be discussed under the paragraphs detailing elections within their structures.

### 16 General SRC elections

The SRC general election is regulated by Schedule 2 of the Student Constitution, the process is time consuming, costly and complex and the entire election period consists of the following stages:

- (1) The nomination Stage –
  - (a) The SRC Nomination period was announced on 18 June 2022 and opened from 20 June 2022 to 20 July 2022. The Student Constitution provides that the nomination period must be 10 calendar days, and that any extension hereafter may be permitted if the Electoral Commission is of the opinion that more days would allow for better participation. In line with this requirement the Electoral Commission determined that the 30-day period would ensure maximum participation from students.
  - (b) In terms of the Student Constitution one of the requirements for nomination is that a candidate must collect at least 200 signatures of registered students who support their nomination. This requirement may only be amended by the Electoral Commission if it finds that there are exceptional circumstances that warrant a deviation. In this regard the Electoral Commission determined that due to the ongoing restrictions due to the Covid-19 regulations as well as the fact that the nomination period extended into the recess period, these factors warranted a deviation from this requirement. Accordingly, the Electoral Commission determined that the requirement would be amended such that only 20 Supporting signatures were required. In addition to this further accommodation was made for nominees, in that they were permitted

to submit the signatures separately from their nomination forms, this meant that nominees had additional time to gather the required 20 signatures. The Electoral Commission determined that such signatures would be due on 25 July 2022.

- (c) In the end the Commission received 19 Nominations for the 9 available SRC positions.
- (2) The Candidacy stage –
- (a) In terms of the Student Constitution once the nominations are received the vetting process must be conducted in order to determine whether the nominees meet the requirements to be candidates for the SRC.
  - (b) In anticipation of the tight deadlines faced by the Electoral Commission, arrangements were made with both the Head of Student Discipline as well as the Residence Placement Office. Thanks to the cooperation of these functionaries the vetting process was concluded speedily.
  - (c) On 26 July 2022, the Candidates were declared, and 13 candidates accordingly stood for election.
  - (d) The Electoral Commission ensured that portraits of the candidates were taken for the purpose of campaign material, and the relevant stakeholders had already been contacted regarding the printing of campaign materials.
  - (e) The first meeting of the candidates served as an opportunity for them to be trained regarding how to conduct their election campaigns in a manner that was compliant with the Electoral policies of the institution. Further, the training ensured that SRC Candidates were meaningfully educated about the functioning of the SRC by experienced members as well as briefed on how the election process would work moving forward and how they may access the remedies offered by the Electoral Commission if they experienced any issues during the campaign period.
- (3) The Campaign stage –
- (a) The Electoral Commission was intent on ensuring that the 2022 campaign would return to robust in-person engagements. Notwithstanding the amazing turnout in the online election of 2020, it appeared that online fatigue had set in and a need to revert back to in-person events could not be avoided. In this regard the Electoral Commission organised in-person only campaigning opportunities, online caucuses and hybrid caucuses.



- (b) The Electoral Commission attempted to incentivise election participation through ensure that refreshments were served at each caucus. The strategy worked. The in-person caucuses were robust and students attended them with enthusiasm and glee.
  - (c) In terms of the Student Constitution the SRC candidates must be provided with 7 presentation meetings (i.e. caucuses), one of which should be on the Tygerberg Campus and one which ought to be on the Military Academy Campus. The Electoral Commission determined that due to the absence of Military Academy students during August (as they had trainings all over the country) the Military Academy Caucus would not occur.
  - (d) The SRC caucuses were held from 04 – 12 August 2022. The Electoral Commission must admit that identifying suitable venues (size and cost) for the SRC caucuses was challenging. It is recommended that this issue be sorted out well in advance.
  - (e) In addition to the SRC Caucuses the Electoral Commission organised a voting awareness campaign which took place on 10 August 2022. The purpose of the campaign was to gather various stakeholders from within the institution but also external to the University. The Electoral Commission partnered up with the Independent Electoral Commission of South Africa (IEC), Student Parliament and the SRC to host a campaign on the rooftop.
  - (f) It is the intention of the Electoral Commission that the Voting Awareness campaign day will be a staple event that will grow from strength to strength.
  - (g) The Electoral Commission equally notes, with disappointment, the poor participation of the SRC Candidates in all these campaigning opportunities. Of course, all these opportunities are just that; *opportunities*, no candidate is obliged to utilise them. The lack of participation by the SRC candidates in their own election campaign is a point of criticism that the 2023 Electoral Commission ought to look and address.
- (4) The voting stage –
- (a) Students were able to vote for a maximum of 9 people, the voting was open from 08 August to 12 August 2022.
  - (b) The Electoral Commission capped the number of potential voters at 29 648.

- (c) In the final result only 2618 students voted in the SRC general election. This is an 8.83% turnout. Although this indicates growth from the previous election the number is still severely disappointing.
- (d) The results of the SRC general Election were announced at public announcement meeting on 15 August 2022.

## 17 Academic Affairs Council Executive Committee elections

- (1) The Academic Affairs Council (AAC) is a self-governing structure established by the Student Constitution. Its primary function is to represent the academic interests of all students.
- (2) The composition and elections of the AAC are complex.
  - (a) The AAC is composed of the chairperson of the AAC, the Executive Committee of the AAC as well as the chairperson and vice-chairperson of each Faculty Student Committee.
  - (b) The chairperson and Executive Committee of the AAC are elected by the members of the AAC in terms of the AAC Constitution read with s22 and s94(2) of the Student Constitution. The election is facilitated by the Electoral Commission.
- (3) This election is a *tier 2 structure election* meaning that the Electoral Commission only presides over the Election of the Chairperson and Vice Chairperson of the AAC. The election is otherwise organised by the Election Committee of the AAC.
- (4) The Election of the AAC Chairperson and Vice Chairperson faced administrative challenges as on the same day that the new Executive Committee was being elected the incumbent Chairperson resigned. This was problematic because the chairperson was the Election Convenor for the AAC and had exclusively worked on all the election preparations.
- (5) Nonetheless, the Electoral Commission was able to successfully preside over that Election, however, it is recommended that the Electoral Commission ought to, in future, take more control regarding the admin relating to the actual election caucus so as to avoid these administrative loopholes.
- (6) The New Academic Affairs Council Chairperson and Vice Chairperson was declared on 04 August 2022.

## **18 Prim Committee Executive Committee elections**

- (1) The Prim Committee is a self-governing structure established by the Student Constitution. Its primary function is to represent the interests of all junior Residence and Private Student Organisation (PSO) students.
- (2) The composition and elections of the Prim Committee are complex.
  - (a) The Prim Committee is composed of the chairperson of the Prim Committee, the Executive Committee of the Prim Committee as well as the Prim of each student community that has been admitted as a member of the Prim Committee in terms of the Prim Committee Constitution.
  - (b) The chairperson and vice-chairperson of the Prim Committee are elected by the Prim Committee from amongst themselves in terms of the Prim Committee Constitution read with s22 and s98(2) of the Student Constitution. The election is facilitated by the Electoral Commission.
  - (c) The role of the Electoral Commission in this election was to facilitate the caucus and tally the results. Unfortunately, the Electoral Commission was informed by the Prim Committee Election Convenor that the SunSurvey election platform was not working properly and that they had reservations about using the system. As a contingency the Prim Committee had printed out paper ballots. Although much effort was put into officialising the paper ballot it must be noted that voting by physical ballot requires extensive planning and oversight, none of which had occurred in this case. Accordingly, the Electoral Commission rejected the physical ballots and instead voting occurred by means of Microsoft forms.
  - (d) Notwithstanding these difficulties the Election was successfully concluded, and the newly elected Prim Committee Chairperson and Vice Chairperson were declared on 02 August 2022.

## **19 Senior Prim Committee Executive Committee elections**

- (1) The Senior Prim Committee is a self-governing structure established by the Student Constitution. Its primary function is to represent the interests of all senior living spaces.
- (2) The Electoral Commission only presided over the Election of the Chairperson of the Senior Prim Committee.

- (3) The election ran smoothly and the newly elected Chairperson was declared on 01 August 2022.

## **20 Societies Council Executive Committee elections**

- (1) The SU Societies Council is a self-governing structures established by the Student Constitution. Its primary function is to represent the interests of student organisations within SU that are registered as student societies.
- (2) The composition and elections of the Societies Council are complex.
  - (a) The Societies Council is composed of the chairperson of the Societies Council, the Executive Committee of the Societies Council as well as the chairperson of each registered society plus an additional member of each society designated by the chairperson of that society to act as a representative of the society.
  - (b) The chairperson and the Executive Committee of the Societies Council are elected by the members of the Societies Council from amongst themselves in terms of the Societies Council Constitution read with s22 and s106(2) of the Student Constitution. The election is facilitated by the Electoral Commission.
- (3) The Societies Council has historically had difficulty in securing enough candidates for all the positions which are available on the Executive Committee. In the 2022 election there were six (6) positions available on the Executive Committee and yet only two positions had candidates.
- (4) No issues were experienced with the administration of this election other than the uncertainty regarding the availability of candidates.
- (5) It is further notable that this election produced a historic outcome as the newly elected Chairperson is a Tygerberg Campus student.
- (6) The new Executive Committee was announced on 03 August 2022.

## **21 Military Academy Student Council elections**

- (1) The Military Academy Student Council (MASC) is an autonomous student body established by the Student Constitution with a mandate to represent the interests of Military Academy students.

- (2) As stated earlier, the Military Academy Student Council elections are run independently from the Electoral Commission. The Student Constitution excludes this Military Academy from the jurisdiction of the Electoral Commission.
- (3) When the Military Academy indicated its intention to violate the Student Constitution and host its Student Captain election in the 4<sup>th</sup> academic term, the Electoral Commission resolved to continue with the rest of the SRC internal elections in spite of the absence of a newly elected Student Captain, the Student Captain accepted this outcome. The decision of the Electoral Commission was Officially communicated to the Military Academy (**Resolution No.67,2022**) and the matter is considered closed.

