

How to contest Municipal Elections 2021

This page provides guidelines to independent and party candidates wishing to contest municipal elections.

Important: This page does not replace the legal requirements that must be met by candidates.

1. Introduction

The Electoral Commission is charged with the responsibility of managing all elections, i.e. National, Provincial, Local Government and by-elections in the country. In August 2021, the current term of office of the councillors elected in 2016 will come to an end. The term of municipal councils is 5 years. This means that the Electoral Commission will once again be conducting local government elections for the election of councillors to municipal councils.

2. Municipal councils

There are 3 types of Municipal Councils in South Africa:

- i. **Category A:** 8 Metropolitan Councils;
- ii. **Category B:** 205 Local Councils (LC); and
- iii. **Category C:** 44 District Councils (DC) (have executive and legislative powers in areas that include local municipalities)

3. Membership of Municipal Councils`

According to s158(1) of the Constitution, every citizen who is qualified to vote for a municipal council is eligible to stand and to be elected as a member of that council, unless that person:

- i. is in the service of that municipality and receives remuneration from that municipality and has not been exempted from disqualification in terms of national legislation;
- ii. is appointed by, or is in the service of the state in another sphere and receives remuneration for that appointment and has been disqualified from membership of a Municipal Council in terms of national legislation;
- iii. is disqualified from voting for the National Assembly;
- iv. has been declared an unrehabilitated insolvent;
- v. has been declared to be of unsound mind by a court of the Republic;
- vi. is convicted of an offence and sentenced to more than twelve 12 months imprisonment without the option of a fine either in the Republic , or outside of the Republic if the conduct constituting the offence would have been an offence in the Republic and a period of 5 years has not elapsed since the sentence was completed;
- vii. is a member of the National Assembly, a delegate to the National Council of Provinces or a member of the provincial legislature, unless that person is a member of the municipal council representing local government in the National Council; or
- viii. is a member of another Municipal Council other than a Municipal Council representing that Council in a Municipal Council of a different category.

4. Types of municipal elections

Elections are contested in every municipality but the type of election and number of ballots, are determined by the category of that municipality.

For metropolitan municipalities, there are 2 types of elections, and thus 2 ballots in each ward:

- a. Metropolitan council ward, and
- b. Metropolitan council proportional representation (PR).

In all local municipalities other than metropolitan municipalities, there are 3 types of elections, and thus 3 ballots, in each ward:

- a. Local council ward;
- b. Local council proportional representation; and
- c. District council proportional representation.

5. Contesting municipal elections

- i. Independent candidates can contest:
 - a metropolitan council ward; or
 - a local council ward
- ii. Registered parties can contest:
 - a metropolitan council ward,
 - a local council ward,
 - the metropolitan council proportional representation (PR) elections; and
 - the local council and district council proportional representation (PR) elections.

6. Requirements for Nomination as a Proportional Representation Councillor

In terms of s14 of the Local Government: Municipal Electoral Act, 2000 only political parties registered with the Electoral Commission can submit candidate lists for proportional representation elections for either metropolitan, local or district municipalities.

All candidates submitted for nomination must meet the requirements to be elected as a councillor.

To nominate party list candidates, the party must submit the following:

- A Nomination of Party List Candidates signed by Authorised Party Representative which includes Undertaking to be bound by the Code of Conduct and Declaration that candidates are not disqualified from standing (download [Appendix 3: Nomination of Party List Candidates](#) (PDF)). This form also contains the list of candidates which is in a fixed order of preference;
- Payment or Proof of payment of the election deposit paid either by **direct bank deposit , electronic funds transfer or via payment gateway(only applicable when using the Online Candidate Nomination System(OCNS))**;
- Written proof of authorization to make nomination.

PLEASE NOTE: The Duly Authorised Party Representative to nominate candidates must furnish proof that he or she is authorised to nominate candidates.

Each candidate must submit the following to the party. The party must keep a file and submit to the IEC upon request.

- A prescribed acceptance of nomination form signed by each candidate which includes Undertaking to be bound by the Code of Conduct and Declaration that candidates are not disqualified from standing (download [Appendix 4: Acceptance of Nomination on a Party or Ward List](#) (PDF));

- A copy of the page of each candidate's identity document (ID) or front of Smart ID on which the candidate's photo, name and ID number appear;

7. Requirements for Nomination as a Ward Candidate

Ward elections in either a metropolitan or local municipality may be contested by an independent or party ward candidate who is eligible to stand to be elected as a councillor.

