



# ELECTORAL FRAUD AND OFFENCES



## It is an electoral offence to force anybody to do the following:

- To vote or not to vote in an election;
- To support or not to support a political party or candidate;
- To vote or not to vote for a political party or candidate;
- To attend or not to attend a political event or rally of a political party; and
- To interfere with the fairness or independence of the Electoral Commission or any officer of the Electoral Commission.

## What does this list of offences mean for you practically?



### During voter registration:

- Do not get someone to give false information, such as an incorrect physical address, when registering to vote;
- Do not provide false information, such as an incorrect physical address, when registering as a voter;
- Do not register to vote or vote using the name of another person (living or dead); and
- Do not register to vote in a voting district in which you do not reside.



### Before voting day:

- Do not prevent a political event or rally from being held when you do not have the right to do so;
- Do not damage or remove election posters, billboards or placards – this is not allowed from the date that an election is proclaimed (announced) until the election results have been given out by the Electoral Commission; and
- Do not use the voters' roll or election materials for purposes other than the election.



## Fraudulent activities to avoid on election day:

- Do not vote in an election where you are not allowed to vote;
- Do not try to vote at a voting station where you are not registered to vote;
- Do not try to vote more than once in an election;
- Do not pretend to be one of the following:
  - ✓ an official of the Electoral Commission;
  - ✓ a representative of a registered political party;
  - ✓ a candidate in an election;
  - ✓ an accredited observer; and
  - ✓ an accredited voter education official.
- Do not prevent someone from speaking to other voters; and
- Do not interfere with a voter's right to secrecy when he or she is voting – hence the regulation about no photos or selfies of marked ballots.



## Other actions to avoid in the election environment:

- Do not bribe or influence an official of the Electoral Commission while they are doing their duty;
- Do not misinform the Electoral Commission when you are asked to provide a statement;
- Do not publish false information about an election that may disrupt, prevent or influence the election results;
- Do not publish false information that may create anger or fear and could change the election Results;
- Do not give information about voting or the counting of votes when you are not allowed to;
- Do not interfere with any voting materials;
- Do not make, produce or supply election materials when by law you are not allowed to; and
- Do not remove, hide or destroy election materials when by law you are not allowed to.



## What happens if you commit electoral fraud?

- You may be fined; or
- You may be sent to prison for up to ten years.



## What should you do if you suspect that electoral fraud has taken place?

In terms of section 78 of the Municipal Electoral Act, the Electoral Court has jurisdiction in respect of all electoral disputes and complaints about infringements of the Electoral Code of Conduct.

**If you suspect that a party or a candidate has breached the Electoral Code of Conduct, you need to report the incident to the Electoral Court. The Secretary of the Court can be contacted on telephone number: 051 412 7400.**

Find the Electoral Court's rules regulating electoral disputes and complaints about infringements of the Electoral Code of Conduct, and rules regulating the conduct of the proceedings of the Electoral Court at [www.elections.org.za](http://www.elections.org.za).

## Contact the Electoral Commission

[www.elections.org.za](http://www.elections.org.za) | [info@elections.org.za](mailto:info@elections.org.za) | 0800 11 8000

 WhatsApp "Hi" to 060 088 0000 for more information

     @IECSouthAfrica

SMS your ID number to 32810 to check if and where you are registered (R1.00 per SMS)