## **22 Tygerberg Student Council Executive Committee elections**

- (1) The Tygerberg Student Council is structured similarly to SRC, the new Student Constitution introduced the requirement that the Tygerberg Student Council Executive Committee election be presided over by the Electoral Commission like any other tier level 2 structure.
- (2) After the conclusion of the elections of all the members of the Tygerberg Student Council a meeting was convened on 09 August 2022 to elect the Executive Committee of the Tygerberg Student Council.
- (3) The election was organised by the Tygerberg Election Committee and the Electoral Commission's Chairperson presided over the Election of the Chairperson of the Tygerberg Student Council. The Tygerberg Election Convenor then presided over the election of the other Executive Committee members.
- (4) The newly elected Executive Committee was declared without incident.

## **23 Internal Students' Representative Council elections**

- (1) Once all s25 members of the SRC are elected, the Electoral Commission must convene and preside over the election of the chairperson of the SRC.
- (2) S19(1) of the Student Constitution grants the electoral commissioners the power to convene the first meeting of the newly elected SRC.
- (3) All students were invited to this meeting, which was held on 18 August 2022.
- (4) Prior to the election being held there were two issues that required resolution: -

- (a) The issue of internal negotiation and lobbying – in 2021 an SRC Chairperson candidate was disqualified from that election on the grounds that he had lobbied other SRC members improperly. A matter of deep concern was the uncertainty introduced by this decision which was inconsistent with the precedent in this regard. The Electoral Commission determined that internal lobbying was not prohibited as long as the candidates do not 'buy' votes. The interpretation of what constitutes 'buying votes' was derived from the Student Court advisory opinion that clarified this exact controversy. Accordingly, internal lobbying was allowed.
- (b) The Issue of a potential tie in the Election of the Chairperson. In terms of the new Student Constitution if there was a tie after 4 rounds of voting between the top 2 candidates the vote is to be determined by the Student Imbizo. However, the Student Imbizo had not yet been established. In the absence of a Student Imbizo the Electoral Commission determined that the provision would be of no effect and that instead the option to abstain from the vote would be removed and further voting would then take place.
- (5) There were 5 candidates for the Position of Chairperson. All 15 elected members were present (with the Student Captain of the Military Academy not yet being elected).
- (6) The successful candidate Masilo Silokazi was declared as the Chairperson elect on 18 August 2022.
- (7) The election of the SRC Chairperson, concluded the role of the Electoral Commission in the 2022 SRC Election.

## **24 Tier level 3 elections**

The Electoral Commission has the responsibility of overseeing the elections of Faculty Student Committees, House Committees, Society Executive Committees and the constituent bodies of the Tygerberg Student Council. Each of these structures face various challenges, the details of which are contained in the various portfolio reports below. However, this report will highlight the challenges that require specific attention

–

- (1) Faculty Student Committees

- (a) Due to the unique nature of their functions, these structures often function as the voice of students in academic settings, to a large extent, most faculties assign an administrator to assist the student structures with administrative tasks such as processing financial transactions. To a large extent most faculty do not provide staff support structures for Faculty Student Committees and as a result they lack coordination.
  - (b) The chaotic nature of Faculty Student Committee elections has been a consistent point of concern that has been pointed out by Faculty student leaders for years. The SRC's 2021 Constitution Review Committee reflected on this concern in its report back to the SRC. The same issue was again raised in the Report on student leadership elections which was commissioned by the Senior Director of Student Affairs.
  - (c) In order to address the issue of the lack of coordination in faculty committee, the Electoral Commission assigned the Director of finance and logistics to be the special caretaker for those elections. Her job was to ensure that Faculty Student Committee elections are better structured, better coordinated and consistent with the requirements in the Student Constitution.
  - (d) The challenges faced in the execution of this task are documented in the portfolio report. However it must be noted the Faculty student committees, after much pestering, did eventually fall into line.
  - (e) The Electoral Commission is further pleased to note that various Faculty Student Committees approached the Electoral Commission for advice regarding their elections. The engagements were fruitful and allowed the Electoral Commission to better understand the challenges faced by faculty Committees, this further exposed the urgency of the need for the university to better support Faculty Student Committees especially when it comes to election management.
  - (f) The Electoral Commission further notes that several informal complaints were lodged with respect to faculty elections, all of which were diplomatically investigated and resolved by the Electoral Commission.
- (2) House Committees –

- (a) The Centre for Student Communities (CSC) which is the operational centre for all Residences, PSOs and Senior Living Spaces prides itself on being the beacon for student development.
  - (b) The very existence of the CSC means that Student Communities have exponentially more institutional support than Faculty Student Committees, however, this support has a grim trade off; i.e. improper interference by residence heads.
  - (c) The Electoral Commission was cognisant of the fact that there is a rife culture of suspicion within Student Communities that suggests that Residence Heads regularly interfere in the electoral outcomes of House Committee elections.
  - (d) Accordingly, the Electoral Commission, at the outset, established a working agreement with the CSC to ensure that the Electoral Commission enjoyed the full support of the CSC which would aid in the enforcement of its decisions and directives.
  - (e) It is a shameful pity that when the time came for this support to be tendered the CSC did not intervene.
  - (f) Notwithstanding this unfortunate isolated instance of recalcitrant electoral maleficence, the majority of Student Communities welcomed the Electoral Commission into their spaces.
  - (g) The Electoral Commission is glad to note that it received numerous requests for advice from Student Communities, this again shows the need for such a pre-eminent elections body which is not only a watchdog but also a support system.
  - (h) The Electoral Commission further notes that due to its oversight programmes, it was able to detect several instances of electoral irregularities, most of which were speedily and amicably resolved.
- (3) Society Executive Committees
- (a) The Electoral Commission assigned the Director of Electoral Regulations the task of being the special caretaker for these elections.
  - (b) Due to the nature of governance role of the Societies Council Executive, the Society elections were well regulated, with discernible deadlines and procedures which are regularly enforced and overseen by the Societies



Council Executive, as a result the Electoral Commission's oversight was limited with respect to student societies.

- (c) It is recommended that the 2023 Electoral Commission work hand in hand with the Societies Council Executive to ensure that society elections run smoothly.
- (4) Tygerberg Student Council constituent bodies
  - (a) The Electoral Commission regrets to note that Tygerberg student legislation is severely outdated. The Electoral Commission notes that various election disputes and issues arose at the Tygerberg Campus, some of these were formally referred to the Electoral Commission, and others were resolved informally. The difficulty of applying the rules in Tygerberg student legislation is a cause for concern.
  - (b) The Electoral Commission strongly recommends that Student Affairs appoint a special process to review and update the student leadership rules that are in use at the Tygerberg Campus. The process must include highly experienced student policy advisors that have legal training and a background in student leadership. The Process of updating this student legislation will in all likelihood stretch over years, however, it must be done.
  - (c) The details pertaining to the challenges faced by the Tygerberg Student structures are in the portfolio report below.
  - (d) Notwithstanding the incidences of extreme electoral irregularities, most of the student structures on the Tygerberg Campus conducted their elections smoothly.

## CHAPTER 4: FINANCIAL REPORT

### 25 Restructuring

- (1) When the term of the Electoral Commission began there was a concern that the nature and enormity of the responsibilities for the Electoral Commission far outweighed those of the Tygerberg Election Committee, yet the two structures received a near equal budget for their respective elections.
- (2) The Electoral Commission did away with this budget splitting practice. The Electoral Commission functions as a singular entity. Accordingly, the budgets for the two structures was combined into one budget that would be equitably distributed to the various election structures by the Electoral Commission. It was further determined that the Tygerberg Election Committee would receive a discretionary budget as well as the ability to request further financial resources from the Electoral Commission.
- (3) This restructuring in the end resulted in the Electoral Commission being financially resilient and ensuring that the budget is distributed in a manner that was sensitive to the demands of each election.
- (4) The budget that the institution grants to the Electoral Commission requires reconsideration, especially when the Electoral Commission's functions require it to host trainings and workshops for the various election committees.

### 26 Electoral Commission Budget and Actuals:

Total budget allocated :				
Main spending particular	Division spending	Description	Estimated Amount	Actual Amount
Budget			R65000.00	
<b>Tygerberg electoral commission:</b>				
Discretionary budget			R15000.00	R15000.00
<b>Stellenbosch electoral commission:</b>				
Tygerberg electoral commission	Budget – additional costs		R15000.00	-
Subtotal			<b>R15000.00</b>	<b>-</b>
Marketing	Candidate photos	Photographer	R500.00	-
	Printing	Posters	R4500.00	R4732.35

