



ELECTORAL CODE OF CONDUCT

PREAMBLE

During an election period, it is important that all those involved play by the same rules. Such rules become imperative if one wishes to conduct a free and fair election. The Independent Electoral Commission has prescribed an Electoral Code of Conduct, as well as prohibited conduct that applies to the SRC Elections [notwithstanding other provisions of the WSU Statute, WSU Policies and SOP]

1. Purpose of the Code

- 1.1. The purpose of this code is to promote conditions that are conducive to free and fair elections, including:
 - a. Tolerance of democratic activity and
 - b. Free campaigning and open public debate.

2. Promotion of the Code.

- 2.1. Every candidate/organisation must:
 - a. Promote the purpose of the Code when electioneering.
 - b. Publicise the Code widely in any election campaign and
 - c. Promote and support efforts in terms of this code to educate voters.

3. Compliance with Code and Institutional Regulations

- 3.1. Every individual or organisation must:
 - a. Comply with letter and spirit of the code.
 - b. This code not only applied to individuals or organizations contesting elections, but all extends to their members, supporters and their organizations where Applicable.

4. Conduct During Elections

- a. All students and organizations, their candidates and party agents shall act in the spirit of tolerance and respect for other parties and the EA.
- b. Every registered organization and every candidate must recognize the authority of the EA in the conduct of an election, assure voters of EA, or a member, employee or officer of the EA or the Chief Electoral Officer.
- c. During the campaigning period and the voting day, participating students and or organizations, and their candidates and party agents are expected to abide by the Statutes, Rules and Procedures of the University and the SRC Constitution.
- d. During the reading of manifestos and the campaigning process, all students, organizations, their respective candidates and party agents are expected to each other with respect and consideration for each other.
- e. All participants in the election must not –
 - I. Behave in a disorderly manner during the voting process;
 - II. Campaign within the 100 meters of the voting station
 - III. Do anything that may disrupt the election process or;
 - IV. Remove campaigning material of opposing organizations.
- f. During the 'Manifesto Days', all students and organizations are not allowed to disrupt the process anyway whatsoever,
- g. All attendees must respect the "Manifesto" sessions and should not disrupt the process.
- h. All the contesting students and organizations, their respective candidates and their party agents shall promote conditions that are conducive to free and fair elections, including tolerance of democratic activity and free campaigning and open public debate.
- i. Every registered student and organization and every candidate must accept the result of an election or challenge them by following proper channels as prescribed.
- j. Any alleged violation of the contents of the Annexure/Code by any party, be it a student or a student organization, must be dealt with in accordance with the official disciplinary procedure of WSU or the Annexure on Election procedures.

5. Prohibited Conduct

- a. No registered student and or organization or candidate may use language or act in a way that may provoke violence during an election, or the intimidation of candidates, members of other student organizations, representatives and supporters of student organizations or candidate, or voters.
- b. No person may publish false or defamatory allegations in connection with an election in respect of an independent candidate, student organization, its candidates, representatives or members, or a candidate or that candidate representative.
- c. No person may plagiarise the symbols, colours and acronyms of other registered student organization or independent candidate.
- d. No person may discriminate on the ground of race, ethnicity, sex, gender, class, religion or conviction, views or activity in connection with the election.
- e. No person may offer any inducement or reward to another person to join or not to join a student organization, to attend or not to attend a public meeting, march, demonstration, rally or other public political event, to vote or not to vote, or not to vote in any particular way, or to refuse a nomination as a candidate or to withdraw as a candidate.
- f. No person may carry or display arms or weapons at a political meeting, or in any march, demonstration, rally or other public event.
- g. No person may prevent any other person access to voters for the purpose of voter education, collecting signatures, recruiting members, raising funds or canvassing support for a student organization or candidate.
- h. No person may deface or unlawfully remove or destroy the billboards, placards, posters or any other election materials of a student organization or candidate.
- i. No person may make a photographic or any other form of image of a ballot paper which has been marked by a voter on Election Day.
- j. No person may abuse a position of power, privileges or influence, including patriarchal, traditional or employment authority to influence the conduct or the outcome of an election.
- k. Should there be a dispute in respect of any matter arising out of the elections, such matter will be referred to the Deputy Director SDSS and the Executive Director for resolutions.

