

**UCT Special Electoral Rules and Code of Conduct regulating activity on campus during South African National, Provincial and Local Government Elections**

<p><b>Status of Policy</b></p>	<p><i>Final draft</i> Recommended by USAC on 27 February 2014 and approved by Council on 29 March 2014</p>
<p><b>Purpose and Scope</b></p>	<ol style="list-style-type: none"> <li>1. The Special Electoral Rules and Code of Conduct are applicable during South African national, provincial and local government elections.</li> <li>2. The purpose of the Special Electoral Rules and Code of Conduct is to provide a framework for political parties and the UCT community to ensure that:             <ol style="list-style-type: none"> <li>2.1. political activity and campaigning do not interfere with the academic and administrative functioning of the university;</li> <li>2.2. freedom of association, freedom of speech and democratic principles are upheld;</li> <li>2.3. political parties and structures wishing to campaign on campus have equal access to do so, and;</li> <li>2.4. there is alignment with the goals and principles of relevant national legislation.</li> </ol> </li> <li>3. This policy sets up structures, such as the University Electoral Commission, the Electoral Ombudsperson and a panel of election monitors.</li> </ol>
<p><b>Applicability</b></p>	<p>This policy applies only before and during national, provincial and local government elections and lapses one week after the announcement of election results.</p>
<p><b>Definitions</b></p>	<ol style="list-style-type: none"> <li>a) <b>canvass</b> for the purpose of these rules may include, but not be limited to calling on or interviewing a person or persons in order to ascertain political affiliation and/or voting intentions, and/or to try to persuade a person or persons to vote in a particular way, whilst respecting the right of choice of such individuals.</li> <li>b) <b>Council</b> is the Council of the University of Cape Town.</li> <li>c) <b>ED, DSA</b> is the Executive Director of the Department of Student Affairs.</li> <li>d) <b>Election Monitors</b> are staff and student volunteers registered with the UEC who assist the UEC as required.</li> <li>e) <b>IEC</b> is the Independent Electoral Commission of South Africa.</li> <li>f) <b>Institutional Forum</b> is the structure that must advise Council on issues affecting the University as required by the Higher Education Act (Act No 101 of 1997).</li> <li>g) <b>UEC</b> is the University Electoral Commission established in terms of this policy.</li> <li>h) <b>UEO</b> is the University Electoral Ombudsperson established in terms of this policy.</li> <li>i) <b>Political parties</b> are those organisations which are registered as political parties by the Independent Electoral Commission of South Africa.</li> <li>j) <b>recruit</b>, for the purposes of these rules, is the attempt to sign up of staff and students to join a political party registered with the IEC.</li> <li>k) <b>SRC</b> is the Students' Representative Council.</li> <li>l) <b>structures active on campus</b> are all formally recognised and informal staff</li> </ol>

	structures and student structures which are active on the University campus. Informal structures refer to those which are not formally recognised by the University of Cape Town.
<b>Suspension of Rules</b>	In 1999, the Council of the University permanently suspended the provisions of Rule M14, although it still appears as a rule in Book 3, General Rules and Policies. This provision, on a motion by Justice IG Farlam, Council resolved to repeal this rule (21 March 2014).
<b>University Electoral Commission (UEC)</b>	<ol style="list-style-type: none"> <li>1. The UEC is a body appointed from within the University which is responsible for the oversight, reporting and monitoring of the national, provincial and local government election process on the University Campus.</li> <li>2. The UEC may assist the IEC in the overall management of the election process, where required, on the University Campus.</li> <li>3. The UEC must consist of 10 members of whom at least 4 must be employees of the University and at least 4 must be students of the University.</li> <li>4. The UEC must be appointed by the Institutional Forum and must be widely representative of the University Community as a whole.</li> <li>5. The student representatives on the UEC must be recommended by the SRC to the Institutional Forum.</li> <li>6. The members of the UEC must appoint a Chair and a Deputy Chair.</li> <li>7. The ED, DSA must appoint a DSA staff member who will be the servicing officer.</li> <li>8. The UEC will meet as frequently as it determines.</li> <li>9. All meetings of the UEC may be open to any member of the University community and will be advertised widely in advance wherever possible.</li> <li>10. The quorum for any meeting of the UEC is 6 members.</li> <li>11. The UEC has the following responsibilities: <ol style="list-style-type: none"> <li>11.1. to approve applications to stage public meetings;</li> <li>11.2. to appoint UCT electoral monitors;</li> <li>11.3. to liaise with the regional structures of the Independent Electoral Commission (IEC) and with political organisations;</li> <li>11.4. to liaise with appropriate regional and national structures;</li> <li>11.5. to oversee the election and related campaigns effected on campus in accordance with this policy;</li> <li>11.6. to manage and set conditions for the use of the University facilities for use in electoral campaigns;</li> <li>11.7. to make suitable security arrangements with regard to electioneering on campus;</li> <li>11.8. to make additional rules as necessary where these rules are silent;</li> <li>11.9. to issue general instructions to members of the University community and</li> </ol> </li> </ol>