<b>Subtotal</b>			<b>R5000.00</b>	<b>R4732.35</b>
<b>Meeting</b>	Catering	First in-person meeting	-	R343.30
			-	<b>R343.30</b>
<b>Election forum workshop</b>	Catering		R5500.00	R5212.55
	Gifts	For guest speakers	R1000.00	R1337.80
<b>Subtotal</b>			<b>R6500.00</b>	<b>R6550.35</b>
<b>Candidates training</b>	Catering		R4000.00	R3919.76
	Venue		R1000.00	-
<b>Subtotal</b>			<b>R5000.00</b>	<b>R3919.76</b>
<b>Caucus (04/08)</b>	Catering	First in-person caucus	R2500.00	R2249.29
	Venue		-	R1100.00
<b>Subtotal</b>			<b>R2500.00</b>	<b>R3349.29</b>
<b>Caucus (11/08)</b>	Catering	Fourth in-person caucus	-	R3000.00
	Venue		-	R1918.00
<b>Subtotal</b>			<b>-</b>	<b>R4918.00</b>
<b>Caucus (12/08)</b>	Catering	Last in-person caucus	R2500.00	R3248.50
<b>Subtotal</b>			<b>R2500.00</b>	<b>R3248.50</b>
<b>Transport</b>			R1500.00	R2774.00
<b>Subtotal</b>			<b>R1500.00</b>	<b>R2774.00</b>
<b>Candidates campaigning</b>	Snacks and water		R4500.00	-
<b>Subtotal</b>			<b>R4500.00</b>	<b>-</b>
<b>Voter awareness drive</b>	Rooiplein booking		R1500.00	R1500.00
	Tables		R700.00	-
	Cupcakes		R4000.00	R4568.00
	Ambulance		R800.00	-
<b>Subtotal</b>			<b>R7000.00</b>	<b>R6068.00</b>
<b>End of Term function</b>	Dinner		-	R2700.00
<b>Subtotal</b>			<b>-</b>	<b>R2700.00</b>
Merchandise	Maties Hoodies		-	R5600.00
<b>Subtotal</b>			<b>-</b>	<b>R5600.00</b>
<b>Total amount</b>			<b>R64500.00</b>	<b>R59203.55</b>

Code	Estimated amount	Actual amount
Sign	-	-
Meaning	It was not budgeted for	Cancelled/no payment required

(1) Notes –

- (a) The marketing cost this year only included the costs for SRC nomination and candidate campaigning posters.
- (b) Snacks and refreshments were purchased for the first in-person meeting of the Electoral Commission
- (c) The Electoral Forum Workshop costs did not exceed the estimated subtotal by much. Catering costs were less than the estimated costs while the cost of the gifts were more than the estimated cost.
- (d) The SRC candidates training cost was reduced by acquiring a free venue.
- (e) The first in-person caucus cost was higher than the estimated cost due to the last-minute change of venues due to load-shedding.
- (f) The fourth in-person caucus was not budgeted for but incurred both catering and venue costs
- (g) The last in-person caucus cost was higher than the estimated cost due to increased number of caucus attendance
- (h) Transport costs were higher than the estimated cost because transport to and from Tygerberg Campus for both the Candidates and the Commission was not budgeted for.
- (i) The Candidates campaigning event did not happen due to poor candidate participation.
- (j) The Voter Awareness drive cost was less than the estimated cost.
- (k) The end of year function and merchandise was not budgeted for, but due to excess funds, these were included.

## CHAPTER 5: OTHER OBSERVATIONS

### 27 Record keeping

- (1) The Electoral Commission is responsible for the oversight, organising and auditing of Student leadership elections.
- (2) In order to carry out this function effectively systems have to be put in place to ensure the Electoral Commission has the ability to execute its functions without hindrance.
- (3) Soon after the promulgation of the Election regulations, the Electoral Commission issues a directive requesting all student leadership structures to submit certain information regarding their election to the Electoral Commission.
- (4) There was substantial compliance with this directive, however much more work still needs to be done to ensure that the central repository where all this information is stored by the Electoral Commission is regularly updated and that historic records are maintained. The incoming Electoral Commission must consult the relevant stakeholders about the harvesting and protection of personal information as well as how to gather the information more efficiently without relying on compliance from student leaders.
- (5) The Electoral Commission must improve its administrative capacity if it is to effectively fulfil its constitutional mandate. This necessarily includes a serious review of how it stores, processes and received information from various stakeholders.

### 28 Internal admin

- (1) During the course of the operation of this first Electoral Commission various documents which have never before been drafted, utilised or required were prepared, distributed and published.
- (2) In order to ensure that the Commission is able to track its decision, official letters and notices as well as its directives, the Resolution Number system was employed by the Electoral Commission as a method to document each of these official documents. A record of all the official documents is available as well as the relevant documents indicated in the Resolution Number record.
- (3) Further, the Electoral Commission developed several templates that were utilised by various student leadership structures, these templates were

developed after careful consideration of the University's branding policies and the templates are fully compliant with institutional policies on such matters.

## **29 Social media**

- (1) The Electoral Commission adopted a targeted marketing strategy for the 2022 election period, this was based on university survey data which indicated that students were more receptive to activities if they were communicated to them by the student leaders with which students had the most proximity. Accordingly, the Electoral Commission worked hand in hand with the communication officers of all the relevant stakeholders to ensure that they communicate vital election information to their constituencies.
- (2) The Electoral Commission notes that the social media presence of election bodies leaves much to be desired. It is recommended that the 2023 Electoral Commission ought to investigate the effectiveness of social media information sharing and how the Electoral Commission may capitalise on new means of communication.

## CONCLUSION

The Electoral Commission is grateful for the opportunity it was afforded to serve students in this most sacred role of delivering to them the new face of student leadership at Stellenbosch University. The Electoral Commission is one of two (2) radical new concepts in the Student Constitution, its success was pinned on the hope that Stellenbosch University students would rise to the occasion and ensure that the Electoral Commission delivers to them free, fair and credible elections. Indeed, we have not been disappointed.

Ultimately, it must not be lost on us that elections are an indispensable feature of leadership, they require that we all work together to resolve the issues that limit our ability to produce free, fair and credible elections. Indeed, the Student Constitution rightfully grants us the responsibility and right to participate in the structures of democratic governance that it establishes, that participation begins with elections.

The 2022 Electoral Commission set out with a singular goal in mind; to give this new structure a firm start. One that will serve as a steady foundation for the future holders of these titles. The Electoral Commission hopes that history will judge us kindly and that our efforts will serve as an inspiration for future student leaders.

Respectfully submitted,



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**Yanga Keva**

Chief Electoral Officer & Chairperson

2022 SU Electoral Commission

## PORTFOLIO REPORTS

Order of appearance: –

**[1] Report of the Tygerberg Election Convenor**

**[2] Report of the Director of Electoral Administration.**

**[3] Report of the Director of Electoral Regulations**

**[4] Report of the Director of Election Marketing and Campaigns**

**[5] Report of the Director of Finance and Logistics**

**[6] Report of the Director of Compliance and Oversight**





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saam vorentoe



THE STUDENT ELECTORAL  
COMMISSION 2022

**TYGERBERG ELECTION CONVENOR END OF TERM**  
**REPORT**

<b>Name and Surname:</b>	Wade du Plessis
<b>Position:</b>	Tygerberg Election Convenor
<b>Email:</b>	20936346@sun.ac.za



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## Constitutional Responsibilities

The Tygerberg Election Convenor is an ex officio member of the Electoral Commission and is at least responsible for –

- (a) Representing the interests of Tygerberg constituencies at Electoral Commission meetings.
- (b) Advising the Electoral Commission.
- (c) Performing all the delegated duties and powers of the Electoral Commission on the Tygerberg campus.

## Portfolio Overview

The role of the Tygerberg Election Convenor is to over see and mange all elections that take place, within the jurisdiction of the Commission. The TEC represent the interests of Tygerberg at the level of the Electoral Commission and manages the Tygerberg Electoral Commission at the level of Tygerberg.

## Committees / Task Teams

### Institutional

#### **Electoral Forum**

This is a body that all member of the Commission sits on. The main role here is to represent Tygerberg on the committee.

#### **Rules Committee**

This is the committee as oversees all the rules and regulation adopted by the Commission. Any rules, regulations, or policies that Tygerberg would like to adopt must be accepted by this committee.

#### **Tygerberg Electoral Commission**

This the committee that the TEC oversees and manages as well as where most of the work of the TEC is done.

## Term Overview

### **Work done within the Commission**

The Tygerberg Election Convenor (TEC) had limited interaction with the Electoral Commission when it came to the running of the Tygerberg elections. However most of the work done in the EC was putting in place policies and codes for the running of the Tygerberg Election Committee.

The first code created was the Tygerberg Electoral Commission Code of Conduct, it was very similar to the Electoral Commission Code of Conduct, but with changes to make sure it reflected the role of the Election Committee on Tygerberg as well as the



Tygerberg Student constitution. Special attention was given to the role of the officials and the jurisdiction of the Tygerberg Electoral Commission.

The second set of rules created was the Election rules for the election of the Tygerberg Prim Committee (TPC) Chairperson. The need for these rules came about when a prospective candidate asked whether they could run for both TPC Chair and Prim of their residence. When investigating this request it was found that the TPC had no constitution to guide the election of the chair and so rules would need to be drafted and adopted by the EC to facilitate this process.

The main task I fulfilled in the EC was to represent Tygerberg and to oversee all elections, within the jurisdiction of the EC, on Tygerberg. The first task I had was to select an election Committee to form the Tygerberg Electoral Commission. After advertising the positions for 2 weeks I held interviews and used a scoring system based on answers to question, to select the most appropriate TSU members for the task. The selection of the correct person for the specific role is vital as the TEC cannot perform all the tasks required to run the election and having a good team is paramount. I then announced the selection of the committee to Tygerberg Student parliament. Student Affairs and the Tygerberg Student Representative Council (TSRC).

## **Work done in the Tygerberg Electoral Commission**

Below is a list of small tasks I performed:

1. Introduce committee members to members of faculty needed to fulfil their roles.
2. Produce a notice to update student affairs of how the elections are going.
3. Have regular meetings with Student Governance to update them on the elections.
4. Regular meetings with the Tygerberg Electoral Commission.
5. Keep all the election Committees of the various bodies updated on any regulation or policy changes.
6. Stay informed about the running of elections happening in s3 bosies, residences, and Societies.
7. Managing the Co-Curricular aspect of the Tygerberg Electoral Committee.
8. Creation of the Tygerberg Electoral Commission and TSRC application forms.

Major tasks performed are stated below:

### **Pre-nomination Phase**

#### *Strategic Planning Meeting*

This meeting was held as soon as possible after the committee was selected. The aim was to create a preliminary plan for the elections on Tygerberg and for committee members to present their proposed budgets.