There are two types of ward candidates:

- Party ward candidates; and
- Independent ward candidates.

a. Party Ward candidates

To nominate party ward candidates, parties must submit the following:

- Nomination form which includes the list of party ward candidates signed by Authorised Party Representative (download [Appendix 7: Nomination of Party Ward Candidates](#) (PDF)).
- Payment or Proof of payment of the election deposit paid either by **direct bank deposit , electronic funds transfer or via payment gateway(only applicable when using the Online Candidate Nomination System(OCNS))**

Each candidate must submit the following to the party. The party must keep a file and submit to the IEC upon request

- A prescribed Acceptance of Nomination form signed by each ward candidate which includes Undertaking to be bound by the Code of Conduct and Declaration that candidates are not disqualified from standing (download [Appendix 4: Acceptance of Nomination on a Party or Ward List](#) (PDF)).

- A copy of the page of the candidate's identity document (ID) on which the candidate's photo, name and ID number appear.

b. Independent ward candidates

An independent ward candidate may be nominated by a person who is:

- Ordinarily resident in that municipality; and
- Registered as a voter for that municipality.

Independent ward candidates must submit:

- Nomination signed by the Nominator and Acceptance of Nomination form also signed by Independent Ward Candidate with signatures of at least 50 voters whose name appear on the voters' roll of any of the voting districts in the ward in which the independent candidate is standing (download [Appendix 6: Nomination, Acceptance of Nomination and List of Supporters of Independent Ward Candidate](#) (PDF)).
- A copy of the page of the candidate's identity document (ID) on which the candidate's photo, name and ID number appear.
- Payment or Proof of payment of the election deposit paid either by **direct bank deposit , electronic funds transfer or via payment gateway(only applicable when using the Online Candidate Nomination System(OCNS))**
- An A5-size Head and Shoulder colour photograph of the independent ward candidate.

The **deadline** for the submission of these documents is published in the election timetable (only available after the election date has been proclaimed).

8. Submission of Candidates

Political parties and independent candidates have the following options for submitting their candidates:

- i. **Manually at a local office of the Electoral Commission** – political parties and independent candidates may submit their candidate nomination documents at the local office of the IEC for a specific metropolitan, local or district municipality before the cut-off time and date on the election timetable. The IEC will publish address details of local offices for each municipality.
- ii. **Online submissions using the Online Candidate Nomination System (OCNS)** – political parties and independent candidates may generate an invoice, pay, capture and submit candidates online before the cut-off time and date on the election timetable. Parties and independent candidates must first apply for access before using the OCNS. The OCNS offers the following benefits:
 - The system will open earlier allowing political parties and candidates to capture candidates;
 - While capturing, the political party and independent candidate will get feedback from the system, for example whether or not candidates are correctly registered.
 - Submissions can be done online, thus taking away the need to visit any of the IEC's offices;
 - The system allows for decentralised capturing of candidate lists thereby allowing for multiple users to capture candidates' lists across the country.

9. Election Deposits

The election deposits to be paid to contest elections are:

- i. **R3,500** in respect of an election in a metropolitan municipality, which amount covers all ward and proportional representation elections in that metropolitan council;
- ii. **R2,000** for a local council election, which amount covers all ward and proportional representation elections in that local council;
- iii. **R1,000** for a district council election, which covers the proportional representation elections in that district council; and
- iv. **R1,000** per ward election in respect of an independent ward candidate and for a ward candidate nominated by a party who is not contesting an election of a relevant municipal council by way of a party list.

10. Central Payment

Central payment (download [Appendix 24: Central payments of deposits](#) (PDF)) can only be made at our national office in Centurion by **direct bank deposit or electronic funds transfer**.

11. Deadlines

Once the election date has been proclaimed, the Electoral Commission (IEC) publishes an election timetable with deadlines that candidates and parties must meet.

Queries

Any queries may be directed to:

Kgosietsile Tshoke or Kgopedi Molefe

(012) 622 5292/5200

tshokek@elections.org.za or molefekj@elections.org.za

LGE 2021 TIMETABLE DRAFT

PROCLAMATION DATE: On or before 3 August 2021

