

Electing Representatives to the District Council

A district municipality covers the same area as the local municipalities within its district. In other words, a number of local municipalities together make up a district municipality.

District management area

In some parts of the country, huge areas of land are very sparsely populated and maintaining a local municipality in that area would simply not be cost-effective because there are too few taxpayers in the area to sustain a local municipal administration. Those areas were declared by the Municipal Demarcation Board as district management areas (DMAs). A DMA is governed by the district council only: there is no local municipality. People that live in a DMA have the right to vote for a party that represents the DMA on the district council. They therefore have two votes, directly to the district council.

Function and composition

The function of a district municipality is to co-ordinate the activities of all the local municipalities in its area and to ensure development and services for the district as a whole (including any DMAs within its district). A district municipality must also exercise functions of a local

municipality in case that local municipality does not have enough capacity (see p 1-3). Because the activities of the district municipality affect all the residents of the entire district, every person that lives in the area of the district municipality is entitled to vote also for the council of the district municipality.

The councils of district municipalities will consist of -

- 40 % PR councillors (directly elected by all the voters in the district area, including voters in a DMA, see *LGL Bulletin* 00(2) at p 11); and
- 60 % consisting of -
 - PR councillors elected by voters in district management areas within the district, to represent that DMA in the district council; and
 - councillors appointed by the local municipalities in the district to represent their local municipality in the district council.

Elections for a district council

In *LGL Bulletin* 00(2) at p 9-11, it was explained how to determine the number of seats for a party, which contested for the PR seats representing the entire district area on the district council. These seats make up 40 % of the district council.

This articles continues with the other 60 % of the district council, which consists of representatives from the local municipalities in the district area and representatives of DMAs in the district area (see diagram). The first are *appointed* by the councils of the respective local municipalities after they have been elected and the latter are elected by the voters in the DMA on a PR basis.

Number of seats for representatives from DMAs or local municipalities to the district council

Before seats can be allocated to parties, representing a DMA or to councillors representing a local municipality on the 60 % side of the district council (see diagram), the IEC must first determine *how many* representatives a DMA or a local municipality will have on the district council. The number of representatives from a DMA or a local council is determined on the basis of the number of registered voters in that DMA or local municipality and takes place in three steps:

Step 1: Determining the quota of voters for a DMA seat or a local municipality seat

The quota of registered voters that a DMA or a local municipality must have, in order to be entitled to one seat on the district council is determined in accordance with the following formula (fractions disregarded):

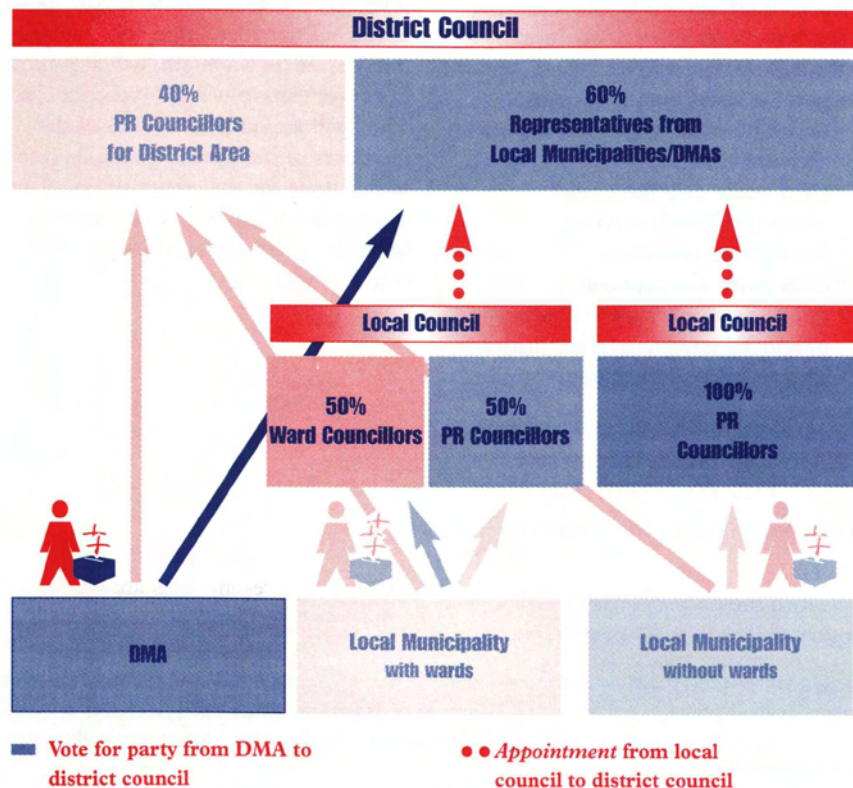
$$\text{Quota} = \frac{\text{Number of voters on the voters' roll for the entire district}}{\text{Number of seats for representatives of DMAs and local councils on the district council}^*} + 1$$

