**RE: Write-in Candidate Participation § Section 70609**

1. **SA Unified Bylaws § Section 70609**

*Section 70609. Determination of Results*

*(f) Write-In Candidates*

*(1) The Commission, by a simple majority vote, may determine vote intent for write- in votes if there is a discrepancy in how the vote was cast or who the vote is to be counted for.*

*(2) The Commission may also invalidate a write-in vote if the voter intent cannot be determined.*

1. **JEC Interpretation Issued 4/3/2023.**

*To permit the JEC to continue to deliver a transparent and legitimate election, certain measures will be taken to ensure write-in candidates receive certain opportunities to ensure votes cast in their favor are recoded. In accordance with section 70609 of the SA Unified Bylaws the commission adopted the following advisory opinion regarding interpretation of determining votes for write-in candidates.*

* *Write in Candidates must comply with all JEC Bylaws and Advisory opinions to be eligible to hold office pursuant to Section 70808 on the JEC Bylaws.*
* *Provided prospective presidential candidates have not violated subsequent JEC rulings and regulation, the JEC will permit Presidential write-in candidates who have obtained at least 150 valid signatures in accordance with advisory opinion #7, before the close of the registration period, may participate in the presidential debate alongside ballot-verified candidates who have had their candidacy verified in accordance with advisory opinion #7.*
* *Provided write-in presidential candidates have not violated subsequent JEC rulings and regulation, the JEC will work with all relevant authorities to ensure that spelling variations of a write-in presidential candidate's name are considered valid votes. Candidates who have obtained at least 150 valid signatures in accordance with Advisory Opinion #7, before the close of the registration period may submit a list of name variations to the JEC, which will be used for reference when verifying write-in votes. Validity for spelling variations, as reasonably determined by the JEC, will not consist of arbitrary and capricious standards, nor shall the application of validity consist of the same.*
* *Provided write-in senatorial candidates have not violated subsequent JEC rulings and regulation, the JEC will work with all relevant authorities to ensure that spelling variations of a write-in senatorial candidate's name are considered valid votes. Candidates who have obtained at least half of the required number of valid signatures in accordance with advisory opinion #7, before the close of the registration period may submit a list of name variations to the JEC, which will be used for reference when verifying write-in votes. Validity for spelling variations, as reasonably determined by the JEC, will not consist of arbitrary and capricious standards, nor shall the application of validity consist of the same.*
* *Provided prospective senatorial candidates have not violated subsequent JEC rulings and regulation, the JEC will permit Senatorial write-in candidates who have obtained at least half of the required number of valid signatures in accordance with advisory opinion #7, before the close of the registration period, to participate in the Senate Debate hosted by the JEC on Tuesday, the 4th of April, 2023.*
* *The JEC will disseminate all needed materials and information to qualified write-in candidates to facilitate the implementations.*
* *This Advisory Opinion only applies to the 2023 Presidential SA Election and is not intended to set precedent on the management and attendance of future candidate debates hosted by the JEC.*