

BOTSWANA DEMOCRATIC PARTY **REGULATIONS FOR CONDUCT OF PRIMARY ELECTIONS**

INTRODUCTION

Pursuant to Article 28 (e) of the Party constitution, the following Regulations have been prescribed by the Central Committee

Whenever a general election for parliamentary, local government seat or any bye election is imminent, the Central committee shall:

- a) Make an announcement inviting all aspirant candidates to submit their applications in form (A) as annexed, for both parliamentary and local government election candidates. All completed forms shall be submitted to the Branch Committee.
- b) The applicant shall have a proposer, seconder and seven supporters as prescribed in form A. In respect of a parliamentary election, the proposer, seconder and all the supporters, shall be members of the Party in good standing and ordinarily resident in the constituency. In respect of a local government election the proposer, seconder and seven supporters shall be members of the party in good standing and ordinarily resident in the ward.
- c) A member may nominate or second or support only one prospective candidate in respect of Parliamentary or Council primary election. Members shall be continuously registered at cell and ward levels where registers shall be kept, which registers shall be continuously verified against the headquarters registers. And for purposes of elections it is the Headquarter register that shall operate

1. REGISTRATION

- a) Voters shall be registered members in good standing, in the particular ward.
- b) Voters shall be those members who would have been on the voter rolls by the cut-off date.
- c) All Cell and Ward Committee members shall have authority to distribute and sign membership application forms.
- d) Cell Committees shall keep cell registers which shall transmit information to the ward and branch registers in that order.

- e) All members in good standing shall have unlimited access to registration forms and shall submit them to the relevant cell and ward committees.
- f) Formation/establishment of new cells should be approved by the branch committee and registered with Party Headquarters and should remain so prescribed until next delimitation.
- g) Membership fee shall be determined by the Central Committee from time to time

2. VETTING

- a) All prospective candidates whose form A has been submitted to the Branch Committee shall be vetted by such a committee with a view to recommending to Central Committee for approval or disapproval of such person as a candidate for such an election. With respect to the vetting of local government candidates the Branch Committee shall invite the Chairperson and Secretary of the respective ward.
- b) Vetting of each candidate shall include an examination of proof of payment of the Primary Election application fee. The decision of the Central Committee shall be final.
- c) All prospective candidates who have been vetted and approved shall be eligible to stand as candidates in the primary election in respect to which they were vetted.
- d) During the process of vetting the committee responsible shall consider the prospective candidate's integrity, personality, commitment to the Party, ability to represent the Party and the public if elected and all other qualifications and disqualifications under the electoral laws of Botswana.
- e) All prospective candidates who have been ruled to have failed to comply with Party procedures, regulations and guidelines shall be disqualified to stand as candidates.
- f) For purposes of the vetting of the applicants for all elections, the Branch Committee quorum will be constituted by the elected members only, to the exclusion of ex – officio members.
- g) All interested persons, whose participation is likely to give rise to conflict of interest, shall recuse themselves from the vetting body

during consideration of the relevant ward and or constituency candidates.

3. WITHDRAWAL OF CANDIDATES

- a) Any person whose application has been approved by the appropriate structure may withdraw their nomination in writing indicating that they irrevocably withdraw their candidacy for the office to which they had applied.
- b) The withdrawal shall be filed with Central Committee not less than 10 days prior to the Election Day.
- c) Notice of such withdrawal shall be given to affected wards/constituency informing the voters of the said withdrawal of the candidate

4. PRIMARY ELECTION APPLICATION FEES

- a) Each candidate to a primary election for council seat shall pay a non-refundable registration fee of P500.00 (Five hundred pula) as part of the application process. The application fees shall be paid through the branch committee.
- b) For Parliamentary primary election, each candidate shall pay a non-refundable application fee of P1000.00 (One thousand Pula), payable through the respective Branch committee.
- c) These fees are subject to change from time to time as the Central Committee may see fit.

