



**Mangosuthu
University of Technology**

THE SRC ELECTORAL POLICY

Approved by Council on: **31/05/2010**

1 PURPOSE

This policy document serves to outline the process governing the election of the Student Representative Council (SRC) and will serve as a guide for the SRC election process and its management at Mangosuthu University of Technology (MUT).

2 RATIONALE

Section 35 of the Higher Education Act, No: 101 of 1997 provides for the establishment and composition of a SRC in the constitution of the structures of the university. The Standard Institutional Statute makes provision for students' participation in the composition of the university Council, Senate, and Institutional Forum. It further provides for the SRC to represent students in matters affecting them as outlined by the Higher Education Act, Standard Institutional Statute, its (SRC's) Constitution and other relevant policies of the University.

The SRC Electoral Policy of MUT seeks to outline the University's roles and functions as well as the organisation, financing and management of SRC elections. Further, it aims at promoting a professional, impartial, accountable and sustainable electoral process. The Independent Electoral Committee (IEC) will be established to perform its tasks in the best interests of MUT students participating in the SRC elections.

3 SCOPE

This policy applies to all MUT students, IEC officials, Student Affairs Department, and all Management structures at MUT.

4 POLICY PRINCIPLES

The Student Affairs Department will:

- 4.1 make provision for the appointment of an independent and non-partisan Electoral Committee which will:
 - 4.1.1 administer and manage election processes in a neutral and transparent manner, and ensure that the results are an accurate expression of the will of MUT students who participate in the voting process;
 - 4.1.2 ensure that the University's resources provided for the holding of the SRC election are sufficient for the conducting of the election process; and
 - 4.1.3 ensure that the electoral practices do not become normative or prescriptive beyond the basic characteristics sought in good electoral processes, e.g freedom, fairness, equity, integrity, voting secrecy, transparency, effectiveness, sustainability, service-orientation, efficiency, impartiality and accountability;
- 4.2 enforce interpretation and implementation of the policy principles together with the given electoral procedures since they form the policy enabling pillars of the SRC electoral process. These principles and the enabling pillars (procedures) are complementary and intertwined and will ideally be implemented in a co-ordinated fashion for maximum effectiveness and synergy; and
- 4.3 verify the eligibility of candidates for the SRC elections and ensure that they meet the satisfactory academic requirements.

5 POLICY IMPLEMENTATION

- 5.1 The office of the **Dean of Students** shall ensure that the electoral policy is implemented; and
- 5.2 The **Student Affairs Department** shall be responsible for the implementation of this policy.

6 POLICY CONTEXT

The MUT SRC Electoral Policy is informed by the following prescripts:

- 6.1 Electoral Act South Africa, 1998 (Act No: 73 of 1998);
- 6.2 Higher Education Act, 1997 (Act No: 101 of 1997);
- 6.3 The MUT SRC Constitution; and
- 6.4 Standard Institutional Statute, 2002.

7 POLICY REVIEW

This policy will be reviewed every five years, or as often as the Student Parliament and student mass meeting may decide depending on the need at the time.

8 PROCEDURES

8.1 Introduction

Section 35 of the Higher Education Act No. 101 of 1997, provides for the establishment of a Student Representative Councils (SRC) in all institutions of higher learning. The Student Representative Council plays a crucial role in representing the voice of students in all decision-making processes at the University and is committed to ensuring that the interests of students are considered and prioritised by the University.

This policy document serves to outline the process governing the election of SRC and will serve as a guide for the SRC election process and its management.

8.2 Establishment of the Independent Electoral Committee (IEC)

The primary task of the IEC is to manage the SRC election process in accordance with the SRC electoral policy. The IEC shall be independent and impartial and shall exercise its powers and perform its duties without fear, favour or prejudice.

The IEC shall be appointed by the Dean of Students' Office in consultation with the SRC.

8.2.1 The functions and responsibilities of the IEC shall be:

8.2.1.1 To manage elections in accordance with the electoral policy and SRC constitution;

8.2.1.2 To supervise and control SRC election and carry out duties and responsibilities assigned thereto;

8.2.1.3 To ensure that election is free and fair;

8.2.1.4 To declare the results within a period of forty eight (48) hours after the completion of counting ballot papers;

8.2.1.5 The IEC shall ensure that the SRC election is free and fair through the monitoring of all the election phases which include:-

8.2.1.5.1 nominations and nomination procedures;

8.2.1.5.2 campaigns and campaign procedures;

8.2.1.5.3 voting and voting procedures; and

8.2.1.5.4 counting votes cast during the course of the SRC elections.

8.2.2 Composition of the IEC

- The Chief Electoral Officer shall be a person from outside the University who shall appoint his/her own team; and

- The IEC shall liaise with the Liaison Committee on any matter relating to the elections.