	<p>political organisations with regard to the conduct of such persons on the University campus in relation to the elections;</p> <p>11.10. to provide training programmes for electoral monitors;</p> <p>11.11. to accredit persons, including UCT students or staff, who wish to canvass on campus; and</p> <p>11.12. to liaise with the Registrar, Communications and Marketing Department and the University Campus Protection Services in relation to safety and protocol arrangements applicable to visiting public figures.</p>
<b>University Electoral Ombudsperson (UEO)</b>	<ol style="list-style-type: none"> <li>1. The UEO must be appointed by the Institutional Forum.</li> <li>2. The UEO must be a suitably qualified person who must be independent and impartial.</li> <li>3. The UEO may hear any complaint by any person against: <ol style="list-style-type: none"> <li>3.1. the UEC or any individual member of the UEC;</li> <li>3.2. any election monitor;</li> <li>3.3. any structure or organisation with regard to its conduct;</li> <li>3.4. the content of any broadcast, printed, electronic or social media materials;</li> <li>3.5. any person whom it is alleged has violated the UCT Electoral Code of Conduct.</li> </ol> </li> <li>4. The UEO, in relation to any conduct arising out of the election process, may, in his or her discretion, after hearing sufficient evidence: <ol style="list-style-type: none"> <li>4.1. order the publication of his/ her findings by the UEC, <i>Varsity</i> and the <i>Monday Monthly</i>;</li> <li>4.2. reprimand a member of the UEC;</li> <li>4.3. suspend a monitor;</li> <li>4.4. order a monitor to refrain from further repetitions of the conduct complained of;</li> <li>4.5. suspend the right of any structure or organisation to make use of the University facilities or to campaign in any manner on the University campus for up to 7 days;</li> <li>4.6. recommend to the Vice- Chancellor the institution of any proceeding against any person who has violated any rule of the University including these rules or any law.</li> </ol> </li> </ol>
<b>Interpretation</b>	Any dispute over the interpretation of the Rules shall be referred to the UEO
<b>Code of Conduct</b>	<ol style="list-style-type: none"> <li>1. Activities, campaigns or programmes associated with the elections for a body at any sphere of government in South Africa may not interfere with the academic or administrative functioning of the University.</li> <li>2. All members of the University community, external political parties and individuals must observe this Code of Conduct and must comply with any instruction of a monitor, any written instruction of the University Electoral Commission and any decision of the University Electoral Ombudsperson.</li> </ol>

	<ol style="list-style-type: none"> <li>3. Members of the University community may not violate the right to freedom of speech, association and/or movement of any person.</li> <li>4. Office bearers and structures active on campus must take every reasonable precaution to prevent the violation of this code of conduct.</li> <li>5. All structures active on campus must, upon request, provide the UEC with a list of names and addresses of their office-bearers.</li> <li>6. No person or party may<sup>1</sup>: <ol style="list-style-type: none"> <li>6.1. use language or act in a way that may provoke violence or the intimidation of other parties, or persons.</li> <li>6.2. publicise false or defamatory allegations against other parties or person.</li> <li>6.3. discriminate on the basis of race, ethnicity, sex, gender, sexual orientation, class or religion in connection with an election or political activity.</li> <li>6.4. offer an inducement or reward to another person: <ol style="list-style-type: none"> <li>6.4.1.to join or not to join a party;</li> <li>6.4.2.to attend or not to attend any political activity during the election process;</li> <li>6.4.3.to vote or not to vote in a particular way;</li> <li>6.4.4.deface or unlawfully remove or destroy the billboards, placards, posters or any other election materials of another party or candidate..</li> </ol> </li> </ol> </li> </ol>
<b>Accreditation of Canvassers and Recruiters</b>	<ol style="list-style-type: none"> <li>1. No person may canvass for elections or recruit members to a political party on the university campus without displaying a University Electoral Commission (UEC) accreditation card.</li> <li>2. Application may be made to the UEC via the UEC servicing officer for an accreditation card. Application forms are available for this purpose, and applications may be approved within 2 weeks of receipt of the request.</li> </ol>
<b>Rules for Canvassers and Recruiters</b>	<p>Accredited canvassers and recruiters shall observe the following rules of conduct:</p> <ol style="list-style-type: none"> <li>1. They may not seek to canvass or recruit people without their consent.</li> <li>2. They must not harass or intimidate any person.</li> <li>3. They may not restrict the movement of people.</li> <li>4. They may not canvass or recruit in administrative or academic offices, laboratories, libraries or lecture venues.</li> <li>5. They may not canvass or recruit in university residences.</li> <li>6. They must observe the rules of this code of conduct and must act on any instruction of a monitor, the University Electoral Commission or the University Electoral Ombudsperson.</li> </ol>
<b>Applications to stage a public meeting</b>	<ol style="list-style-type: none"> <li>1. Applications to stage public meetings must be submitted on a prescribed application form to the UEC servicing officer, at least one week in advance of the proposed meeting.</li> </ol>

