

ELECTORAL CODE OF CONDUCT

EPPF TRUSTEE ELECTIONS:2023



TABLE OF CONTENTS

1. INTRODUCTION AND PURPOSE	3
2. PRINCIPLES	3
3. COMPLIANCE WITH THE CODE OF CONDUCT	5
5. ADHERENCE TO THE LAW	6
6. THE ELECTION PROCESS	6
7. ACCEPTING THE OUTCOME OF A FREE AND FAIR ELECTION	7
8. LANGUAGE	7
9. COMMUNICATION MATERIAL.....	8
10. INTIMIDATION AND VIOLENCE	8
11. ABUSE OF POSITION	9
12. CORRUPT PRACTICES	9
13. CONTINUED COMMUNICATIONS.....	10
14. CURRENT BOARD MEMBERS	10
15. COMPLAINTS.....	11

1. INTRODUCTION AND PURPOSE

1.1 Introduction

This Electoral Code of Conduct (“Code of Conduct”) is a set of rules of behaviour for EPPF 2023 Trustee Election Candidates (“Candidates”) and their nominators/supporters during the 2023 EPPF Trustee election process. In terms of this Code of Conduct:

- a. Candidates are bound by commitments into which they have freely entered;
- b. All signatories to this voluntary Code of Conduct bind themselves, and each other, to conduct or refrain from conduct that might otherwise conflict with this Code of Conduct, the EPPF’s Fund Rules, the Laws of the Republic of South Africa, and any other Code, guidelines and directives which may be applicable to the electoral process.

1.2 Purpose

The purpose of this Code of Conduct for Candidates is to enable the achievement of elections that:

- a. are held in accordance with the Rules and policies of the EPPF;
- b. are free, fair and credible; and
- c. take place without coercion and intimidation.

2. PRINCIPLES

The legitimacy of the EPPF’s Board of Trustees, a component of which is composed of trustees who are chosen through a democratic election process, rests on the following principles:

- a. The election process is managed objectively by an independent election management company that is led by the Independent Electoral Officer;

- b. To ensure access to election-related information, the EPPF and the Independent Electoral Officer have instituted multiple communication channels including a dedicated website, email, SMS communication and postal delivery;
- c. Candidates for election are nominated by the various constituencies of members of the EPPF through an open and transparent nomination process;
- d. Nominated Candidates and their credentials are thoroughly vetted by an independent electoral management company, led by the Independent Electoral Officer, before being publicised as final candidates;
- e. As a result of being reliably informed by the Independent Electoral Officer of the credentials and qualities of all eligible candidates, voters are able to make an informed choice;
- f. The EPPF and the Independent Electoral Officer have introduced multiple channels/ways through which voters can exercise their right to vote including postal, online voting (remote and kiosk), USSD voting; and
- g. Voters are able to vote freely, without interference, fear, undue influence or bribery.

All Candidates, having accepted and signed this Code of Conduct, commit themselves to the principles stated above and undertake voluntarily and in good faith to adhere to the Code of Conduct so that:

- a. these principles are upheld;
- b. the elections are recognized as expressing the free choice of the voters (members of the EPPF); and
- c. the result of that choice is respected by all.

3. COMPLIANCE WITH THE CODE OF CONDUCT

In any matter relating to the election process, Candidates will conduct themselves in conformity with the prescriptions set out below.

3.1 A Candidate that has subscribed to this Code of Conduct:

- a. is bound by the Code of Conduct;
- b. will take decisive steps to prohibit EPPF officials, the employer, trade unions, candidates and members of the EPPF from infringing the Code of Conduct;
- c. will take all reasonable steps to discourage any type of conduct which would be in breach of the Code of Conduct; and
- d. will not abuse the right to complain about violations of the Code of Conduct, nor make false, frivolous or vexatious complaints.

3.2 A Candidate shall, where and when necessary, or if directed to do so by the Electoral Officer, encourage or issue directives to nominators/supporters requiring each of them to:

- a. familiarise themselves with the Code of Conduct;
- b. observe the Code of Conduct; and
- c. take all other necessary steps to ensure compliance.

4. APPLICATION OF THE CODE OF CONDUCT

4.1 This Code of Conduct applies to every Candidate who is properly nominated and confirmed by the Independent Electoral Officer to participate in the 2023 EPPF Trustee Election.

- 4.2 This Code of Conduct applies throughout the election period. The election starts when the nominated candidates are announced by the Independent Electoral Officer, and it continues until the final results of the election have been officially announced and published.
- 4.3 Notwithstanding the provisions of 4.2, this Code of Conduct, including any amendment thereto, shall be binding on every Candidate throughout the election period and thereafter until all matters related to the election have been concluded/resolved.

5. ADHERENCE TO THE LAW

Each Candidate will adhere to this Code of Conduct and to existing EPPF rules as well as any directives issued by the Independent Electoral Officer.