The meeting ran for approximately 5 hours and had one break for refreshments. The meeting first focused on creating a rough timetable for the election season. Exam season and holidays were considered as well last years timetable. Something else that was considered was building in buffers so that delays can be accounted for.

The next focus was to present budgets and see if it would be within the budget based on the budget we had last year. (R 30 00) After presentations were made the Financial Officer presented where cuts would need to be made.

The next portion of the meeting was a run through of the election timeline trying to figure out the tasks each member would need to fulfil. This helped us get an idea of the workload as well allowed each member to fully conceptualize their role.

### Nomination Phase

*Nominations 31/05/2022 – 14/06/2022 Extension till the 22/06/2022*

The nomination forms as well as all accompanying documents as sated in the Tygerberg Student Constitution were sent to the faculty using the [tygstudents@sympa.sun.ac.za](mailto:tygstudents@sympa.sun.ac.za) email address. Making sure to cc in the Chief Electoral Officer as well as Musa Mpanza and Anele Mdepa. After receiving nominations I drew up a list of students with their student numbers to send for academic and disciplinary vetting. Nominations needed to also be checked to make sure that all the needed forms were filled in and there were enough signatures as required. This year we received too few nominations by the closing date and had to extend the nominations for a further week as sated in the Tyg Student constitution.

*Vetting process 23/062022 – 14/07/2022*

Once the closing date had passed and everything was found to be in order the list of nominees was sent to the Division of Student Administration and the Central Disciplinary Committee for vetting. It was requested for student to submit consent for their records to be accessed. The consent form was obtained from the Director of Rules and Regulations and sent to the nominees to complete. Once received these were forwarded and the checks were completed. All students passed the disciplinary check and the results for the academic vetting can be found in table 1 below. Since the mid-year results were outstanding it was decided that last years results would be used to see if nominees were eligible.

*Table 1 - Academic and Disciplinary Clearance*

Student	Disciplinary	Academic Eligibility	Academic Appeal
<b>Agqama Faku</b>	No Record	Eligible	N/A
<b>Anna Pansegrouw</b>	No Record	Not Eligible	Successful
<b>Cailin Sithole</b>	No Record	Eligible	N/A
<b>Ester Louwskitt</b>	No Record	Eligible	N/A
<b>Kim Stoffels</b>	No Record	Eligible	N/A
<b>Matthew Blows</b>	No Record	Eligible	N/A
<b>Mbano Sibande</b>	No Record	Not Eligible	Successful
<b>Saretha Beukes</b>	No Record	Eligible	N/A
<b>Vanessa Dede Annan</b>	No Record	Eligible	N/A
<b>Zanele Nxamagele</b>	No Record	Eligible	N/A

### *Section 3 Bodies Consultation*

During the nomination phase is when the s3 bodies started their elections. I had the consultations with the chairpersons where I explained the role of the EC and how that would influence their elections as well as providing them with the Election guidelines and all other documents, they would need to carry out their elections.

### Campaigning Phase

#### *Media and Marketing*

The candidates were announced to the campus via social media in an Instagram post along with their mission statements on the 18/07/2022. The election timeline was also shared with the campus as well when the caucuses were taking place.

#### *Caucuses 18/07/2022 & 21/07/2022*

Two caucuses took place throughout the week of the 18<sup>th</sup> of July. The caucuses were split into two parts with a break in the middle. Part 1 was comprised out of questions devised by the Tygerberg Electoral Commission based on the Theme of the caucus. Part 2 comprised out of question submit via a Microsoft form and any questions from the caucus.

#### *Voting 18/07/2022 – 01/08/2022*

Voting opened on the 18<sup>th</sup> of July and was announced to campus via an email, it was also advertised on social media and by the candidates themselves. We also gave the candidates flyers and on the back we it had information on how to vote and when voting closed.

We received the results one day after the votes closed. The results are below:

*Table 2 – TSRC Election Results*

Student	Votes
<b>Caitlin Sithole</b>	429
<b>Matthew Blows</b>	359
<b>Mbano Sibande</b>	337
<b>Ester Louwskitt</b>	335
<b>Zanele Nxamagele</b>	321
<b>Vanessa Dede Annan</b>	314
<b>Agqama Faku</b>	310
<b>Saretha Beukes</b>	229
<b>Kim Stoffels</b>	226
<b>Anna Pansegrouw</b>	202
<b>Total</b>	<b>544</b>

### *Section 3 Body Elections*

During this phase of the election the s3 bodies also held the elections for their chairpersons. The outcome of these elections are as follows:

*Table 3 - TAAC Chair and Vice-Chair Results*

## Tygerberg Academic Affairs Council Election

## Chairperson

Candidate		
Kay Vanwolleghem		
Votes of Confidence	Votes of No confidence	Votes Abstaining
51	01	01
<b>Total</b>		<b>51</b>

Candidate		
Valeriia van der Westhuizen		
Votes of Confidence	Votes of No confidence	Votes Abstaining
51	00	00
<b>Total</b>		<b>51</b>

Table 4 - TPC Chairperson Election Results

## Tygerberg Prim Committee Election Chairperson

Candidate	Votes
Amirah Gabru	04
Liyema Jacobs:	01
Votes Abstaining	00
<b>Total</b>	<b>05</b>

Table 5 - TSC Chair and Vice-Chair Results

## Tygerberg Societies Council Election Chairperson

Candidate	Votes
Kayla Lourens	10
Marc Nathanson	06
Abstaining	00
<b>Total</b>	<b>16</b>

## Vice-Chairperson

Candidate		
Marc Nathanson		
Votes of Confidence	Votes of No confidence	Votes Abstaining
16	00	00
<b>Total</b>		<b>16</b>

The initial election of the TSC was set aside due to discrepancies noted in the number of votes received and the number of voters.

## Tygerberg Societies Council Election

The Tygerberg Postgraduate Society held its election on the 4<sup>th</sup> of August and the election was completed. A complaint was filled on the 12<sup>th</sup> of August by the outgoing

TPSC Chairperson. The report can be found under the ElectUS resolutions, Resolution no. 60 of 2022. The election was set aside as result of the investigation and the new election process is under way as of writing this report.

The results slips for all these election can be found in the hand over Drive of the TEC.

## Post-Election Phase

### *TSRC Executive Election*

The TSRC Executive election was held on the 9<sup>th</sup> of August in the TSRC Boardroom. The election of the Chairperson was chaired by Yanga Keva the chief Electoral Officer and the rest of the elections were Chaired by the TEC. The results are below:

## Tygerberg Student Representative Council Election Chairperson

Candidate	Votes
Mbano Sibande	02
Vanessa Annan:	11
Abstaining	00
<b>Total</b>	<b>13</b>

## Vice-Chairperson

Candidate	Votes
Caitlin Sithole	09
Kim Stoffels	02
Mbano Sibande	02
Abstaining	00
<b>Total</b>	<b>13</b>

## Treasurer

Candidate		
Zanele Nxamagele		
Votes of Confidence	Votes of No confidence	Votes Abstaining
12	00	01
<b>Total</b>		<b>13</b>

## Additional Member

Candidate	Votes
Kim Stoffels	06
Mbano Sibande	01
Abstaining	06
<b>Total</b>	<b>13</b>

## Recommendations for Portfolio Improvement

1. Read the entirety of this report as well as the TEC specific Handover report.
2. The selection of the TEC should happen as soon as possible, in March if not February.
3. The new TEC should create Tygerberg specific Electoral Regulations.



4. The addition of an extra member is needed to help the Electoral Officer is needed, that is paid by Student governance. The workload of the Electoral Officer could be overwhelming especially during the Campaigning phase.
5. Make sure to read all the constitutions, especially the s3 bodies constitutions. If anything is unclear or lacking create election rules to fill the blanks. Look specifically at TPC, TSC and the TPSC.
6. Hold trainings as soon as possible with the s3 bodies, residences, and societies to inform and educate them of the election process and how the Electoral Commission will be involved in their elections.
  - a. When it comes to the societies, ensure that they begin two months before the election of the TSC Chairperson is slated to be held.
  - b. For the residences ensure that the deadline given by Centre for Student Communities aligns with the EC deadline for all elections to be complete.
  - c. Check in with the TPC, on whether their constitution is complete as soon as you possibly can. If not, check with the Chief Electoral Officer or Director of Electoral Regulations, whether the Election rules Resolution no. 41 of 2022 is still; valid.
  - d. Check in with the TSC as soon as possible to see if they have updated their constitution has been updated to rid it of any ambiguities. If not, draw up election rules to guide the election of the Chairperson and Vice-Chairperson to make sure it's the election is airtight.
  - e. Check in with the TPSC as soon as possible to see if their constitution will be up to date in time for the election. If not, draw up election rules to guide the election of the TPSC to make sure the election is in line with the Tygerberg Student Constitution and Election guidelines.
7. Have biweekly election updates that can be sent to Student Governance to keep Musa and Anele up to date.
8. Check in with Carla as soon as possible to see if the bugs in SUNSurveys have been sorted out. Otherwise use MS Forms to host all elections other than the TSRC General elections.