8.2.3 Functions of the IEC

8.2.3.1 The Chief Electoral Officer and the Electoral Officers serving on the IEC are responsible to organize the election process, and together, are known as the IEC;

8.2.3.2 Student Affairs Department shall ensure the efficient day-to-day running of the IEC;

8.2.3.3 The Chief Electoral Officer shall be responsible for:

8.2.3.3.1 Opening the nomination process together with a closing date;

8.2.3.3.2 Preparing nomination forms;

8.2.3.3.3 Compiling a complete list of candidates;

8.2.3.3.4 Arranging meetings of candidates to explain processes, rules and regulations for the election;

8.2.3.3.5 Ensuring that the election publications carrying relevant information about candidates are distributed prior to the election;

8.2.3.3.6 Presenting a full report as soon as possible after the election to the University Management; and

8.2.3.3.7 The Student Affairs Department shall ensure that venues are booked timely for manifestos, and any other events pertaining to the elections.

8.3. Eligibility of candidates and voters

8.3.1 A Bona Fide student as defined in the SRC Constitution shall be eligible to vote;

8.3.2 No person shall be eligible for membership of the SRC unless he/she is a bona fide student as defined in the SRC Constitution;

8.3.3 Candidates should meet the following academic requirements:

8.3.3.1 A candidate should have passed at least 60% of subjects/modules in the preceding annual or semester examinations;

8.3.3.2 A candidate must have completed at least one year of study to be eligible for membership of the SRC;

8.3.3.3 Pre-tech students shall not be eligible to contest SRC elections; and

- 8.3.3.4 A student who has been declared insolvent by the court of law shall not be eligible to contest SRC elections;
- 8.3.4. Organisations and individuals shall stand for elections;
- 8.3.5. A candidate with a disciplinary record or serving any effective sanction shall not be allowed to contest elections; and
- 8.3.6. The Independent IEC shall disqualify a candidate or an organization for failure to meet the standing requirements for elections.

8.4 Nomination Procedures

- 8.4.1 Nomination forms shall be obtainable at an advertised central point within the University;
- 8.4.2 Nominations of candidates for the SRC election shall be lodged with the Chief Electoral Officer not later than five days before the day of the election;
- 8.4.3 Nomination forms shall be provided to students participating in the election with information on the elections, including information regarding the dates and times of meetings and events, as well as a provisional date for an SRC Inauguration Ceremony in order for candidates to diarise times and make the necessary arrangements;
- 8.4.4 A duly completed nomination form shall be delivered by hand to the office of the IEC with the following documents:
 - 8.4.4.1 Copy of a student card;
 - 8.4.4.2 ID / Passport Photo;
 - 8.4.4.3 Motivation as to why a student have to be elected to the SRC;
 - 8.4.4.4 Fifty (50) supporting signatures in a case of independent candidates and chairperson and secretary in case of recognized organizations with student numbers of supporting registered students in the same academic year/semester of such SRC election;
 - 8.4.4.5 Registration status form; and
 - 8.4.4.6 Academic Record. It should be noted that Academic records shall be displayed on IEC notice boards after verification by the Student Affairs Department;
- 8.4.5 The Chief Electoral Officer shall decide on the validity of all nominations for the election and shall decline to accept a nomination if a nomination fails to meet the prerequisites for registration of the elections;
- 8.4.6 Once a nomination has been accepted, a candidate is bound to adhere to all deadlines set by the IEC;

- 8.4.7 The Chief Electoral Officer shall prepare a list of candidates;
- 8.4.8 Objections to nominations shall be lodged with the Chief Electoral Officer not less than seven days (7) before the first day of the election;
- 8.4.9 No nomination form shall be accepted after the final submission date and time of closing of official nominations;
- 8.4.10 Self nomination for election to the SRC is prohibited;
- 8.4.11 A student can nominate not more than two (2) independent nominees and signs for them. In case of organizations nominations shall not exceed nine (9) nominees; and
- 8.4.12 In the event where no nominations were received during the period stipulated by IEC, the SRC Affairs shall be run by Student Affairs Department.