6. THE ELECTION PROCESS

- 6.1 A Candidate shall :
- a. co-operate with the independent election officials appointed by the EPPF in order to ensure a peaceful and orderly election;
 - b. ensure and promote the complete freedom of voters to exercise their right to vote without being subjected to any annoyance or obstruction;
 - c. ensure the safety and security of electoral officials before, during, and after the voting;
 - d. maintain and aid in maintaining the secrecy of the voting.

7. ACCEPTING THE OUTCOME OF A FREE AND FAIR ELECTION

A Candidate shall:

- a. accept the outcome of the election once certified;
- b. submit any grievance only to the relevant dispute settlement agency; and
- c. accept and comply with and encourage its nominators/supporters to accept and comply with, the final decision of the dispute settlement agency.

8. LANGUAGE

8.1 A Candidate shall:

- a. organise and conduct their election campaign in a manner that contributes toward a congenial and peaceful atmosphere during the election process, the polling, the counting and the post-election period; and
- b. act with a sense of responsibility and dignity befitting his/her status.

8.2 Candidates shall avoid using language that:

- a. is provocative, or defamatory; or
- b. threatens or incites violence in any form against any other person or group of persons;

8.3 A Candidate shall not issue, either officially or anonymously, pamphlets, newsletter, or posters containing language or material that threatens or incites violence.

- 8.4 While the EPPF respects the rights to freedom of expression and to campaign for nomination or election by Candidates, conduct that defames or brings the good name of the EPPF into disrepute in so campaigning, is strictly prohibited. Candidates and voters must ensure that their campaigns are founded on factually accurate information and that their conduct does not bring the EPPF into disrepute.

9. COMMUNICATION MATERIAL

A Candidate shall not:

- a. deliberately misinterpret or misrepresent any communication material related to the election that is distributed by the EPPF and/or the Independent Electoral Officer;
- b. encourage members of EPPF and/or nominators/supporters to do anything that is prohibited by this Code of Conduct or condone such action.

10. INTIMIDATION AND VIOLENCE

10.1 A Candidate accepts that intimidation, in any form, is unacceptable, and shall:

- a. issue directives expressly forbidding their nominators/supporters from intimidating any person at any time;
- b. campaign against violence or threats of violence, and against any acts of vandalism or public disorder committed by or threatened by their nominators/supporters, and publicly denounce any such action;
- c. respect other persons and parties, and their property; and

- d. In any way interfere with the secrecy of a voter's vote and expression of free will.

11. ABUSE OF POSITION

11.1 A Candidate shall not:

- a. abuse a position of power, privilege, or influence for election purposes, by offering a reward or any gratification, threatening a penalty or any occupational detriment, or by any other means; or
- b. use official EPPF resources for campaign purposes.

11.2 In this section, a "position of power, privilege, or influence" includes a position of parental, managerial or traditional authority.

12. CORRUPT PRACTICES

12.1 A Candidate shall not:

- a. Coerce or offer monetary or other kinds of gratification to persons, directly or indirectly, to vote for or against a particular candidate or to abstain from voting;
- b. Coerce or offer monetary or other kinds of gratification to persons, directly or indirectly, to stand or not to stand as candidates, or to withdraw or not to withdraw their candidacies;
- c. procure the support or assistance of any official of the EPPF to promote or hinder the election of a candidate; or
- d. procure the support or assistance of any official of Eskom or any of its subsidiaries to hinder the election of a candidate.

13. CONTINUED COMMUNICATIONS

13.1 A Candidate shall participate in forums for the discussion of issues of common concern during the electoral process established by the Independent Electoral Officer.

14. CURRENT BOARD MEMBERS

14.1 It is recognised that current Board members may participate in the elections as candidates, nominators, supporters or voters. It is important for such Board members to separate their participation in the elections in whatever capacity, from their role as members of the Board. Accordingly, such Board members shall:

- a. Avoid creating an impression that their participation or activities in relation to the elections are conducted in their official capacity as Board members;
- b. Avoid communicating any official elections-related information to members, nominators and voters outside of the processes and channels established by the EPPF and the Independent Electoral Officer;
- c. Separate their campaigns in the elections from their official capacity as Board members; and
- d. Not use any fund information or resources they have access to by virtue of their position as Board members to further their interests in the elections or those of any other persons whose candidature they support.

15. COMPLAINTS

- 15.1 An EPPF member or candidate seeking to lodge a dispute or complaint against the infringement of the Electoral Code shall do so in writing to the Independent Electoral Officer. The complaint shall set out in detail the:
- a. The details of the candidate or person who allegedly infringed the Code;
 - b. the nature of the infringement and the facts upon which the infringement is based; and
 - c. the relief claimed and the grounds upon which such relief is claimed.
- 15.2 The IEO shall endeavour to resolve all complaints within 3 working days of receiving such complaints.