6. On voting day

- 6.1. No person may engage in any political activity (campaigning/canvassing), other than casting a vote in the area within the boundary of a voting station.

7. Consequences of misconduct

- 7.1. In the event that any candidate and/or their designated representatives attempt to commit any of the acts of misconduct as contemplated in clause 5 above, such candidate and/or their designated representatives shall automatically, without further investigation be subject to any of the following sanctions -
- a. a warning or public admonishment; and/or
 - b. reduced campaign time; and/or
 - c. reduced campaign spending in so far as WSU is making funds available in this regard
- 7.2. In the event that any candidate and/or their designated representatives commits any of the acts of misconduct as contemplated in clause 5 above, such candidate and/or their designated representatives shall, after an investigation has been conducted as contemplated in clause 8.2 below and such candidate and/or their designated representatives are found guilty of an act of misconduct, be subject to the following sanctions -
- a. cancellation of up to 40 (FORTY) votes in the discretion of the investigation panel in the event that the candidate and/or their designated representatives has committed any of the acts of misconduct contemplated in clause 7.1 above, depending on the severity thereof; or
 - b. disqualification of a candidate and/or their designated representatives from further participation in the SRC elections of a candidate and/or its designated representative in the event that the acts of misconduct contemplated in clause 7.1 above amounts to gross misconduct.
- 7.3 Notwithstanding the sanctions as set out in clause 7.2 above, the WSU reserves the right to recover, from the student account of any student, any amounts reasonably incurred in the correction of any violations of this Code. This includes but is not limited to, cleaning costs incurred in the removal of illegally placed campaigning material.
- 7.4 The WSU furthermore reserves the right to lay civil charges against a candidate and/or his legal representative as well as criminal charges should the misconduct constitute a criminal offence.
- 7.5 It is recorded that the conduct of the general student population of the WSU shall at all times be regulated by the WSU's internal disciplinary processes.

8 PROCEDURE IN THE EVENT OF A VIOLATION OF THE CODE

8.3 Reporting an alleged violation

- a. Any student, candidate and/or its designated representative who reasonably suspects that a candidate and/or its designated representatives might be in violation or is acting in a manner that might result in a violation of any of the provisions of this Code and/or the SRC Constitution, must immediately report such violations in writing to the Chief Electoral Officer of the SRC elections (the "IEA") within 12 (TWELVE) hours after the alleged incident or after becoming aware thereof.
- b. Reports on violations can be lodged via electronic correspondence.

8.4 Investigation of an alleged violation by the CEA

- a. In the event that an allegation of violations of the Code is received by the IEA, the IEA shall, consultation with protections services, constitute an Investigation Panel, who shall assist the IEA.
- b. The IEA, in consultation with the Investigation Panel as contemplated above, shall consider and investigate the facts on which the report of a violation is based and shall give a ruling to the effect as well as appropriate sanctions within 24 (TWENTY-FOUR) hours after receipt of a report.
- c. In the event that the report of violations is confirmed by the IEA, the IEA shall accordingly decide on an appropriate sanction and shall inform all parties involved accordingly.

8.5 Appeals against the ruling of the CEA

- a. In the event that a candidate and/or its designated representative dispute the finding of the IEA, he and/or she shall be entitled to refer the matter within 48 (FORTY-EIGHT) hours of receipt of the decision by the IEA to the WSU Dean: Student Development and Support Services.
- b. The decision reached by the WSU Dean: Student Development and Support Services subsequent to the consideration of the IEA's ruling shall be final and binding on all parties involved.

DECLARATION

I/we fully understand and bind myself to the provisions of the Code of Conduct.

[illegible]