*= 60 % of the total number of seats

District Municipality D

360 000 registered voters in the district
42 seats on the district council
25 seats for representatives of DMAs and local councils (60 % of 42)

$$\text{Quota} = \frac{360\,000}{25} + 1 = 14\,401$$



Step 2: Allocating seats to the DMA or the local municipality

The allocation of seats to a DMA or local municipality is done by the following formula:

$$\frac{\text{Number of voters registered in the DMA or local municipality}}{\text{Quota}}$$

If the calculation results in a figure less than 1, the DMA or local municipality is entitled to 1 seat only. In that case, it does not participate in any further allocation of remaining seats.

Example

5 local municipalities and 1 DMA compete for the seats on the 60 % segment of the district council

Local Municipality C:

9 000 voters

$$\frac{9\,000}{14\,401} = 0,62$$

Local Municipality B:

30 000 voters

$$\frac{30\,000}{14\,401} = 2,08$$

Local Municipality E:

140 000 voters

$$\frac{140\,000}{14\,401} = 9,72$$

Local Municipality F:

80 000 voters

$$\frac{80\,000}{14\,401} = 5,55$$

Local Municipality G:

96 000 voters

$$\frac{96\,000}{14\,401} = 6,66$$

DMA H: 5 000 voters

$$\frac{5\,000}{14\,401} = 0,34$$

Result:

Local Municipality C: 1 seat
 Local Municipality B: 2 seats

Local Municipality E:	9 seats
Local Municipality F:	5 seats
Local Municipality G:	6 seats
DMA H:	1 seat
Total:	24 seats

There are 25 seats available – 1 seat remains unallocated.

Step 3: Allocating the remaining seats

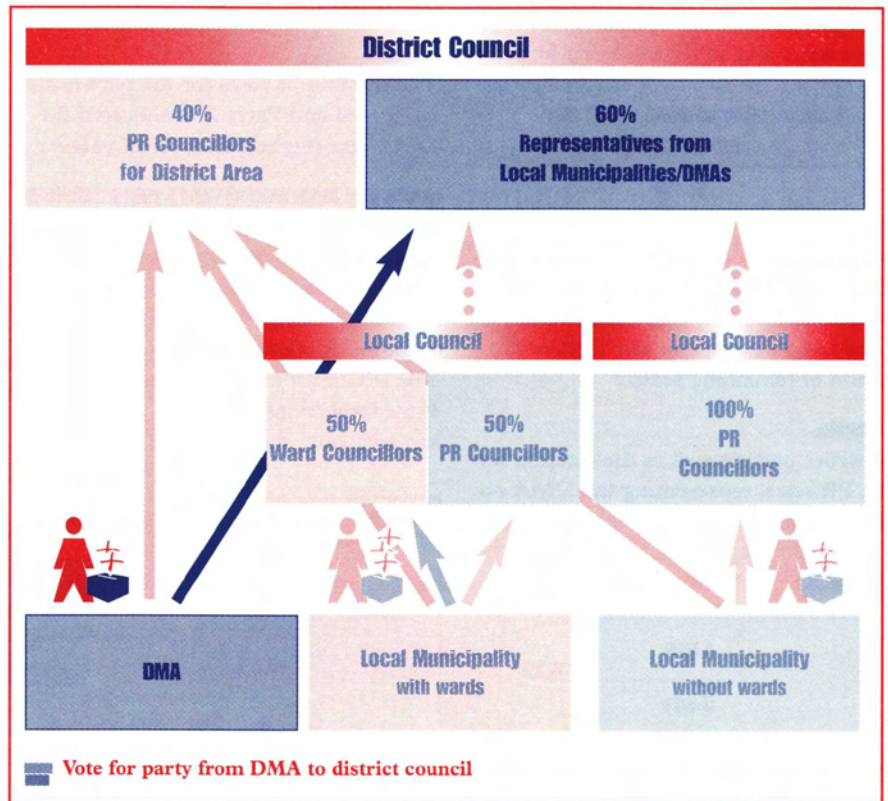
It is possible that not all the 60 % seats on the district council can be allocated to DMAs or local municipalities' representatives by applying the result of this formula, because the formula can result in fractions of seats. In that case, the fractions of each local municipality or