5. CAMPAIGNING

- a) There shall be a Primary elections code of conduct, which shall form and is part of these regulations.
- b) All candidates shall abide by the code of conduct and any deviation from or abrogation therefrom shall be an offence punishable under the constitution or laws or regulations of the party.

6. PRIMARY ELECTION TIMING

The date of the primary elections shall be determined by the Central Committee, and this date shall give sufficient time for preparations before national elections.

7. SEQUENCE

Elections for council and parliamentary candidates shall be held simultaneously at the same venue. A candidate who wishes to contest a Parliamentary seat shall not contest a council seat and vice versa, that is, no person shall be allowed more than one candidacy in any given primary election.

8. VOTING

- a) Ballot Papers shall be printed for specific elections with specific features as shall be determined by the election board.
- b) Voting shall be by secret ballot and the ballot box system shall be used.
- c) Voting for both Parliamentary and Council primary elections shall be at ward level except in those areas where the sub – ward or cell level is more appropriate and applicable.
- d) Voters shall be required to produce valid party membership cards and Omang cards to prove their membership and identity.
- e) The venue where a primary election is to be held and the date and time of such election shall be announced to all candidates, and as much as possible to members of the Party in the constituency or ward as the case may be.
- f) Polling stations shall be open from 06.00 hrs – 18.00 hrs. Where circumstances dictate otherwise, polling may be extended by not more than two hours.
- g) The power to extend polling time is vested in the Presiding Officer of the particular polling station.

- h) At closing of polls, the Presiding Officer shall declare that only persons already inside the polling station or any area set aside for voting shall be permitted to vote.
- i) Candidates shall be allowed not more than two polling agents per polling station. Those voters who cannot read and or write shall be assisted by election officers. For verification of the voter's choice of candidate, another election officer shall read out to the voter, the name that appears on the ballot paper.

9. COUNTING

- a) All ballots shall be reconciled and counted at the polling station at which polling was done, and results for that polling station announced thereof, without declaring the winner, unless there is only one polling station.
- b) The counting of ballot papers will be carried out at the place of such primary election and on the date of such primary election in the presence of all candidates or counting agents where possible, and the results announced thereat.
- c) The results from all polling stations shall be submitted to a central point for compilation, verification and totaling up by the Presiding/Returning Officer. The Returning Officer shall after being satisfied that the ballots are correct, announce the results of the elections and declare the winners thereof.
- d) Counting shall as far as practicable proceed continually until counting is completed.
- e) In the event of a deadlock in the voting there shall be re-election on a date to be determined by the Central Committee.
- f) Where an irregularity has occurred or the process of election has for unforeseen circumstances failed in any polling station, there shall be a re-election in the whole Ward if it were elections for a council seat, or a re-election in the whole constituency if it were elections for parliamentary seat.

10. ELECTION OFFICERS

- a) Election officers shall not be members of the branch where the election is taking place and shall be appointed in respect of any

primary election by the Party Electoral Board in consultation with PEEC.

- b) Each polling station must be manned by not less than two election officers at any given time.

11. BALLOTS TO BE KEPT SAFE

All ballots used in any election shall be submitted by the Returning Officer to the Secretary General for safe keeping for a period of six months, or more if there is an appeal relating to that particular poll.

12. APPEALS

- a) In the event of any person complaining of their candidature having been prejudiced by any alleged irregularities in the carrying out of these regulations or by any alleged improper conduct, they shall have the right to appeal to the Regional Committee, except in cases where the Regional Committee is an interested Party in which case the appeal shall be lodged with the Central Committee.
- b) All appeals lodged shall be attended to within seven (7) days of their being lodged and a decision reached within 30 days.
- c)
 - i) Any appeals arising from the conduct of a primary election shall be lodged in writing not more than seven days after the primary election date and only provided that the appellant shall have verbally indicated to the presiding officer/returning officer his intention to appeal and the reasons for such appeal.
 - ii) The said notice of appeal shall set forth clearly and in detail, the irregularities alleged to have been committed, and/or the reasons for his/her complaint. A copy of such ground shall be furnished to any person who may be affected by the appeal. The Regional Committee shall verify whether the appellant has sent a copy of the petition to the respondent.
 - iii) The Respondent may, within a period of seven (7) days reply to the allegations in writing to the Regional Secretary/Central Committee with a copy of the reply to the appellant. The regional committee shall then consider the appeal.