8.5 Elections Procedures

- 8.5.1 The elections shall be held in the month of September provided it is at least a week before examinations;
- 8.5.2 Thirty (30) days before the election date, the Student Affairs Department shall identify a Chief Electoral Officer who shall be a person from outside the University. In performing this task the Student Affairs Department shall prioritise the IEC of South Africa;
- 8.5.3 The Chief Electoral Officer shall appoint a committee to assist him/her and shall supervise and have complete control over all SRC elections;
- 8.5.4 IEC appointed by the Dean of Students shall be compensated for performing their duties;
- 8.5.5 The Chief Electoral Officer assisted by the committee shall have complete control over the SRC elections and shall make such arrangement for essential publicity as may be prescribed in the standing orders;
- 8.5.6 Students shall be notified of pending elections at least seven days before the last nomination day;
- 8.5.7 A student shall not be allowed to vote for more than 2 independent candidates and one organization. Further, a student shall not be allowed to vote more than once for any independent candidate or organisation;
- 8.5.8 If there are two (2) or less independent candidates nominated and only one organization, the Chief Electoral Officer shall extend the nominations for a further four (4) days;
- 8.5.9 Should there be insufficient nominations received by means of the procedure mentioned in section 8.4.11, an extraordinary student body meeting shall be convened by the IEC within 7 days, where further nominations will be called for and accepted;

- 8.5.10 Should the aforesaid meeting not quorate, or should there be insufficient further nominations, the Chief Electoral Officer shall refer the matter to the Dean of Student's Office. The Dean will consult with the Vice-Chancellor regarding the way forward;
- 8.5.11 A decision will be communicated to students within 5 days from the date when the matter is referred to the Dean's Office;
- 8.5.12 Should an SRC executive be constituted by less than eleven (11) elected members, an immediate by-election shall be called to fill the vacant positions;
- 8.5.13 Inauguration shall take place at least 7 days after the counting of votes and should be called by the Chief Electoral Officer. All SRC elects should have submitted their academic records prior to their inauguration;
- 8.5.14 The outgoing SRC members shall cease to be members after the AGM in order to ensure that a hand-over proceeds smoothly. The handover shall be facilitated by the Chief Electoral Officer within 48 hours of official declaration of results. In the absence of an elected SRC, SRC affairs will be administered by the Student Affairs Department;
- 8.5.15 Members of the outgoing SRC who wish to be nominees for the next elections should cease to be the SRC members immediately after the submission of their nominations; and
- 8.5.16 If more than 50% SRC members decide to participate in elections, SRC Affairs shall be administered by the Student Affairs Department.

8.6 Manifestos

- 8.6.1 All candidates contesting SRC elections are required to have their manifestos or their organizational manifestos;
- 8.6.2 The IEC should arrange a forum for students and candidates to interact before the elections take place; and
- 8.6.3 Any SRC candidate or organization that fails to avail himself/herself of this opportunity for any reason shall be disqualified from the elections.

8.7 Postponement of election

- 8.7.1 The IEC may request Student Affairs Department to postpone an election if it is not reasonably possible to conduct free and fair elections, and
- 8.7.2 If ballot papers are lost, destroyed or unlawfully removed, the IEC may allow a revote within a reasonable period of time.

8.8 Conduct and responsibility of candidates and organizations

- 8.8.1 All candidates and organizations shall be required to comply with the following:

- 8.8.1.1 Attend all meetings or workshops arranged by the IEC;
- 8.8.1.2 Adhere to all deadlines set by the IEC; and
- 8.8.1.3 Provide any such relevant information as requested by the IEC.
- 8.8.2 Individual candidates shall be held responsible for their conduct; and
- 8.8.3 Candidates shall not be allowed to collect or handle ballot boxes and ballot papers and shall not be allowed anywhere near ballot boxes during voting processes, except when casting their own votes.

8.9 Voting Station

- 8.9.1 The Student Affairs Department shall establish a voting station on campus, that has a security camera;
- 8.9.2 Immediately before the voting begins, the IEC shall show observers that the ballot boxes are empty and thereafter seal the ballot boxes;
- 8.9.3 The location of the voting station shall take into consideration the need for free, fair and orderly election. To this end, population density and the need to avoid congestion at voting stations shall be considered;
- 8.9.4 Voting shall be by secret ballot;
- 8.9.5 Each voter shall be given two (2) ballot papers for SRC election, one for organizations and one for independent candidates;
- 8.9.6 Voting shall take place between 07:00hrs and 23:00hrs for one day, unless otherwise ordered by the IEC. However should there be voters in the queue on the cut-off time, voting shall continue until all voters in the queue have cast their votes;
- 8.9.7 In the case where IEC extends voting days, e.g at the end of day one, ballot boxes shall be moved to the Protection Services for safe keeping. On the second day of elections ,the Protection services shall escort ballot boxes back to the voting station for the voting process to resume;
- 8.9.8 The voters shall produce the bar coded student card before voting;
- 8.9.9 Each voter shall only vote for not more that two (2) independent candidates and one organization;
- 8.9.10 Voting for more than two independent candidates and more than one organization shall render ballot paper spoilt;
- 8.9.11 Only names appearing on the voters roll shall be allowed to vote;
- 8.9.12 The voters' roll shall be printed by IT & Networks Department and shall be verified by the Registrar; and

- 8.9.13 The voters' roll shall be published two weeks prior to SRC elections and all queries shall be dealt with before the voting day.