Local Municipality E:	72
Local Municipality F:	55
Local Municipality G:	66
DMA H:	34 (does not participate)
Total:	24 seats

The remaining seat goes to Local Municipality E (highest fraction)

Final result:

Local Municipality C:	1 seat
Local Municipality B:	2 seats
Local Municipality E: 9 + 1 =	10 seats
Local Municipality F:	5 seats
Local Municipality G:	6 seats
DMA H:	1 seat
Total:	25 seats



DMA must be compared and the remaining seat must be allocated to the local municipality or DMA that has the highest fraction. If more than one seat remains, one seat goes to the municipality or DMA with the highest fraction, one seat to the municipality or DMA with the second highest fraction etc.

Example:

Fractions:

Local Municipality C: 62 (does not participate)
 Local Municipality B: 08

Number of seats for a party, representing the DMA

Once it is determined how many representatives a DMA can send to the district council, the number of seats for a particular party can be determined. The DMA-representatives are elected by the voters in that DMA on a PR basis. The determination of the number of seats for a party, contesting the PR elections for DMA representatives takes place in three steps. The result of the election is determined as follows:

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Step 1: Determining the quota

The quota of votes for a seat as a party representing a DMA is calculated as follows:

$$\text{Quota} = \frac{\text{Total number of valid votes cast for all parties}}{\text{the total number}} + 1$$

Example:

District Municipality D

360 000 registered voters in the district
DMA H: 5 000 voters (100%) turnout
DMA H is entitled to 1 seat on the council of District Municipality D

$$\text{Quota} = \frac{5\ 000}{1} + 1 = 5\ 001$$

Step 2: Allocating seats

The allocation of seats to parties takes place according to the following formula:

$$\frac{\text{Total number of valid votes cast for the party}}{\text{Quota}}$$

If the calculation results in a figure less than 1, the DMA or local municipality is entitled to 1 seat only. In that case, it does not participate in any further allocation of remaining seats.

Example:

3 parties participated in the election for the PR seats, representing the DMA on the council of District Municipality D.

Party X:	1 500 votes		
	<u>1 500</u>	=	0,29
	5 001		
Party Y:	55 000 votes		
	<u>1 000</u>	=	0,19
	5 001		
Party Z:	2 500 votes		
	<u>2 500</u>	=	0,49
	5 001		

In terms of the formula, neither of the parties gets the seat.

Step 3: Allocating the remaining seats

It is possible that not all the DMA seats on the district council, can be allocated to parties, by applying the result of this formula, because the formula can result in fractions of seats. In that case, the fraction of each party must be compared and the remaining seat must be allocated to the party that has the highest fraction. If more than one seat remains, one seat goes to the party with the highest fraction, one seat to the party with the second highest fraction etc. If the fraction of two or more parties is equal, the seat must be awarded to the party that received the most valid votes.

If no party can be awarded a seat in terms of the formula of Step 2, the votes for each party must be compared and the seats are awarded to the parties concerned in sequence of the highest number of votes.

Example:

The number of votes for the parties are compared and Party Z is allocated the DMA seat (highest number of votes).

Election of local municipality's representatives to the district council

Before a local council can appoint its representatives to the district council (see diagram), it must elect them from amongst its members.

The IEC must manage these elections. If the local council can send one representative only, the procedure is as follows:

1. any councillor may nominate a candidate;
2. each councillor has one vote; and
3. the candidate who receives the most votes is elected.

If the local council can send more than one representative, each party or individual councillor can submit one list with names of candidates in order of preference, together with the candidates' written acceptance of candidacy. A councillor cannot appear on more than one list. Parties and councillors must seek to ensure that 50 % of the candidates are women and that women and men are evenly distributed through the list. Each councillor then casts one vote for one list.