- d) Any Person/anybody who is not happy with the decision of the Regional Committee may appeal to the Central Committee within seven (7) days of the decision of the Regional Committee being made known to him/it.
- e) Any appellant who petitions the Central Committee directly, **specifically** because he/she is of the opinion that the regional Committee is an interested Party must, in addition to setting out the basis of his/her appeal on its merits, detail the reasons for exclusion of the Regional Committee from the appeal.
- f) In presenting the appeal referred to in 12 (e) above, the manner of lodging the appeal as well as the time periods allowed, the rebuttal by respondents who shall include the Regional Committee, the provisions of paragraphs 13 (c) and (d) shall apply save that all reference to Regional Committee shall be read to mean Central Committee.
- g) The Central Committee shall then consider the appeal. The Central Committee may decide on the eligibility of the appeal to lie directly with it, or may direct that the matter be sent back to the Regional Committee for hearing.
- h) Any decision on an appeal by the Central Committee shall be final and binding.
- i) Failure to follow laid down procedures will nullify any opportunity for appeal.

13. GENERAL

- a) In cases of death/withdrawal of candidates who had won the primary election, there shall be a re-election (fresh elections).
- b) Notwithstanding anything – contained in these Regulations, the Central Committee may, where necessary, nominate a candidate in any constituency or ward where an election is imminent and the MODUS OPERANDI as laid down is unworkable for any reason whatsoever.

CODE OF CONDUCT FOR CANDIDATES
BDP PRIMARY ELECTION (BULELA DITSWE)

1. Candidates must always promote the interest of the Party and portray themselves as agents of the Party.
2. Candidates shall conduct themselves in a manner consistent with the dictates of the electoral Act as well as rules and regulations of the Party.
3. Candidates shall not use their campaigns to castigate competitors.
4. Candidates shall only be allowed to use house to house campaigns to sell themselves. No candidate shall be allowed to address political rallies.
5. Candidates shall be responsible for the conduct, behavior and utterances of their supporters and shall make sure such supporters they abide by the code of conduct of party
6. Pre and post primary elections celebrations of any kind are prohibited.
7. Candidates who have not won primary election are duty bound to support the winning candidate. Candidates who have won primary elections are duty bound to create an atmosphere conducive to party unity and involve unsuccessful candidates in their campaigns.
8. The Branch Committee shall take responsibility to facilitate and create an atmosphere conducive to party unity and foster a cordial working relationship between primary elections winner and unsuccessful candidates.
9. All party structures shall be impartial and not support any one candidate to the detriment of others.
10. Members of the party structures shall not be members of campaign teams of any candidate prior to the primary elections. Furthermore all candidates' campaign teams shall stand dissolved immediately after primary elections to allow for the establishment of constituency and ward campaign teams. Safe for the Central Committee and Regional Committees, all prospective candidates shall resign from party structure positions at a date to be determined by the Central Committee.

