



THE ELECTORAL COURT OF SOUTH AFRICA
MEDIA SUMMARY OF JUDGMENT DELIVERED IN THE ELECTORAL COURT OF
SOUTH AFRICA

From: The Registrar, Electoral Court

Date: 14 October 2026

Status: Immediate

The following summary is for the benefit of the media in the reporting of this case and does not form part of the judgments of the Electoral Court of South Africa

African National Congress v Electoral Commission of South Africa (0013/26EC) ZAEC 08 (14 October 2026)

On 8 October 2026 the Electoral Court dismissed the appeal of the African National Congress (the ANC) against the decision of the Electoral Commission of South Africa (the Commission) to dismiss its objection to the voters' roll. Given the imminent Municipal Elections, the Court gave its order on the day of the hearing and its reasons today.

The ANC lodged an objection in terms of s 15 of the Electoral Act 73 of 1998 (the Act) relating to the voters' roll covering the Sedibeng district. The Commission dismissed the objection because the ANC failed to comply with s 15(2), which provides that a person objecting to the inclusion of another person's name 'must serve notice of the objection on that person'. The appeal turned on a crisp issue: whether the ANC had complied with s 15(2).

The Court held that s 15(2) supports the constitutional right to vote in s 19 of the Constitution by ensuring that a voter's registration is not adversely affected by an objection without the voter being informed and given an opportunity to contest it. The Court rejected the ANC's characterisation of the issue as a requirement of personal service. The requirement is that every affected voter has the opportunity to become aware of the objection lodged.

The Court found that the notices on which the ANC relied did not identify the person whose registration was objected to, and that person therefore could not be expected to know that it was their registration that was the subject of the complaint. To style a document as proof of service does not automatically result in it being duly served. The notices fell short of what s 15(2) requires and did not pass the threshold of effective service.

The appeal was dismissed, with no order as to costs.

~~~~ends~~~~