### Important Contacts

Name	Role	Email
Anele Mdepa	Student Governance: Co-ordinator	anelemdepa@sun.ac.za
Musa Mpanza	Student Governance: Manager	musam@sun.ac.za
Gavin Nimo	Student Information (Voting Platform)	<a href="mailto:gavinn@sun.ac.za">gavinn@sun.ac.za</a>
Kezia Gordan	Student Information (Voting Platform)	kezia@sun.ac.za
Megan Jantjies	Centre for Student Admin (Academic Vetting)	mjantjies@sun.ac.za
Felicia van Rooi	Head: Student Discipline (Disciplinary Vetting)	feliciavr@sun.ac.za
Karla Coombe-Davis	IT (SunSurveys)	kcd@sun.ac.za

Wade du Plessis

Tygerberg Election Convenor

Dated: 28/08/2022





THE STUDENT ELECTORAL  
COMMISSION 2022

**ELECTORAL COMMISSION END OF TERM REPORT**

<b>Name and Surname:</b>	Sinegugu April
<b>Position:</b>	Director of Electoral Administrative
<b>Email:</b>	<a href="mailto:21743339@sun.ac.za">21743339@sun.ac.za</a>

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## Constitutional Responsibilities

My role as the Director of Electoral Administration was to be the principal administrator of the commission. This constituted of handling all internal and external correspondence of the Electoral commission. In my responsibilities I had to ensure the maintenance of Electoral Commission correspondence as well as serving as the secretary of the Electoral Commission. The director of Electoral Commission constituted as the chief organizer of all commission events including caucuses and trainings. The Electoral Commission code of conduct further states that in my capacity as director of Electoral Commission, I have the responsibility of deputizing all portfolios and also performing any function delegated by the Chief Electoral officer and/or Chairperson of the Electoral Commission. Including co-ordinating all administrative processes of the elections of the ex officio members of the SRC, preparing the elections timetable is also a responsibility of this portfolio.

## Portfolio Overview

The director of electoral administration portfolio's functioning was determined by the Chief Electoral Officer/Chairperson of the Commission in that majority of the tasks performed were tasks that were delegated to the portfolio, with exceptions. Essentially, outside of the constitutional obligations, this portfolio had to ensure that the Commission's practical tasks and needs were met. The director of Electoral administration majority of the time interacts with the director of finance and logistics and the Chief Electoral Officer/Chairperson.

The director of electoral administration's role in other institutions within the university was limited to correspondence to the Commission from other structures in the university. It serves as the main line of communication from other structures to the Commission outside of the chief electoral officer/Chairperson.

## Committees / Task Teams

As per the code of conduct, the director of Electoral Commission serves on the Operations Committee of the Electoral Commission. The Operations Committee is a sub-committee of the Electoral Commission that is delegated to co-ordinate the operations of the Electoral Commissions, identify that the Commission must deliberate on, manage the day-to-day affairs of the Commission and further to determine the strategic direction of the Electoral Commission.

## Institutional

As per the code of conduct, the director of Electoral Administration also serves on the Electoral Forum. The Electoral Forum is a body of the Electoral Commission that is delegated to advise the commission, the Tygerberg election committee and the Military Academy Student Council on policies and regulations related to student leadership elections. The Electoral Forum is also a body for oversight and accountability for members of the Electoral Commission; and further provides a platform for the Electoral Commission, the Tygerberg election committee and the Military Academy Student Council election officials to liaise with one another.

## Term Overview

### Secretarial Duties and Correspondence:

In my capacity as director of electoral administration, I had to serve as the secretary of the Electoral Commission. In this I had to set up Electoral Commission meetings, Electoral forum meetings, Operations Committee meetings, including the agendas for the meetings. The first meeting the commission had was a planning meeting that was held in person. In this meeting the functioning of the Electoral Commission was explained in depth by the Chairperson and the portfolios were introduced including any interim tasks they had been busy with before this specific meeting. Further I was tasked with determining a day for weekly meetings for the Commission. The day for weekly meetings was Thursday. However, the commission only began having weekly meetings after the period of second opportunity examinations.

To ensure uniformity within the Commission, a letter template was created, and I distributed it amongst the Commissioners. This letter template was used for all communication that was on behalf of the Commission and internal communication within the Commission. Furthermore, I was granted access to the [srcelection@sun.ac.za](mailto:srcelection@sun.ac.za) mailbox to ensure that any communication that was to the Commission was attended to. In this regard, if in my capacity could not attend or address inquires received in the mailbox, I would forward the email to the Commission and more importantly the chief electoral officer/chairperson.

### Maintenance of Records:

The Chief Electoral Officer delegated that I would have to give every document that is written and created within the Commission as resolution number as so to keep track

of the documents. However, because giving out individual resolution numbers every time a Commissioner requested was impractical, I created an excel spreadsheet which every member of the Commission had access to keep track of the resolution numbers. If Commissioners required a resolution number for communication or a document they wanted to distribute, they had to check the spreadsheet for the last number used and then use the next number for their document. The most important part was that Commissioners had to remember to update the spreadsheet each time they created/distributed a new document.

Directly after the closing of SRC nominations, I organized all documents for each individual candidate into a folder and put all the folder into one and uploaded into a OneDrive for all Commission members to access. Further, I separated all consent forms (attached in the application form) from the nomination form and organized them into one document to assist with the candidates' academic requirements process which was concluded by the Chairperson/Chief Electoral Officer.

### Events of the Electoral Commission

The code of conduct mandates that the director of electoral administration is the organizer of all events including caucuses and trainings. The chairperson of the commission delegated both the trainings that the commission had to other members of the commission. Regarding the caucuses my main task was to find venues for the seven caucuses of the SRC, the ex officio's opted to decide to their discretion whether or not their caucuses would be in physical attendance or online, and thus organize that. In the absence of the chairperson, I delegated the task to the director of compliance and oversight, with my assistance, who was met with a lot of obstacles due to the venue booking system of the University requiring exorbitant prices per caucus. We had scheduled five out of the seven SRC caucuses to allow physical attendance, with one caucus being held at Tygerberg campus. With the assistance of the director of marketing and campaigns, we acquired two residence spaces as caucus venues at no cost, one caucus at the VV Saal Hall, on the third floor of the Neelsie Student Centre and one caucus at the Krotoa building at the cost of R2918 for two hours.

The Electoral Commission held a voters awareness campaign on the 10<sup>th</sup> of August 2022. The aim for the day was to increase voter turnout for the general SRC election and moreover across all student leadership elections on campus. To be effective in its

aim, the campaign required all student structures and student leaders to participate on the day to encourage students to vote and further to educate students on the importance of voting. In this regard, the stakeholders for the campaign were the Western Cape Provincial IEC, Division of Student Affairs, Student Communities, Student Governance, the SRC and its ex Officio structure, and Student Parliament. The logistics for the campaign included booking of the rooiplein, acquiring tables and chairs the multiple stakeholders and organizing refreshments and parking for the commission and the IEC. Due to the campaign involving outside stakeholders, we did have to make payment for the booking of the rooiplein. Further, we had to pay for workers to help with placing and collecting the tables for the day. In retrospect the day was a success in the aspect of organization, although it did rain on the day, however participation from student leaders and the candidates lacked and could have improved.

#### Delegation duties:

In the absence of the Chief Electoral Officer/ Chairperson, I was appointed as acting chairperson. In this I had to finalise the August 10<sup>th</sup> logistics, Academic appeals for the SRC candidates, ensure that the director for Marketing and Campaigns finalises all logistics for the ex officio candidates, finalise the voters roll for the SRC election, ensure that the mission statements and pictures for the SRC candidates are sent to information systems and ensure that the commissioners follow up and complete their tasks.

I began by emailing the relevant members that are required to serve on the committee for appeals to ask for their availability depending on the availability of the deans of the faculty of the appeal candidate. I then requested for the appeal candidates to submit a motivation letter and their academic record; these were shared with the committee before the meetings. The committee, in accordance with the Student Electoral Act, consists of the Speaker of Parliament, the director of Student Affairs, the dean of the faculty which the student belongs and the chairperson of the Electoral Commission. The appeal meetings spanned over a period of two days, and out of the five appeal candidates 2 candidates were successful in their appeal. On the last day of appeals the 15 SRC Candidates received their candidate confirmation letter attached with the Student Constitution and the Election regulations, and then lastly added to a WhatsApp group for easier communication.



The director of Marketing and campaigns was responsible for the logistics of the ex officio elections and in this regard struggled to get the incumbent chairpersons for the ex officio structures to comply with the deadlines set out by the Commission. As a result, the disciplinary checks were sent on the day that the ex officio elections began and there was a delay in receiving the results of the Hemis requirements for ex-officio. The director of Electoral regulations decided on the way forward regarding the voters roll for the SRC election and I later submitted the decision to information systems; the decision being that the Electoral Commission would not be making any changes to the voters roll. Further the director of oversight and compliance had to ensure that she had the dates for the different elections that would be taking place on campus and further delegate different commissioners to oversee those particular elections. The director of fiancé and logistics had the responsibility of managing faculty elections, the biggest obstacles she faced in this regard was lack of communication from faculty election committees and lack of intervention from the Academic Affairs Council.

### Elections Timetable

The elections timetable had to be modified a couple of times due to various circumstances. The first problem I encountered regarding the creation of the timetable, was that the SRC had requested a by-election and I had to ensure that the by-election does not clash with the timetable as it could lead to confusion amongst the student population. Due to the above, the election timetable set for the elections to start way later than the commission had intended although the SRC ended up not having a by-election. The second problem I encountered was examinations. The June/July Examination period for 2022 was delayed beginning a week later than the initial date set. This meant that we had to open nominations for the SRC election at a later date, and this had a domino effect on the elections of other structures. In order to meet the deadlines, set at the planning meeting, I had to set for nominations to open during the second opportunity examination period, further we had to utilize the second nomination period which meant all process after the close of nominations got delayed, in especially the academic requirements check process. Nonetheless, the dates set out in the election timetable were all adhered to not only for the SRC election, but also for the other structures that the Electoral Commission oversees.

### Co-Curricular

Co-curricular was a responsibility that I had as the director of electoral administration that was delegated to by the chief electoral officer/Chairperson. Co-curricular is a programme that ensures that members of the Electoral Commission receive academic transcript recognition for their work in the commission. The focus during my term was to ensure that the program gets successfully renewed as it was up for renewal. I have access to the sunlearn page for the ElectUs module to which all Commissioners must be enrolled and all documents must be submitted for the following year's Electoral Commission, this includes, agendas, minutes, reports, candidate information, candidate feedback and the commissions peer review.