8.10 Voting materials

- 8.10.1 The IEC shall determine the design of the ballot paper and boxes and decide how they are to be numbered and labeled;
- 8.10.2 The IEC shall be responsible for supplying ballot papers, ballot boxes, voting compartments and ballot boxes' seals;
- 8.10.3 The Students Affairs Department shall be responsible for organising a voters' roll; and
- 8.10.4 Upon receipt of these materials the Chief Electoral Officer shall be responsible for their safekeeping.

8.11 Observers

- 8.11.1 A registered candidate and organization contesting the election shall appoint two (2) observers in a voting station and three observers at a venue where the counting takes place;
- 8.11.2 An observer shall be a registered student and shall not be a candidate in the election;
- 8.11.3 A candidate or organization shall issue the observer with written proof of appointment and give notice of such appointment to the IEC;
- 8.11.4 Observers shall be allowed to observe proceedings concerning voting, counting and declaration of preliminary and final results;
- 8.11.5 Observers shall not interfere with proceedings;
- 8.11.6 Observers may lodge complaints or bring irregularities to the attention of the IEC; and
- 8.11.7 The absence of observers shall not invalidate proceedings; observers and candidates shall comply with orders given by the IEC.

8.12 Liaison Committee

- 8.12.1 The Liaison Committee shall provide a way of dealing with challenges experienced during the election process and liaise with the IEC and candidates and organizations to the elections;
- 8.12.2 It shall be formed once the nomination process has been opened;
- 8.12.3 It shall consist of representatives from all candidates and organizations as determined by the IEC;
- 8.12.4 The convenor of the liaison committee shall be the Chief Electoral Officer;

- 8.12.5 The Liaison Committee shall consider complaints about the elections process, provided that such complaints are made in writing and signed by the complainant;
- 8.12.6 It shall only make recommendations to the IEC on the resolution of the reported complaints; and
- 8.12.7 The Liaison Committee has no power to change or vary the provisions of the SRC Electoral Policy.

8.13 Counting and declaration procedures

- 8.13.1 Counting of votes shall commence immediately after the voting station shall have been closed for voting, and may be suspended with the Chief Electoral Officer's approval;
- 8.13.2 Ballot papers shall be counted at a specified venue on campus;
- 8.13.3 Counting Officers shall reject any ballot paper that reflects the identity of a voter;
- 8.13.4 Delegated Counting Officers by the IEC may reject a ballot paper in consultation with observers on the following circumstances:
 - 8.13.4.1 If a ballot paper has any other mark/s and/or writing except the vote;
 - 8.13.4.2 If a single ballot paper contains a vote-cast that exceed two (2) candidates and one organization; and
 - 8.13.4.3 If a ballot paper does not contain any mark that indicates a vote;
- 8.13.5 Disputed and rejected ballot papers shall not be counted and shall be kept separate for IEC decision;
- 8.13.6 All decisions of the IEC shall be communicated only by the Chief Electoral officer, except in case of a delegation by him/her; and
- 8.13.7 All observers shall sign a declaration form stating whether they will accept preliminary election results or not.

8.14 Results and reports

- 8.14.1 The Chief Electoral Officer shall announce the preliminary results as soon as possible after the completion of vote-counting;
- 8.14.2 The IEC shall announce the official and final election results within forty eighth (48) hours of the completion of counting, provided that no objections are received within the specified period published by the IEC;
- 8.14.3 Objection to the elections shall be lodged in writing and shall reach the Chief Electoral Officer within twenty four (24) hours of the declaration of the preliminary results;

- 8.14.4 In the event that no objections are received by the deadline set and published by the IEC, the results of the elections shall be officially and finally announced by the Chief Electoral Officer (acting on behalf of the IEC) and elections results shall be declared free and fair;
- 8.14.5 The decision of the IEC regarding any objection lodged shall be subject to appeal in the following manner: An appeal against any decision or ruling made by the Chief Electoral Officer shall be forwarded to the office of the Dean of Students who will consult with the Vice-Chancellor regarding the matter. The decision of the Vice-Chancellor shall be final and binding to all parties; and
- 8.14.6 In resolving disputes, the Vice-Chancellor shall have discretionary powers to engage internal or external persons.

8.15 General Provision

- 8.15.1 The IEC shall own the election material and may dispose of such material immediately after the election results have been declared and the process is agreed on to be free and fair; and
- 8.15.2 The IEC may introduce further regulations if required by the policy or if it considers this necessary for the elections. This should take place in consultation with the Dean of Students.