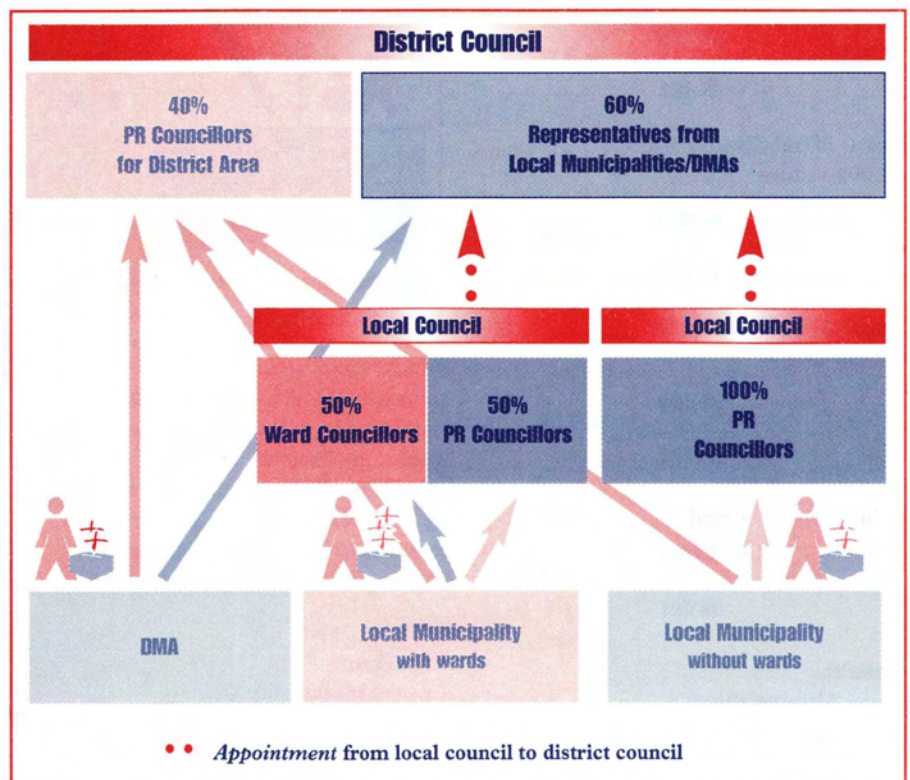
Step 1: Determining the quota

The quota of votes for a seat on the council of a district municipality representing a local municipality is calculated as follows:

$$\text{Quota} = \frac{\text{Number of members of the local council}}{\text{Number of district council seats awarded to that local council}} + 1$$

Example:

Local Municipality B has been awarded 2 seats on District Council D. Local Municipality B has 18 councillors



$$\text{Quota} \quad \frac{18}{2} = + 1 = 10$$

Step 2: Allocating seats

The seats are allocated as follows:

Number of votes cast for the list
Quota

Example:

Parties X, Y and Z, represented on the council of Local Municipality B participate in the election for those 2 seats. Independent councillor P and independent councillor R both submitted a list of candidates.

Party X: 3 votes

$$\frac{3}{10} = 0,30$$

Party Y: 2 votes

$$\frac{2}{10} = 0,20$$

Party Z: 8 votes

$$\frac{8}{10} = 0,80$$

Cllr P: 4 votes

$$\frac{4}{10} = 0,40$$

Cllr R: 1 vote

$$\frac{1}{10} = 0,10$$

Neither of the participating parties or councillor get enough votes for their lists. No seats can be allocated.

Step 3: Allocating the remaining seats

It is possible that not all the seats on the district council that are allocated to the local municipality can be allocated to parties and individuals who participated, by applying the result of this formula, because the formula can result in fractions of seats. In that case, the fractions of each party must be compared and the remaining seat must be allocated to the party that has the

highest fraction. If more than one seat remains, one seat goes to the party with the highest fraction, one seat to the party with the second highest fraction etc.

Any seats that are not awarded in terms of the formula of step 2, must be allocated by comparing the surplus of each party and the remaining seats are awarded to the parties concerned in sequence of the highest surplus.

Example:

The first remaining seat goes to Party Z (highest fraction).

The second remaining seat goes to Councillor P's list (second highest fraction).

Filling the seats

The Chief Electoral Officer determines who fills PR seats from party lists, by taking from the party list a number of candidates that is equal to the number of seats a party is entitled to starting with number one on the list. When a candidate is elected and assumes office, a vacancy on the party list arises.

A party may supplement, change or increase its list at any time. However, when a councillor vacates office after he or she has been elected from the PR list, the party concerned may supplement, change or increase its list by not later than 21 days after the councillor vacated office. Within 14 days after that 21 day period has expired, the Chief Electoral Officer must declare in writing whose name is at the top of the applicable party list and who will therefore fill the vacancy.

Jaap de Visser

Local Government Project
Community Law Centre, UWC