### Recommendations for Portfolio Improvement

The director of electoral administration portfolio requires one to be exceptionally organized. I recommend that my successor establishes a system to keep all documents central instead of personally storing them. Further, I would recommend that when it comes to events of the commission my successor begins planning extremely early in their term because they will be the chief organizer of all the events with little assistance from other commissioners, as they will be busy with their respective responsibilities. In the beginning of their term, my successor should already have all their contacts ready for ex-officio chairpersons, and other structures in the university by the time they conclude the election timetable because if it often difficult to get a hold of student leaders at the peak of election season.

### Important Contacts

1. Nicky Adams- [nadams@sun.ac.za](mailto:nadams@sun.ac.za) (Central Events and Co-ordination office )
2. Lynne Moses – [Lynnr@sun.ac.za](mailto:Lynnr@sun.ac.za) (Communications Co-Ordinator: Student Affairs)
3. Rolien Van der Merwe – [vandermerwecf@sun.ac.za](mailto:vandermerwecf@sun.ac.za) (Co-Curriculum co-ordinator)
4. Thulani Hlatswayo – [Thulani@sun.ac.za](mailto:Thulani@sun.ac.za) (Co-ordinator: Student Governance)

Sinegugu April  
Electoral Commission: Director of Electoral Administration





THE STUDENT ELECTORAL  
COMMISSION 2022

**DIRECTOR OF ELECTORAL REGULATIONS END OF TERM  
REPORT**

<b>Name and Surname:</b>	Xola Njengele
<b>Position:</b>	Director of Electoral Regulations
<b>Email:</b>	<i>xn@sun.ac.za</i>

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## Constitutional Responsibilities

The Director of Electoral Regulations is the policy officer of the Electoral Commission and is at least responsible for –

- a) Drafting election regulations on behalf of the Electoral Commission.
- b) Serving as the Chairperson of the Rules Committee.
- c) Creating all election templates and frameworks for student leadership elections.
- d) Ensuring that conflicting election regulation and policies are aligned.
- e) Advising student leadership structures on election regulations.

## Portfolio Overview

### 1. Within the Electoral Commission

The role of the Director of Electoral Regulations within the Electoral Commission is mostly related to providing insight regarding the electoral regulations and beyond that, assist the Director of Oversight & Compliance with certain obligations at times such as complaints.

### 2. Within any other institutional structure

External to the commission, much of the Director of Electoral Regulations' duty consists of providing advise to other student leadership structures with matters relating to their elections.

## Committees / Task Teams

### Institutional

#### Rules Committee

The Rules Committee is a sub-committee of the Electoral Commission. The Rules Committee has the following mandate –

- a) To advise the Electoral Commission on election policies, rules, and regulations.
- b) To serve as the internal disciplinary body of the Electoral Commission.
- c) To ensure that the processes of the Electoral Commission are adequately regulated.
- d) To periodically review the Code of Conduct and the election regulations promulgated by the Electoral Commission.

## Term Overview

### Electoral Regulations

As a newly constituted structure, the completion of the electoral regulations was a priority. Most of the content was extracted from the Student Constitution however several additional provisions were added. Some of these additional provisions were added with the idea of bettering the transparency of the election process.

The process was quite extensive and consultatory, all which was necessary to ensure that the regulations could be as effective as possible. Other universities election systems were benchmarked for inspiration and better understanding of how to effectively formulate certain sections of the regulations.

One of the many challenges encountered was trying to properly harmonise the regulations among the differing student leadership election systems. It was essential that all provisions in place were relevant to all student leadership structures so ensure that when applying them it would be seamless.

The process started with drafting a basic skeleton to the regulations, this was followed by comments being made by the Electoral Commission officials on some additions that were necessary, this was repeated until the regulations looked somewhat full. The Rules Committee then sat with the document, reading it word for word, ensuring that all the provisions made sense and amending it accordingly. With the finalisation of the document the Chief Electoral Officer assisted with the formatting and final editing of the regulations. The electoral regulations came into operation on 20 June 2022.

### Advisory Notes

An amount of four advisory notes were issued to structures seeking an opinion on various matters regarding their elections. Often the advisory notes were requested at a short notice so a difficulty that was encountered was the short period of time to draft an advisory note. Beyond that, the process of drafting an advisory note was not much of a challenge as all those that requested one provided an elaborate explanation of the issue they had as well as providing the supporting documents.

## Rules Committee

Some of the Rules Committee's work comprised of approving any amendments made to the electoral regulations and discussing various matters that were brought to the committee's attention. One of these matters was the election of the MASC Student Captain whereby it would only be concluded within the fourth academic term – which also meant that would not be able to participate in the election of the SRC Chairperson. The committee discussed at depth as to the various options to consider, in the end, SRC Chairperson election went through without the participation of the MASC Student Captain (*this is set out in Resolution 67*).

The Rules Committee fell short in terms of addressing disciplinary issues, much of which I take fault of as it was my responsibility of ensuring that those processes were too, followed.

## SRC Caucuses

One of my additional tasks was to draft a list of possible SRC caucus topics. After deliberation, the final list of topics was Transforming SU as a university in South Africa; Tackling interacting complexities beyond the comfort zone; Representation, Activism & Leadership; Substance abuse at SU; The dissonance between the SRC, other leadership structures and the student body; The need cultural reform at SU; and a general caucus where candidates had the opportunity of restating why they ran as well as share their portfolio/s of interest.

Beyond that I had to draft the rules of engagement for caucuses, and they were quite effective. The rules were shared before every caucus started.

## Recommendations for Portfolio Improvement

Share with the various student leadership structures ahead of time that when they do seek advice, that they do so timeously. There will be instances of urgent issues and those will be assessed on their own merits. However, for the effective functionality of the portfolio, this has to be done at the beginning of the election season.



## Important Contacts

Yanga Keva – Chief Electoral Officer – [yanga@sun.ac.za](mailto:yanga@sun.ac.za)

Kgalalelo Koloti – Director of Compliance and Oversight – [22682767@sun.ac.za](mailto:22682767@sun.ac.za)

Student Court – [studentcourt@sun.ac.za](mailto:studentcourt@sun.ac.za)

*X Njengele*

Xola Njengele

Director of Electoral Regulations

Dated: 28/08/2022



THE STUDENT ELECTORAL  
COMMISSION 2022

**Director of Election Marketing and Campaigns end of term  
report**

<b>Name and Surname:</b>	Leoné Wilkinson
<b>Position:</b>	Director of Election Marketing and Campaigns
<b>Email:</b>	wilkinson@sun.ac.za

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## Constitutional Responsibilities

- (a) Designing and developing the paraphernalia of the Electoral Commission.
- (b) Managing the email account, website, and social media pages of the Electoral Commission.
- (c) Creating all election campaign material for the Electoral Commission.
- (d) Ensuring that election committees comply with the relevant branding guidelines and that there is uniformity in the branding of the Electoral Commission.
- (e) Advises the Director of Electoral Regulations on the development of election campaigning guidelines
- (f) Working on enhancing the visibility of the Electoral Commission on campus, social media, and other virtual platforms.

## Portfolio Overview

### 1. Within the Electoral Commission

Within the Commission, I am in charge of the compiling the information and presenting it in an aesthetic manner to the student body. I am to design and supply the campaigning material to each SRC nominee, as well as the introduction material of the Commission, Ex officious and the generally elected SRC members. I am in charge of updating our social media platforms as well as the website.

### 2. Within any other institutional structure

I sit on the liaison committee and must utilise all platforms necessary to improve voter awareness and active citizenship.

## Committees / Task Teams

I sat on the liaison committee, which is responsible for interacting with various stakeholders, like the Deputy of CSC as well as Student Governance, to help align the election standard and to ensure cooperative governance.

## Institutional

Electoral Forum, Liaison Committee.

## Term Overview

In this section, an Electoral Commission Official is required to write an extensive report about what they have done in their term. This should include

Within the Commission, I was in charge of the compiling the information and presenting it in an aesthetic manner to the student body. I had to design and introduce the Commission, as well as orchestrate a photoshoot for the SRC nominees. I worked alongside the Director of logistics to produce the printed campaigning material. I consistently updated all our social media platforms, as well as the website and served as the communications liaison with all the HC and Prims. Within the institutional structure, I mainly engaged with FVZS regarding a possible project for voter awareness, which due to timing and scheduling conflict ended up not coming to fruition. I also helped secure physical venues when we ran into a bit of a financial clash with CECO, due to their exorbitant fees.

I formed part of the liaison committee which meant that I attended a few meetings with CSC but remained mainly silent in those meetings as the Chief Electoral Commissioner did most of the talking. I mainly focussed on marketing the elections through engagement with the ex officio structures to promote voter awareness. The issues that we encountered regarding the attendance numbers at our caucuses is related to the confusion surrounding the hybrid options as well as impromptu venue changes and caucuses that took place during a semi-long weekend.

I also communicated and correlated with the ex officio structures regarding SunSurvey and provided them with tech support wherever necessary.

## Recommendations for Portfolio Improvement

I believe that it would be best for the campaigning material and the timeframe in which it needs to be distributed, if venues and food availability as well as the platform on which it will take place (hybrid; in person and online only) be confirmed as soon as possible. I would also recommend keeping each caucus hybrid, as it ensures Tygerberg students can be included in all the caucuses and it also just increases engagement.

I'd also recommend communicating requests for photoshoots and that kind of information must also be sent to nominees well in advance. I'd also recommend

including a competition that will fuel voter participation via incentives to ensure mass participation. I would also encourage my successor to get into contact with FVZS as soon as possible to ensure that there isn't a clashing of a time frame in relation to projects.

