



THE STUDENT ELECTORAL COMMISSION

2024

## **TSRC ELECTION RULES 2024**

### **STUDENT ELECTORAL ACT**

The following outlines the information as mentioned in the Electoral Act as contained in Schedule 1 of the Tygerberg Student Constitution:

#### **Part S1: Values and Standards**

This Electoral Act aims to promote the following values and standards for student leadership structure elections. Ensuring an election process which:

- a) Allows maximum accessibility to information regarding candidates and the election process.
- b) Allows maximum participation and engagement from the Tygerberg student body.
- c) Is democratic, non-discriminatory, and inclusive.
- d) Is free and fair.
- e) Is relevant and transparent.
- f) Promotes the interests of the structure and/or campus.
- g) Stimulates quality debate and dialogue with candidates.

#### **Part S2: Rights**

The following rights apply to the entire student body, including all candidates of student leadership structures. All students have the right to:

- a) Cast their vote independently and in secret for candidates.
- b) Legally conduct election campaigns.
- c) Distribute the election and campaign materials designed authorised by the relevant election authority.
- d) Freedom of language.
- e) Freedom of speech
- f) Hold public meetings.
- g) Put up the posters designed and provided by the relevant election authority.
- h) Recruit support from voters.
- i) Use social media platforms to advertise their campaign.

### **Part S3: Infringements**

1. During the election period, all persons bound by this Electoral Act must:
  - a) comply with any instructions from the Tygerberg Electoral Commission and implement any just decisions by the Tygerberg Electoral Commission.
  - b) avoid language or any kind of action that could result in violence or intimidation.
  - c) refrain from actions or practices that discriminate unfairly or are aimed at humiliating someone on the grounds of race, gender, sexual orientation, ethnicity, class, or religion in the context of the election.
  - d) refrain from doing anything that would impede any person's right to gain reasonable access to voters for the sake of recruiting support.
  - e) refrain from unlawfully removing or damaging or destroying any voting material or electoral material in any way.
  - f) refrain from removing, damaging, or destroying any candidate's campaign material.
  - g) spend no money on any marketing, which also includes –
    - i. using their own money, including Facebook, Instagram and Twitter sponsored pages, and any other form of sponsorship.
  - h) refrain from any attempt at abusing power or misusing privileges or influence or using any form of coercion intended to persuade someone to vote for any candidate.
  - i) refrain from making misrepresentations about themselves in any election material.
  - j) refrain from making, publishing, or repeating any racist, sexist, homophobic, false, libellous or any other allegations of this sort that would infringe on a person's human dignity with respect to the election.
  - k) refrain from offering any form of enticement or remuneration to any person for the purpose of obtaining such person's vote or nonvote in the election.
  - l) refrain from voting in a way in which they know they are not entitled to vote.
  - m) refrain from doing anything that violates students' privacy or the right to a secret vote.
2. Responsibilities of candidates include the following:
  - a) Candidates have the freedom to post the posters provided by the Tygerberg Electoral Commission wherever they want to post them, subject to the following:
    - i. It is the candidates' responsibility to ensure that posting their material does not violate any rules of the platform concerned.
    - ii. Violation of this rule will result in disciplinary action being taken.

### **Part S4: Social media and posters**

#### 1. Posters

The Tygerberg Electoral Commission or the relevant election authority is responsible for the photography, design, and distribution of all marketing posters.

#### 2. Social media

- a. Maximum usage of social media platforms such as Facebook, Instagram and Twitter are encouraged.
  - i. Note: In these media, too, the rules above must be adhered to strictly and will be enforced strictly.

#### 3. Additional rules

- a. Additional marketing is restricted to social media platforms only.



- i. This implies that no candidate may use mass communication (SMS, email, or any similar media) for marketing purposes.
  - ii. The methods mentioned in section 3(a)(i) are in contravention of the Stellenbosch University Electronic Communications Policy paragraph 2.2.1.
- b. Candidates may communicate with a closed group of friends, electronically or otherwise, but such communication must include a statement explicitly prohibiting that message being re-sent or forwarded as mass communication.
  - c. Candidates may upload pictures as well as videos on their campaign's social media platform showing themselves on campaign.

#### **Part S5: Enforcement**

1. Any infringement of these rules will render the perpetrator liable for an investigation by the Tygerberg Electoral Commission and if found guilty, will be disqualified.
2. A candidate will be held liable for any mass communication that violates this act if such means were to endorse them or to help them with their campaign unless they can prove that they had nothing to do with such violation.

*As contemplated in Schedule 1: Electoral Act, Tygerberg Student Constitution (Version 4.1, Revision 2021)*

## **CANDIDATE DISQUALIFICATION**

The following outlines the process for academic disqualification and the process that candidates may follow to appeal such disqualification:

### **1. Academic requirements for candidature**

- a. The academic requirements for candidature in the TSRC election exist to prevent situations where an individual resigns during their term of office for academic reasons.
- b. To qualify on academic grounds a candidate must in the year of TSRC election comply with the minimum requirements.
  - i. for each semester module a minimum mark of 50%; and
  - ii. for each year module a minimum class mark of 55%
- c. If a candidate is at risk of non-compliance with the readmission requirements of the University, they will not be granted candidature in the TSRC election.
- d. A candidate's official academic record may be accessed to determine whether the academic requirements have been met.

### **2. Academic disqualification**

- a. Candidates who do not comply with the academic requirements stipulated in these regulations are not eligible for election to the TSRC either generally or through ex-officio bodies.
- b. The Tygerberg Electoral Commission must obtain the academic record of the candidates from the Registrar's office and submit any cases where the candidate does not appear to comply with the provisions above to the committee contemplated in subsection (c) below.
- c. The decision to reject the candidature of a candidate on academic grounds must be taken by a committee consisting of:
  - i. The Head of the Centre for Student Leadership, Experiential Education and Citizenship or their nominated alternate. [*Director of the Centre for Student Life and Learning in 2024*]
  - ii. The outgoing Chairperson of the TSRC.
  - iii. The Tygerberg Election Convenor.
  - iv. The Dean of the candidate's faculty or their nominated alternate.
  - v. One (1) additional member of the TEC.
  - vi. The Convenor of the Student Imbizo.
- d. The committee contemplated above must make its decision based on the criteria in these regulations, but can also take the following factors into account in making its decision:
  - i. The existence of special reasons, such as illness, injury, disability, et cetera, for the candidate's poor academic performance.



- ii. Whether the candidate changes to a different program and performed well in the new program.
- iii. Whether the candidate's results over the past three (3) years indicate a rising trend.
- iv. Whether the candidate followed a program in which failing a module meant that various other modules could not be followed or where failing a module necessitates that the year of study is repeated.

### **3. Other grounds for disqualification of candidates**

Apart from compliance with the provisions above, the Tygerberg Electoral Commission must also reject the nomination of a candidate as well as disqualify any nominated candidate, if the candidate:

- a) Has not been a student for at least two (2) semesters.
- b) Has been sentenced to imprisonment in the Republic of South Africa or elsewhere for any misdemeanour without the option of paying a fine.
- c) Has been found guilty of any offence by the Central Disciplinary Committee or the Disciplinary Appeal Committee of the University, after an unsuccessful appeal.

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