

# FMHS TYGERBERG CAMPUS

# RULES & REGULATIONS

## 2021 TSR ELECTIONS

### Rules and Regulations

Please take note of the following rules and regulations applicable to the 2021 Tygerberg Student Representative Council elections. This document is based on the Electoral Act (of 1998 and proposal for 2021) and the Tygerberg Student Constitution (2015).

#### 1. Values and standards

The following values and standards are promoted during the student leadership structure elections, including the TSR elections, ensuring an election process which –

- (a) allows maximal accessibility to information regarding candidates and the election process;
- (b) allows maximum participation and engagement from the Tygerberg student body;
- (c) is democratic, non-discriminatory, and inclusive;
- (d) is free and fair;
- (e) is relevant and transparent;
- (f) promotes the interests of the structure and/or campus;
- (g) stimulates quality debate and dialogue with candidates.

#### 2. Rights

All students have the right to –

- (a) cast their vote independently and in secret for candidates;
- (b) legally conduct election campaigns;
- (c) distribute the election and campaign materials designed authorized by the relevant election authority;
- (d) freedom of language;
- (e) freedom of speech;
- (f) hold public meetings according to current Covid regulations;
- (g) put up the posters designed and provided by the relevant election authority;
- (h) recruit support from voters; and
- (i) use social media platforms to advertise their campaign.

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### 3. Infringements

All persons bound by the Electoral Act must, during the election period –

- (a) comply with any instructions from the Electoral Committee and implement any just decisions of the Electoral Committee;
- (b) avoid language or any kind of action that could lead to violence or intimidation;
- (c) refrain from action or practices that discriminate unfairly or are aimed at humiliating someone on the grounds of race, gender, sexual orientation, ethnicity, class, or religion with respect to the election;
- (d) do nothing that would impede the right of anyone to gain reasonable access to voters for the sake of recruiting support;
- (e) refrain from unlawfully removing or damaging or destroying any voting material or electoral material in any way;
- (f) refrain from removing, damaging, or destroying any candidate's campaign material;
- (g) spend no money on any marketing;
- (i) as a candidate cannot use their own money, this includes Facebook, Instagram, Twitter sponsored pages, any sponsorship cannot be utilised;
- (h) refrain from any attempt at misusing power or resorting to privileges or influence or using any form of coercion intended to persuade someone to vote for any candidate;
- (i) refrain from making misrepresentations about themselves in any election material;
- (j) refrain from making, publishing, or repeating any racist, sexist, homophobic, false, libellous, or any other allegations of this sort that would infringe on a person's human dignity with respect to the election;
- (k) refrain from offering any form of enticement or remuneration to any person for the purpose of such person's vote or non-vote in the election;
- (l) refrain from voting in a way in which they know they are not entitled to vote; and
- (m) refrain from doing anything that violates the privacy of the students or the right to a secret vote.

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#### 4. Responsibilities for candidates

Even though a candidate has the freedom to post their posters, as given by the Electoral Committee, wherever they want to post them, it is the candidates' responsibility to ensure that their posters do not violate any rules of the platform where they post them. Violation of this rule will result in disciplinary action being taken.

#### 5. Social media and posters

##### 5.1. Posters

- (a) The Electoral Commission or the relevant election authority is responsible for the photography, design, and distribution of all marketing posters.

##### 5.2 Social media

Maximum usage of social media platforms like Facebook, Instagram, and Twitter is encouraged. Please note that there still needs to be stringent adherence to the rules above and it will be strictly enforced.

##### 5.3 Additional rules

- (a) Only social media platforms may be used for additional marketing. This implies that no candidate is allowed to use mass communication (SMS, email, or any similar media) for marketing purposes.
- (b) A candidate is allowed to communicate with a closed group of friends electronically or otherwise but must then include a statement explicitly prohibiting the resending of that message as mass communication.
- (c) A candidate can upload pictures of themselves campaigning on their campaign social media platform. This includes videos of the candidate campaigning.

#### 6. Enforcement

Any infringement of these rules will render the perpetrator liable for an investigation by the Electoral Commission and if found guilty, will be disqualified. A candidate will be held liable for any mass communication that violates this act if such means were to endorse them or to help them with their campaign unless they can prove that they had nothing to do with such violation.

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### 7. Financial support for candidates

- (a) The monetary amount that candidates can spend on their campaigns is R0.00 for the 2021/2022 elections.
- (b) Due to the online nature of this year's elections and some data requisition, a candidate can request financial assistance from the Tygerberg Election Convenor(s) if he or she qualifies for such assistance according to the means test used by the Division of Bursaries and Loans.
- (c) The Division of Bursaries and Loans will be consulted before extending any financial assistance to applicants.
- (d) For the 2021/2022 elections financial assistance will only be provided in the form of data. The sole purpose of the data is to upload candidate's manifestos on the approved Social Media platforms as well as the attendance of caucus and other meetings.
- (e) The value of financial assistance that will be extended to each individual candidate that successfully applies for data will be capped to R200 per candidate.

### 8. Academic requirements for candidature in the Tygerberg Student Representative Council election

- (a) The academic requirements for candidature in the Tygerberg Student Representative Council election exist to prevent situations where a member of the Tygerberg Student Representative Council resigns during his or her term of office for academic reasons and to protect his or her academic performance
- (b) In order to qualify on academic grounds a candidate must in the year of TSR election comply with the minimum requirements;
  - (i) for each semester module a minimum mark of 50%; and
  - (ii) for each year module a minimum class mark of 55%
- (c) If a candidate is at risk of non-compliance with the readmission requirements of the University, he or she will not be granted candidature in the Tygerberg Student Representative Council election.
- (d) A candidate's official academic record can be accessed in order to determine whether the requirements under sub item (b) and (c) have been met.

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### 9. Academic disqualifications

- (a) Candidates who do not comply with the academic requirements stipulated in item 13 of the Tygerberg Student Constitution and as directed above are not eligible for election to the Tygerberg Student Representative Council.
- (b) The Tygerberg Election Convenor(s) must obtain the academic record of the candidates from the Registrar's office, and submit any cases where the candidate does not appear to comply with the provisions of item 13 to the committee contemplated in sub item (c).
- (c) The decision to reject the candidature of a candidate on academic grounds must be taken by a committee consisting of:
  - (i) the Head of Student Affairs;
  - (ii) the outgoing Chair of the Tygerberg Student Representative Council;
  - (iii) (one [1] of) the Tygerberg Election Convenor(s);
  - (iv) the Dean of the candidate's faculty or his secundus; and
  - (v) one (1) additional member of the Tygerberg Election Committee, as delegated by the Tygerberg Election Committee.

### 10. Other grounds for disqualification of candidates

Apart from compliance with the items listed above the Tygerberg Election Convenor(s) must also reject the nomination of a candidate if the candidate has not been a student for at least two (2) semesters.

### 11. Introductory video

All candidates are to prepare a video including their manifesto and answering questions received by the Election Committee. Please refer to and adhere to all guidelines communicated by the Election Committee.

### 12. Complaints

Should any candidate wish to lodge a complaint about the campaign of a specific candidate, the running of the elections or the validity of the elections, please refer to Schedule 1, Part S4 "Results and Complaints" of the Tygerberg Student Constitution.