### Important Contacts

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Signed  
Leoné Wilkinson  
23/08/22



THE STUDENT ELECTORAL  
COMMISSION 2022

**TEMPLATE: [INSERT TITLE] END OF TERM REPORT**

<b>Name and Surname:</b>	Natalie Mashele
<b>Position:</b>	Director of Finance and Logistics
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## Constitutional Responsibilities

- Drafting the budget of the Electoral Commission.
- Ensuring that the financial resources of the Electoral Commission are used in a transparent, responsible, and sustainable manner.
- Advising the Director of Electoral Regulations on the Formulation of policies that ensure the transparent, responsible, and sustainable use of the Electoral Commission's financial resources, and ensuring the implementation of such policies after they are approved by the Rules Committee.
- Preparing a financial report at the end of the term of the Electoral Commission.
- Coordinating all the technical support required by the Electoral Commission including the voting platforms that will be used by the relevant structures.

## Portfolio Overview

### **1. Role and functioning of the portfolio within the Electoral Commission:**

- Drafting a budget for the Commission
- Using the financial resources of the Commission in a sustainable, transparent, and responsive manner
- Coordinating all technical support required by the Commission
- Advising the Director of Electoral Regulations on the Formulation of policies that ensure the transparent, responsible, and sustainable use of the Electoral Commission's financial resources, and ensuring the implementation of such policies after they are approved by the Rules Committee.
- Preparing a financial report at the end of the term

### **2. Role and functioning of the portfolio within any other institutional structure:**

- Coordinating voting platforms that will be used by the relevant student leadership structures
- Liaise with the leaders of the structured established by section 3 of the student constitution
- Host or attend trainings and discussions with student leadership bodies

## Committees / Task Teams

- **Liaison Committee:**

The Liaison committee has the following mandate:

- To advise the Electoral Commission on matters pertaining to the public relations of the Electoral Commission
- To act as a public accountability and feedback platform for the officials of the Electoral Commission
- To serve as a platform for the Electoral Commission to liaise with the leaders of all the structures established by section 3 of the student constitution

The functions of the of the liaison committee are as follows:

- To attend any stakeholder engagement on behalf of the electoral commission
- To represent the Electoral Commission at any meeting, engagement, training, or consultation where the Commission has been invited to account or consult any election related matter.
- To host meetings, consultations, and discussions with the leaders of student leadership bodies on behalf of the Electoral Commission

- **Operations Committee**

The Operations Committee has the following mandate:

- To coordinate the operations of the Electoral Commission.
- To identify issues that the Electoral Commission must deliberate on.
- To manage the day-to-day affairs of the Electoral Commission.
- To be a forum for determining the strategic direction of the Electoral
- Commission.

The functions of the Operations Committee are as follows:

- To attend to any urgent matters pertaining to the functions of the Electoral Commission.
- To manage the day-to-day business of the Electoral Commission.

- c. To determine the agenda for meetings of the Electoral Commission and the Electoral Forum.
- d. To make any decisions relating to use of the financial resources of the Electoral Commission.

### Term Overview

#### **1. Work that has been done to fulfil the responsibilities outlined in the Code of Conduct:**

- a. Drafted a budget for the Electoral Commission
- b. Drafted an ideal budget to motivate student affairs about what a fair budget could look like in the future
- c. Used the financial resources of the Commission in a transparent, sustainable, and responsible manner.
- d. Coordinated technical support required by the Electoral Commission for SRC caucuses.
- e. Acquired quotes and made payments on behalf of the Commission

#### **2. Work that has been done in the Committees**

- a. Attended meetings and trainings on behalf of the Commission
- b. Coordinated the Faculty Student Committee elections
- c. Performed oversight duties at House Committee and Faculty elections

#### **3. Other relevant work**

- a. Booked venues for SRC caucuses
- b. Helped plan the Voter Awareness event that was hosted by the Commission
- c. Coordinated the Academic Vetting of the SRC nominees
- d. Set meetings with Faculty Deans for vetting appeals

### Recommendations for Portfolio Improvement

#### **Recommendations:**

- Have weekly or bi-weekly meetings with the Chief Electoral Officer regarding the financial standing and budget of the Commission

- Host an intensive training for all members of the Commission before any work can be done: a lot of the work that needed to be done required a very specific understanding of the structures of the University, so a training should equip members with this understanding and possibly the correct contacts of who to reach out to for assistance.
- Have a meeting with Anele and Thulani at the beginning of the term with regard to the finances of the Commission
- Form relationships with student leaders, that way they are more keen to assist the Commission with Technical equipment and venues
- Appeal to your fellow Officials to get quotes for events they may be taking charge on.
- Keep record of all the requisitions that have been made
- Ask for assistance if you are ever unsure (student governance is your friend)
- Have bi-weekly meetings with the Commission to discuss the budget and financial standings of the Commission

### Important Contacts

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NB: Please remove all text written in grey italics and replace it with your own text. These should only be used as a guideline, further, please remember to include a signature and date at the end of your report.



THE STUDENT ELECTORAL  
COMMISSION 2022

**DIRECTOR OF COMPLIANCE AND OVERSIGHT END OF  
TERM REPORT**

<b>Name and Surname:</b>	Kgalalelo Koloti
<b>Position:</b>	Director of Compliance and Oversight
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## Constitutional Responsibilities

In accordance with S22(8) of the Electoral Commission Code of Conduct, the Director of Compliance and Oversight is the investigative officer of the Electoral Commission and is at least responsible for (1) Ensuring that student leadership structures comply with election regulations. (2) Performing the monitory, auditing and oversight functions of the Electoral Commission. (3) Investigating all election complaints. (4) Drafting the reports with remedial action on all matters related to the investigative and oversight functions of the Electoral Commission. (5) Advising the Electoral Commission on the validity of a disputed election. (6) Ensuring that the Electoral Commission is represented in all matters before the Student Court.

## Portfolio Overview

The role of the Director of Compliance and Oversight as an investigative officer entail investigating any complaint relating to any student leadership election, including any aspect that may jeopardise the freedom or fairness of the election lodged to the Electoral Commission and furnish a complainant with their decision within twenty-four (24) hours after the complaint was lodged. The Director of Compliance and Oversight shall then issue a full report within forty-eight (48) hours after the decision was announced. The Director of Compliance and Oversight plays a role in monitoring, auditing and overseeing all student body elections to ensure compliance in election procedures in accordance with the student constitution and electoral regulations.

The Director of Compliance and Oversight is a member of the Rules Committee and presides in meetings organized by the Rules Committee chairperson as a voting member and official who exercises the power to advise on electoral regulations, adopt disciplinary procedures for misconduct and to remedy any disciplinary matter that is directed to the Rules Committee



## Committees / Task Teams

### 1. Electoral Forum

In accordance with S33 of the Electoral Commission Code of Conduct, the Electoral Forum is a sub-committee of the Electoral Commission and exercises all the power of the Electoral Commission that this code delegates to it. The Electoral Forum has the following mandate (1) To advise the Electoral Commission, Tygerberg Election Committee and Military Academy Student Council on policies and regulations related to student leadership elections. (2) To act as an internal accountability and oversight body for the officials of the Electoral Commission. (3) To serve as a platform for the Electoral Commission to Liaise with the Tygerberg Election Committee and the Military Academy Student Council election officials. Additionally, S36(40) highlights that the Electoral Forum has the power to (1) Amend this code of conduct. (2) Impeach any official of the Electoral Commission. (3) Resolve any conflict within the Electoral Commission. (4) Amend or repeal any Election regulation promulgated by the Electoral Commission

\*Code refers to Electoral Commission Code of Conduct

### 2. Rules Committee

In accordance with S36 of the Electoral Commission Code of Conduct, the Rules Committee is a sub-committee of the Electoral Commission and exercises all the power of the Electoral Commission that this code delegates to it. The Rules Committee has the following mandate (1) To advise the Electoral Commission on election policies, rules, and regulations. (2) To serve as the internal disciplinary body of the Electoral Commission. (3) To ensure that the processes of the Electoral Commission are adequately regulated. (4) To periodically review this Code and the election regulations promulgated by the Electoral Commission. Additionally, S36(40) highlights that the Rules Committee has the power to (1) To adopt and publish binding election regulations for student leadership elections. (2) Receive and deal with any disciplinary issue tabled before it and impose any sanction that will remedy the misconduct. (3) To consider and either advance or dismiss any proposed amendments to this Code. (4) To review and repeal all regulations promulgated by it. (5) To advise the Electoral Commission on the interpretation of this Code or any election regulation of any student leadership body.

\*Code refers to Electoral Commission Code of Conduct

## Term Overview

### 1. Electoral Forum

I was tasked by the Chief Electoral Officer and Chairperson of the Electoral Commission to organise the annual Electoral Forum workshop which was scheduled for Saturday 16 July 2022 09:00-13:00 on Stellenbosch campus. The learning outcomes of the workshop was (1) Equip members of the Electoral Forum with the skills and knowledge to prepare for the upcoming SU elections (2) Promote the development of electoral expertise. (3) Understand each stakeholder's contribution to principles underlying free, fair and orderly elections. The speakers of the training included Anele Mdepa- Manager of Student Governance and Musa Mpanza- Coordinator of Student Governance who discussed *The Contribution of the Election Convenors to the Vision, Mission, and Values of SU*. Prof Deresh Ramjugernath- Deputy Vice-Chancellor of Learning and Teaching discussed *Promoting Voter Awareness and turnout through education*. Mr Michael Hendrickse- Provincial Electoral Officer of the Electoral Commission (IEC) for the Western Cape discussed *Managing Free and Fair Elections*. Karla Coombe-Davis-System Support Specialist- Student Information Systems discussed *Effective Management and General Orientation of SUNsurvey*. Phillip Visage- SRC Vice-Chairperson discussed *Expectations relating to SRC Caucus Facilitation and Management* and Monica du Toit- Centre for Student Communities/Student Affairs discussed *Elections and Diversity*. The Electoral Forum workshop was well received by its members. Fruitful debate and intentional conversations had sparked relating to the upcoming SU elections season. The guestlist compiled for the workshop has accommodated for twenty-nine (29) people. A total of twenty-two (22) people attended the workshop according to the Attendance Register which had been circulated. It is to note that not all who were present managed to fill in the register. The event was an in-person only workshop and was hosted on the Saturday which concluded recess. Therefore, not all the Electoral members were in attendance.

