

# FREE AND FAIR ELECTIONS

## WHAT MAKES OUR ELECTIONS FREE AND FAIR?



### There are clear laws governing elections

The right for South Africans to participate in free and fair elections is set out in the Constitution of the Republic of South Africa. The Electoral Act (73 of 1998) outlines the provisions governing national and provincial elections. The Municipal Electoral Act (27 of 2000) outlines the provisions governing municipal elections. The acts also list the behaviours that are illegal before and during an election.



### Your vote is kept secret

Voters can take part in elections without the fear of others knowing who they voted for.



### Elections are held regularly

South Africans vote in both national and provincial elections, and in municipal elections. Each are held every 5 years.



### You have choices

There are many political parties to choose from. Anyone can form a party or be a candidate in an election and you can support or belong to any political party.



### Everyone who is registered to vote can vote

Every registered voter's name appears on a voters' roll. Only registered voters can vote. If you aren't able to be in your voting district on the day of elections you can apply for a special vote that allows you to vote in your voting station before the election.



### The election process doesn't take sides and is in full view of everyone

Elections are run by the Electoral Commission which is an organisation that is independent of the government. It does not favour or support any political party. Elections are an open and transparent process and are not influenced by any person or group. Political parties and observers are able to observe every step of the election process.

One of the most important aspects of a working democracy is that citizens have the right to vote and choose their leaders. For this to happen, the elections need to be free and fair.

The Electoral Commission manages national, provincial and municipal elections, including referendums in South Africa. Its most important task is to ensure that these elections are free and fair.

Since 1994 all of South Africa's elections have been viewed as free and fair by domestic and international stakeholders.



SOUTH AFRICA



## Parties and candidates can campaign without fear

There is respect for other people's views and there is open public debate.



## All political parties accept the final outcome of the election

Anyone is allowed to object to the declared results of the election. The Electoral Commission investigates these and makes a decision. If anyone is not satisfied with that decision, they can take it to the Electoral Court which can pass judgement on all election disputes.



## There is a code of conduct that everyone must follow before, during and after elections

All political parties taking part in elections have to sign and accept the Electoral Code of Conduct that sets out the rules for a free and fair election.

### Among other things, political parties and candidates agree to:

- speak out against political violence and threats against other parties, the Electoral Commission, members of the public and the media;
- communicate with the authorities and other political parties about planned political events;
- work with the Electoral Commission to allow it to perform its duties;
- accept the results of the election or challenge the results in court.

### It is illegal for anyone to:

- prevent someone else from speaking to other voters;
- interfere with a voter's right to secrecy when he or she is voting;
- use language which provokes violence;
- intimidate candidates or voters;
- offer any reward to a person to vote for a party;
- remove or destroy posters of parties;
- bribe or influence an official of the Electoral Commission while they are doing their duty;
- prevent the Electoral Commission from doing its duties in running the election.

**IF ANYONE BREAKS THE LAWS GOVERNING ELECTIONS THEY CAN BE FINED OR SENT TO PRISON FOR UP TO TEN YEARS. POLITICAL PARTIES THAT BREAK THESE LAWS CAN BE FINED AND STOPPED FROM WORKING IN AN AREA. THEY CAN ALSO HAVE THEIR VOTES IN AN AREA CANCELLED.**

### About the Electoral Commission

The Electoral Commission is an independent, impartial institution established by Chapter 9 of the Constitution. It manages national, provincial and municipal elections. It makes sure these elections are credible, free and fair.

#### National Office

Tel: 012 622 5700  
info@elections.org.za  
www.elections.org.za

**Contact Centre: 0800 11 8000 (during elections)**

### Contact Provincial Offices

Eastern Cape: 043 709 4200  
Free State: 051 401 5000  
Gauteng: 011 644 7400  
KwaZulu-Natal: 031 279 2200  
Limpopo: 015 283 9100  
Mpumalanga: 013 762 0640  
North West: 018 391 0800/5  
Northern Cape: 053 838 5000  
Western Cape: 021 910 5700

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