11. The candidate shall appoint the Campaigns Manager and all other members of the campaign team shall be appointed by both the candidate and the Branch/Ward Committee.
12. The Party candidate shall take responsibility to work cooperatively with the branch committee and the unsuccessful candidates in fostering party unity and running a smooth and successful campaign and election.
13. The unsuccessful candidates shall consistently demonstrate commitment, loyalty and support to the party and its candidate, furthermore ensure that their supporters equally demonstrate loyalty and support to the party and its candidate.
14. The Party Candidate shall ensure that their supporters do not marginalise, ostracize and or ridicule the unsuccessful candidates and their supporters.
15. Each and every candidate shall conduct their own election campaign, and no candidate shall campaign for another.
16. No campaign or publicity materials such as posters, stickers, T-shirts, banners etc shall be printed, displayed, distributed, worn, mounted etc for purposes of primary elections as of the date to be determined and announced by Central Committee.
17. House to House campaigns shall not be used for rumor mongering and castigating of other candidates.
18. There shall be no campaigning within a radius of 100 meters of the premises of a primary election. For purposes of this clause premises include fencing if any and or designated parameters of a polling station.
19. For purposes of (18) above, campaigning shall include chanting any candidate's name, displaying a candidate's insignia, emblem or image and doing any act that is calculated to influence voters.
20. De-campaigning the party candidate or campaigning for an opposition candidate shall constitute an offence.
21. Any breach of any or all of the foregoing shall constitute an offence and be subject to disciplinary action.

22. All general elections victory celebrations shall be held not later than 2 years after the general elections.
23. Victory celebrations for by-elections shall be allowed; however, such celebrations shall not be held once the announcement for the forthcoming primary election has been made and shall be held within 6 months of the by election.

PARTY ELECTORAL BOARD

1. COMPOSITION

There shall be established, a party Electoral Board consisting of five members of impeccable good standing elected by the Party President. Chairperson of PEEC and Executive Secretary shall be ex – officio members of the board. The board shall be appointed for a maximum period of 5 years which appointments shall be renewable.

2. DUTIES AND RESPONSIBILITIES

The board shall be responsible for the general supervision and direction of elections. Specifically the Board shall:

- a) Supervise the registration of voters, maintenance of rolls, membership cards and ensure fair and proper distribution of the same to relevant party structures and members.
- b) Direct and supervise the administrative conduct of elections and ensure fairness, impartiality and compliance with the provisions of the party regulations and the electoral Act.
- c) Ensure the proper compilation, production, verification, distribution and safekeeping voter rolls.
- d) Prepare a comprehensive and detailed budget for the primary and general elections for presentation to the Central Committee for their consideration and approval.
- e) Ensure that election materials, such as ballot papers, boxes etc are properly designed, produced and distributed in accordance with primary elections regulations.
- f) Ensure production and equitable distribution of campaign materials as may from time to time be instructed by the Central Committee.
- g) Work hand in hand with PEEC for purposes of appointing election officers and conducting elections.

For the smooth carrying out of these responsibilities the board shall be supported by a full time staff consisting of the following:

- Elections Manager who shall be the board secretary
- Elections Admin Officer
- Information Officer

The board, through its chairperson shall report directly to the Central Committee.

BOTSWANA DEMOCRATIC PARTY
CODE OF CONDUCT

Pursuant to article 7 of the constitution, membership of the party is voluntary, and is open to all Batswana. All members are obliged to abide by the constitution, rules and regulations of the party, and are expected to promote its philosophy, policies and programmes. The following are some of the offences under the general code of conduct of the party.

1. Leakage of confidential party information or failing to keep documents under proper control.
2. Campaigning for or promoting the interests of other parties against those of the BDP and its candidates.
3. Engaging in any form of corrupt practice.
4. Abuse of office to obtain material, financial or other benefits.
5. Behaving in a grossly disorderly and unruly manner that might put the party name in disrepute.
6. Sowing seeds of discord in the Party, using regionalism, tribalism or factionalism.
7. Contemptuous behaviour towards party leadership and other members.
8. Persistently and without just cause undermining the respect for or impeding the smooth functioning of party structures.
9. Engaging in organised factional activity that goes outside the recognised norms of free debate inside the party and threatens its unity.
10. Use of party property for personal gain.
11. Behaving in a manner calculated to bring the party name into disrepute.
12. Washing the party's dirty linen in public.
13. Campaigning for party positions using unconventional, unacceptable and non transparent means.

14. Using parliamentary or council positions and privileges to attack the party and or its government.
15. Unauthorised issuance of statements to the media contrary to article 28 (d) of the party constitution.

NB: Commission of any one or more of these offences is punishable in accordance with article 15 of the party constitution.