### 2. Rules Committee

The Rules committee had several meetings during its term. The first had been scheduled for 09 May 2022. The purpose of the meeting was to review the Electoral

Regulations drafted by Xola Njengele, the Director of Electoral Regulations who served as the Chairperson of the Rules Committee. The Rules Committee members had been tasked to make additional commentary on the draft electoral regulations document. Additionally, the meeting discussed constructing and reviewing the contents of the complaints form and discussing implications, if any, of a SRC and/or ex officio candidature if found guilty at any another disciplinary body besides the Central Disciplinary Committee (CDC). A meeting was scheduled for 16 May 2022. The purpose of the meeting was to approve the Tygerberg Electoral Commission (TEC) Code of Conduct for operations on Tygerberg to commence swiftly. All members of the Rules Committee voted in favour and approved the TEC Code of Conduct. A meeting was scheduled for 25 May 2022. The purpose was to finalise the Electoral Regulations and vote in the regulations. All members of the Rules Committee reviewed the whole document in one sitting and made final commentary and recommendations. The Electoral Regulations were voted in by the Rules Committee on 8 June 2022 to which the members were required to send an email to the Chief Electoral Officer stating that they approve and agree to the adjustments and provisions of the regulations. On 01 July 2022, the Chief Electoral Officer proposed an amendment to the Electoral Regulations such that the SRC nomination period is a full ten (10) days and that all student leadership bodies establish an election committee. The amendments were adopted by the Rules Committee on 03 July 2022. A meeting was scheduled for 22 July 2022. The purpose of the meeting was to discuss the Military Academy Student Council (MASC) captain election. The Military Academy would not be able to elect its student captain by 18 August 2022 due to military development training. The consequences thereto entailed the captain being unable to participate in the SRC internal election as an ex officio member. The Rules Committee members had voted for the MASC Captain to forfeit their voting rights at the SRC internal election. Additionally, it was discussed that Metanoia wanted to run a live voting platform to increase voter participation. The Rules Committee had been tasked to advise on the matter and assess whether the live voting system proposed by Metanoia jeopardized the freeness and fairness of an election. This was the last official engagement conducted by the Rules Committee. All other engagements involved legal advice and recommendations from Rules Committee members regarding a complaint received by the Electoral Commission.

### **3. Compliance and Oversight**

#### **Student Structures Election Form**

I had compiled a centralized system for student leadership bodies to deposit information pertaining to elections. The purpose of the system was to collect electoral data, on behalf of the Electoral Commission, from student structures prior to elections. The Director of Compliance and Oversight utilized the information to conduct an investigation when electoral misconduct had been reported or for general oversight or when any other complaint has been lodged where the aforementioned information was required during elections. The information was gathered via Microsoft Forms by a link circulated and in addition was available on the Electoral Commission website. The information required for submission was (1) The name of structure (2) The election timetable of the structure (3) The constitution of the structure (4) Details of the Election Convenor(s)/Election Committee (5) Type of voting platform (6) Updated voters roll of the structure. The total responses received after the link had been circulated and emailed to the ex officio election convenors was 29 responses.

#### **Oversight Duties**

My oversight duties had included monitoring elections and attending student leadership bodies election caucuses to ensure the procedures were in line with the Student Constitution and Electoral Regulation in managing free and fair elections. I had circulated a programme to which I had allocated members of the Electoral Commission slots to attend election caucus as part of my oversight duties. The centralized system was used and the responses from student communities on the dates prescribed in their election timetables was used to devise the oversight duties distribution to Commission members. The Electoral Commission members had to (1) ensure the structures constitution was in line with the electoral regulations and student constitution. (2) the results slip of the community was shared once voting had been concluded as per the template provided in the electoral regulations. (3) the voting platform and procedure allowed for only one vote to be casted (4) the election and caucus procedure were free and fair.

## Directives

During my oversight duties, I had noted a discrepancy in the Lydia constitution that was not in line with the electoral regulations. The Constitution stated that, a list with the number of votes, will not be published but will be kept by the Resident Head to use to fill a vacancy should it occur later. This was not in line with the electoral regulations. After multiple engagements and persistent refusal from the Prim and Polling Committee to release the election results. An official directive was issued to Lydia which instructed that the results be shared with the House no later than 17:00 on Tuesday 16 August 2022 as a result of failing to adhere to section 9(2) of the Student Leadership Election Regulations (Resolution No.28, 2022). The directive has not met and to date Lydia is faced with a pending student court case and the matter has additionally been referred to the Deputy Speaker (Internal) of Student Parliament.

I had issued a directive to Pieke to re-run the Prim, Vice-Prim and Head Mentor elections due to irregularities in the election and caucus procedure. It is noted that the Pieke PSO has failed to comply with the following election regulations- (1) Clause 1(4) of the Student Electoral Act. – which requires that Pieke PSO members, voters and candidates enjoy free and fair elections. (2) Clause 1(5) of the Student Electoral Act. – which requires that Pieke PSO members, voters and candidates enjoy an electoral process that is transparent. (3) Clause 2(5) of the Student Electoral Act. – which requires that Pieke PSO members, voters and candidates cast their vote independently and in secret for candidates. Pieke had allowed some of its members to cast their votes telephonically to reach quorum and in addition had two voting systems- paper ballot and electronic voting, hence the election was set aside.

## Monitoring and Audits

The commission had issued notices to student bodies that did not comply with section 9(2) of the Student Leadership Election Regulations (Resolution No.28, 2022) which required student structures to release its election results to its members. I was tasked to ensure that all the communities noted to be non-complaint during the monitory process released their results swiftly with proof that the results had been shared with the community (Eendrag, Dagbreek, and Lydia).

The Commission had noted a possible irregularity in the Nerina Prim election. I had audited the voting results and deduced that all was in order for that particular election. The JV (law faculty committee) election had been an irregularity that was noted by the Commission to which the voting had seemed was not anonymous and the voting system displayed the votes which hinders on the secrecy of an election. The Director of Electoral Regulations assisted in auditing and monitoring the election and the irregularity was addressed and rectified.

### Complaints

The Electoral Commission received two official complaints during its term. According to S12(2) of the electoral regulations, the Director of Compliance and Oversight should furnish a complainant with their decision within twenty-four (24) hours after the complaint was lodged. The first complaint was lodged on 06 August 2022 to which the principal complaint was that a question posed by an Electoral Commission member at the SRC caucus held at Tygerberg was according to Clause 9.3 of the Disciplinary Code of Students of Stellenbosch University grossly insulting and abusive with malicious intent. The essence of the investigation was to assess whether the question would jeopardise the free and fair representation of the candidate, to which it was proven that the question did not infringe on the right to free and fair representation of the candidate, hence was dismissed. Furthermore, the misconduct of an Electoral Official was a matter for further discussion to which it was stated that the Director of Electoral Regulations in consultation with the Rules Committee would investigate whether the tone and manner in which the question was posed by the Official constitutes to misconduct with recommendations to follow pending its outcome.

The second complaint was lodged on 13 August 2022 to which the complainants had multiple arguments. The first was challenging the involvement of the Tygerberg Election Convenor (TEC) in the management of the Tygerberg Postgraduate Societies Council (TPSC) election. The complainant believed that the TEC had no right to convene the election. The second argument was challenging the election outcome of the TPSC Chairperson. The complainant had argued that the chairperson-elect was not eligible to run for chairperson given that they had served on the TPSC election committee had submitted their nomination on the day of the election after nominations

had closed. Upon investigation, it was discovered that the TPSC did not host a general election in accordance with its constitution. Only candidate running in the elections were given voting rights for the general elections whereas voting was supposed to be open to postgraduates. This was inherently unconstitutional; hence the complaint was dismissed and the TPSC election convenor and TPSC election committee was advised to organise a general election in which the nine (9) general members are appointed as per the guidelines set out in the TPSC constitution.

### Recommendations for Portfolio Improvement

It is advised that the Director of Compliance and Oversight adopt a small committee of members for oversight duties. It had been noted that distributing the oversight duties to the Commission members had added an additional task load to their existing roles that were already demanding. Additionally, it is recommended that the Director of Compliance utilises the committee for investigative purposes when a complaint is lodged as it had been challenging to gather all the necessary information in time to compile and issue the report within the 24-hour deadline. The committee may additionally aid in conducting audits and liaising with student communities that are non-compliant or where an election regularity had been noted. The recommendation is to alleviate the pressure placed on the Director of Compliance and Oversight in future when dealing with multiple complaints, auditing, monitoring and conducting their oversight duties, especially when other institutional structures such as Student Court and Student Parliament are involved.

It is advised that the rules committee adopt procedures to follow prior to election season to alleviate the pressure to make recommendations during the heightened season of elections. An example would be for the Rules Committee to engage in possible remedial action to adopt when faced with different types of complaints, irregularities or misconduct to shorten the time it takes to complete complaint reports given its already time sensitive nature.

## Important Contacts

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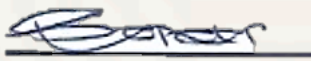
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Kgalalelo Koloti: Director of Compliance and Oversight

Date: 28 August 2022