

ELECTORAL COMMISSION

POLICY ON DONATIONS

1. PREAMBLE

This document must be read together with the Electoral Commission's Financial Policy on Donor Funds - Accounting and Reporting.

- 1.1 The Electoral Commission is a state institution. It has a mandate to strengthen constitutional democracy and manage all elections and referenda¹. It is required, therefore to:
- Maintain, at all times, an effective capacity to deliver free and fair elections or referenda;
 - Ensure the political climate remains conducive to holding of such elections and referenda; and
 - Work with other State and civil society structures to help build a culture of democracy.
- 1.2 The State provides for the basic operating costs of the Electoral Commission. In practice, however, the level of funding is insufficient to cover all aspects of the Electoral Commission's statutory mandate.
- 1.3 It is recognised that, as is the case in many areas of governmental involvement, there are severe constraints on the ability of the State to meet all the obligations of our emerging democracy. Consequently there is a need to identify new partnerships with civil society, the private sector and other national and international institutions which share the values which the Electoral Commission is required by various statutes to promote. Many of these partnerships will include a funding element.
- 1.4 It is one of the important responsibilities of the Commission, therefore, to mobilize external funding in order to augment the resources available from the State. To this end, various projects and programs will be developed in, among others, the area of electoral democracy development and human resources/skills development.
- 1.5 Therefore the Commission determines that the its fund-raising policy framework shall be as follows.

¹ See Chapter 9 of the Constitution of the Republic of South Africa Act 1996, Act 108 of 1996.

2. ACCESSING EXTERNAL RESOURCES

It is the policy of the Electoral Commission to access external resources to support the work of the Electoral Commission only through the Offices of the Chairperson of the Commission and the Chief Electoral Officer.

- 2.1 Such resources might be mobilised in various ways, including:
 - 2.1.1 fundraising initiatives;
 - 2.1.2 material or financial support solicited from local or international donors;
 - 2.1.3 material or financial support solicited from local or international enterprises; and
 - 2.1.4 cost recovery or income from services, expertise, training and free use of conference or training venues.
- 2.2 The Electoral Commission shall not raise or solicit funding for administrative expenses such as office rental, water and lights, salaries of staff, except where staff is deployed to work in specific projects for which the services should be remunerated.
- 2.3 The Electoral Commission may also use its good offices to mobilize assistance for civil society organisations working in co-operation with furthering the aims, objectives and mandate of the Electoral Commission.

3. MANAGEMENT OF SOLICITED FUNDS

- 3.1 All assistance received from donors shall be co-ordinated by the Fundraising Committee consisting of representatives of the offices of the Chairperson and the Chief Electoral Officer, which will be a committee of the Commission.
- 3.2 The Committee shall be assisted administratively.
- 3.3 The Electoral Commission shall open an account with a bank wherein all finances received from funders and donors shall be deposited.
- 3.4 All financial accounting policies and procedures of the Electoral Commission shall also apply to this account

4. SOURCES OF ASSISTANCE

- 4.1 The Electoral Commission will accept financial assistance and support from, among others, the following types of institution:

- 4.1.1 foreign governments which have cordial diplomatic relations with South Africa;
 - 4.1.2 the official development assistance agencies of such governments;
 - 4.1.3 multilateral funding institutions;
 - 4.1.4 local and international development agencies, human rights organizations and charitable foundations;
 - 4.1.5 local and overseas training institutions; and
 - 4.1.6 local and international enterprises, both private and public.
- 4.2 The Electoral Commission may from time to time request its duly appointed Municipal Electoral Officers (MEOs) to facilitate interaction and co-operation between the Electoral Commission and the relevant Municipality in respect of electoral matters.
- 4.3 Other than the type of assistance referred to in 4.2 above, the Electoral Commission shall **not** accept any cash donations from government departments in the national, provincial or local spheres. This does not preclude joint projects with government departments.
- 4.4 In cases of joint projects, each party shall be responsible for paying its portion of costs directly to the service providers. Joint projects shall be approved by the Fundraising Committee.
- 4.5 Institutions, companies and all service providers to the Electoral Commission shall not be approached for funding or any form of assistance. This does not preclude commercial ventures such as selling advertising space (e.g., at the Results Centre).
- 4.6 Funding, donations or any form of assistance will only be accepted from institutions, which share the values of the Electoral Commission. The activities of the prospective funder or donor and the kind of support offered shall not be contrary to the Constitutional and legal mandate and policy of the Electoral Commission.
- 4.7 The Electoral Commission maintains the right to refuse any form of assistance.

5. PROCEDURES

The following procedure will be followed in accessing resources.

- 5.1 The various departments of the Electoral Commission, including provincial or local offices, will develop requests or project proposals for funding. Such projects must:
- 5.1.1 be submitted to the Fundraising Committee for approval;
 - 5.1.2 be costed properly; and
 - 5.1.3 be within the mandate and priorities of the Electoral Commission.
- 5.2 In all cases where resources are required, requests or project proposals must be submitted to the Fundraising Committee through the relevant Head of Department/Provincial Electoral Officer.
- 5.3 Where a prospective funder or donor is identified, particulars of such institution or agency should be included in the request.
- 5.4 In all cases no negotiations with prospective funders, donors or sponsors shall commence prior to the Fund Raising Committee approving the request.
- 5.5 The Electoral Commission's Fundraising Committee will consider and recommend, where appropriate the request to access resources to the Commission for approval.
- 5.6 All communication with funding and donor institutions, including the final reports should be transmitted through the Fundraising Committee, except in the case of donations valued at R5 000.00 or less (for example, in cases where there is a donation of food or use of facilities for an Electoral Commission event, etc.). In the latter case, all correspondence and reports must be submitted to the Fundraising Committee.
- 5.7 All assistance received in kind should be declared, accounted for and audited in terms of the Electoral Commission's financial policy.
- 5.8 All assistance received in kind should be recorded and forwarded to the Executive Assistant to the Chairperson for record keeping.

6. DISCLOSURE AND TRANSPARENCY

- 6.1 If a department or provincial electoral office receives an unsolicited donation from a source outside the Electoral Commission, the said donation shall be declared to the Fundraising Committee within 14 days of receipt.
- 6.2 Failure to disclose a donation received in cash or in kind shall be considered to be an irregularity and be dealt with as such.