



THE STUDENT ELECTORAL  
COMMISSION 2022

# ELECTION COMPLAINTS FORM

1. Name and surname: \_\_\_\_\_
2. Student number: \_\_\_\_\_
3. Cell number: \_\_\_\_\_
4. Email address: \_\_\_\_\_

5. Would you like to remain anonymous? Yes/No

***Disclaimer: while the Electoral Commission will attempt to maintain your anonymity, the Electoral Commission retains the right to distribute your details to the relevant stakeholders, if in the opinion of the Commission, it is necessary or in the interest of procedural fairness for your identity to be known to the other parties.***

6. Provide the nature of your complaint.

7. Provide the background to your complaint including the steps you have taken to have the matter resolved by the relevant authority.

8. Provide the reason/s why your complaint should be investigated by the Director of Compliance and Oversight.

9. Any further evidence to support your complaint may be added below (or attached in the email submission).

**Declaration:**

I declare that the information provided by me on the above form is true and correct to the best of my knowledge and belief.

Signature: .....

Date: .....

# ELECTION COMPLAINT GUIDELINES

The following rules must be complied with when election disputes are lodged with the Electoral Commission.

## 1 Resolution of election disputes

- (1) A complaint about the campaign of a specific SRC candidate must be lodged with the Electoral Commission, who must investigate the complaint and must announce their decisions within twenty-four (24) hours after the complaint was lodged.
- (2) 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 Election Committee(s)/Convenor(s), may be lodged with the Electoral Commission. The Commission will investigate the complaint and announce its decisions within twenty-four (24) hours of the complaint being lodged.
- (3) Any student may lodge an internal appeal against a decision by an Electoral Commission Official, such appeal must be lodged with the Electoral Commission, who will review the decision and announce its decision within forty-eight (48) hours.

## 2 Complaints Procedure

- (1) A complaint is deemed to be lodged when –
  - (a) It is received by the Electoral Commission not more than five (5) University days after the announcement of election results.
  - (b) All requirements of the complaints form are met.
- (2) The following are the requirements for the submission of the complaint form –
  - (a) A complainant must submit the necessary documents with the Electoral Commission in accordance with these regulations by addressing an email to the Electoral Commission.
  - (b) Any complaint and the documents thereto submitted after 17h00 on any calendar day will be deemed to have been submitted at 09h00 the next calendar day.

- (c) All complaints and the documents thereto submitted must be signed by the complainant. By signing, the complainant confirms that they have read the document and that there are legitimate grounds to support it.
- (d) All documents must be filed in English.
- (3) Should any registered student want to submit a complaint to the Electoral Commission –
  - (a) All complaints are to be submitted to [srcelection@sun.ac.za](mailto:srcelection@sun.ac.za)
  - (b) Complaints relating to the Tygerberg campus and Military Academy will be investigated in consultation with the Tygerberg Election Convenor and Student Captain, respectively.

### 3 Complaint form

- (1) A complaint submission must be prepared in accordance with the prescribed complaints form above. The following information should be contained in any complaint submission –
  - (a) The nature of the complaint.
  - (b) The background to the complaint.
  - (c) Reasons why the complaint should be investigated by the Director of Compliance and Oversight.
  - (d) The steps the complainant has taken for the matter to be resolved by the relevant authority; mentioning the names of the Election Convenor(s), staff members or student leaders that they have been dealing with, including the dates of such correspondences, and the response received. Copies of any correspondence between the complainant and the Officials, Election Convenor(s), staff members or student leaders should be attached to the submission.
  - (e) Contact details.
- (2) The Director of Compliance and Oversight should 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.
- (3) An internal appeal of any decision, made under subsection (2) above, must be submitted to the Chief Electoral Officer within two (2) University days after the report has been published by the Director of Compliance and Oversight. The

Electoral Commission, upon deliberating on the internal appeal shall announce their decision within forty-eight (48) hours after receiving the appeal.

- (4) Any complaint, that is not resolved to the satisfaction of the complainant, about the running of any student leadership election and any decision or failure to make a decision by the Electoral Commission or respective Election Committee(s)/Convenor(s), must be lodged with the Student Court within a reasonable time and in accordance with the rules of the Student Court.