<sup>1</sup> Adapted from the SA Electoral Act, 1998

	<p>2. All parties should endeavour to ensure that they do not arrange a public meeting, march, demonstration, rally or any other political activity on UCT premises at the same time and place as that arranged by another party contesting the election.</p> <p><u>Structures Active on Campus</u></p> <p>3. Structures active on campus may arrange any meeting pertaining to national, provincial or local government elections without prior permission except as set out in 4 below. The UEC will require these structures to provide details of the proposed meeting, e.g. time, date, venue.</p> <p>4. Where the meeting is to be addressed by an electoral candidate or a person who is not a member of the university community, prior permission must be obtained from the UEC.</p> <p><u>Political Parties</u></p> <p>5. Any political organisation is free to stage a meeting pertaining to national or provincial elections provided that:</p> <p>5.1. it obtains the written consent of the UEC for use of a venue specifying the date, time and number of persons anticipated to attend, the names of any speakers and security arrangements. The UEC may decide whether or not to give permission, and may require the payment of a deposit;</p> <p>5.2. it undertakes not to advertise the meeting off the University campus;</p> <p>5.3. it undertakes to ensure that right of admission is open to any member of the University community</p>
<p><b>Booking of University Venues</b></p>	<p>1. Ordinary University rules in relation to the booking of University venues and outside areas apply.</p> <p>2. The policy on amplified sound on the Jameson plaza applies, namely no amplified sound on the plaza during term time, except on Thursdays during meridian, on application to the SRC</p>
<p><b>Posters, Banners, Pamphlets, Stickers and other forms of printed media</b></p>	<p>1. Meetings to be held on campus pertaining to the Government Elections may not be advertised off the University campus.</p> <p>2. Ordinary University rules in relation to posters and banners apply, including that posters have to be stamped by the SRC.</p> <p>3. Posters or notices may not be placed on walls, pavements, floors, ceilings or pillars.</p> <p>4. Stickers may not be affixed to any University property.</p> <p>5. Posters not placed on notice boards must be mounted on a firm backing and attached by means of string. Posters in excess of an A2 size sheet will not be permitted.</p> <p>6. No person or organisation may deface or damage a poster or notice.</p> <p>7. No person may remove a poster or notice.</p>

<b>Internal Mail, Electronic Media and Social Media</b>	<ol style="list-style-type: none"> <li>1. Ordinary University rules in relation to internet and email use apply.</li> <li>2. No person, structure or organisation may use the University internal mailing service or any form of electronic or social media (e.g. UCT website, UCT Facebook page, pop-ups, Vula,) for canvassing, recruiting and similar purposes related to national or local elections.</li> </ol>
<b>Weapons</b>	<ol style="list-style-type: none"> <li>1. It is University policy that no weapons are permitted on the University campus unless with the consent of the Registrar, who may impose conditions for the carrying of such weapons.</li> <li>2. Where the Registrar gives consent, the UEC must be informed.</li> </ol>
<b>Contravention of Rules and Code of Conduct</b>	<ol style="list-style-type: none"> <li>1. The contravention of ordinary University rules during the election process will be dealt with through the University disciplinary process for students or staff as applicable.</li> <li>2. The contravention of provisions in this policy will be submitted to the UEO who is empowered to impose sanctions as described in the section “University Electoral Ombudsperson”</li> </ol>
<b>Activation of policy</b>	<ol style="list-style-type: none"> <li>a) Policy amendments initiated by DSA, after consultation with SRC.</li> <li>b) DSA submits final draft to USAC for submission for Council approval</li> <li>c) DSA submits to IF to appoint UEC and UEO</li> <li>d) ED, DSA appoints servicing officer from the DSA.</li> <li>e) DSA prepares application forms and communications.</li> <li>f) DSA informs relevant stakeholders.</li> </ol>
<b>Contact Details</b>	<p>General queries to Mr Roger Adams (Manager, Student Governance and Leadership), <a href="mailto:Roger.Adams@uct.ac.za">Roger.Adams@uct.ac.za</a>, 021 6503025</p>