



Silver Lakes Homeowners Association NPC
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Terms of Reference

INDEPENDENT ELECTORAL COMMITTEE ("IEC")

Purpose

To monitor the election campaign of candidates for the election of Directors, ensure the integrity of proxy voting, rule on any complaints regarding election and/or voting irregularities, verify the election results and generally execute all other mandates in terms of the Memorandum of Incorporation and Rules of the estate to ensure free and fair elections of Directors.

The election campaign rules are as follows:

1. These rules are meant to ensure fairness, keep order and preserve the integrity of the campaigns for the election of Directors.
2. Candidates should maintain the "spirit of the campaign" which is an atmosphere of friendly competition with others and respect for the election process.
3. Candidates are responsible for their campaigns, which includes others whom they know are campaigning on their behalf.
4. Campaigners may not violate the MOI or Rules or negatively interfere with the IEC responsibility to preserve the integrity of the election and other candidate's campaigns.
5. Campaigning is defined as publicly promoting one's candidacy in person or via electronic means.
6. No door-to-door campaigning is allowed.
7. If during the campaign a candidate's name is removed from the register of Members, such candidate shall immediately cease to campaign and his nomination will be cancelled by the Independent Electoral Committee.
8. Campaigners shall not in any way utilise the Association's resources or stage mass gatherings in communal areas.
9. If someone is unsure if a particular campaigning activity violates these Rules, he shall contact the IEC for an official interpretation, which interpretation shall be final and binding.
10. No candidate may begin campaigning before the time set by the Association as the start of official campaigning.
11. Campaigners must abide by generally acceptable behaviour regarding e-mails or any other form of electronic communication or social media and respect the privacy of Members.
12. Campaigners will be personally responsible for their actions and the integrity of information distributed by them.
13. The IEC will, on behalf of all campaigners send out their official manifesto simultaneously on predetermined dates, by making use of the details of Members on the Association's database. The IEC reserves the right to reject publication of any information deemed inappropriate.

Procedure for Complaints

14. Complaints related to the elections shall be directed in writing to the chairperson of the IEC within 48 hours of the announcement of the provisional election results by the chairperson of the AGM.
15. If complaints are received, the IEC shall conduct an investigation to determine the validity of the complaint by applying the principles of natural justice and shall impose any sanction deemed appropriate, including the disqualification of a candidate. This shall be completed within 2 (two) weeks of receipt of the complaint.
16. The decision and remedial actions prescribed by the IEC following any complaint shall be final and binding unless reviewed by a competent authority.
17. To draw matters within its mandate to the attention of the Board if required.

The committee shall consist of persons who hold no other office in the Association and are not closely related to any member of the Board of Directors, Management or Staff.

A member of the committee shall be temporarily disqualified to serve on the Committee where that member personally is in any dispute process with the Association, or where litigation with the Association is underway, which instances may be deemed to be a conflict of interest. Past disputes or litigation will not automatically disqualify any member of the Association from serving on the Committee.

Review of the Terms of Reference

The Board will annually review the terms of reference to ensure that it remains relevant with the Committee's authority, objectives and responsibilities.

Chairperson: Independent Electoral Committee

Date: _____

Chairperson: Board of Directors

Date: _____