



ANC 53RD NATIONAL CONFERENCE PROGRAMME

SATURDAY 15 DECEMBER 2012

09h00–20h00 Arrival and registration of delegates, observers and guests

SUNDAY 16 DECEMBER 2012

SESSION 1	08h30–09h30 [Open] Interfaith Prayers National Anthem Adoption of Conference Programme and Rules
SESSION 2	09h30–12h00 [Open] POLITICAL REPORT: President Jacob Zuma
Lunch	12h00–14h00
SESSION 3	14h00–16h30 [Open] ORGANISATIONAL REPORT: Secretary General Gwede Mantashe 16h40–17h40 [Closed] Credentials Report
Supper	17h40–19h00
SESSION 4	19h00–19h15 [Closed] Endorsement of Electoral Commission 19h15–20h15 [Closed] Clarifications and Adoption of Organisational Report
SESSION 5	20h15–21h15 [Closed] FINANCIAL REPORT: Treasurer General Mathews Phosa
SESSION 6	21h15–21h45 [Closed] Constitutional Amendments (and matters relating to elections)
SESSION 7	21h45–22h30 [Open] Electoral Commission: Nominations for the Officials

MONDAY 17 DECEMBER 2012

SESSION 8	08h30–10h30 [Open] Messages of Support
SESSION 9 Presentations	10h30–13h00 [Closed] <ul style="list-style-type: none">• Strategy and Tactics (Tony Yengeni)• Organisational Renewal (Fikile Mbalula)• National Development Plan (Trevor Manuel)• Briefing on Census (Pali Lehohla)• Infrastructure Roll-out Plan (Gugile Nkwinti)• Briefing on Commissions (Jeff Radebe)
Lunch	13h00–15h00
SESSION 10	15h00–19h30 [Closed] Commissions on Strategy and Tactics & Organisational Renewal (x16)
Supper	19h30–21h30
SESSION 11	21h30–22h30 [Open] Electoral Commission: Announcement of results for Officials

TUESDAY 18 DECEMBER 2012

SESSION 12	08h30–12h30 [Closed] Commissions on Policies and Programmes of the ANC <ul style="list-style-type: none">1 & 2 Economic Transformation3 & 4 Social Transformation5 & 6 Legislature and Governance7 & 8 Communications9 Finance and Fundraising10 Constitutional Amendments11 & 12 International Relations13 & 14 Peace and Stability15 & 16 Education and Health
Lunch	12h30–14h30
SESSION 13	14h30–17h00 [Closed] Commissions Continue
SESSION 14	17h00–19h00 [Closed] STRATEGY AND TACTICS: Presentation of Consolidated Report
Supper	19h00–21h00
SESSION 15	21h00–22h00 [Open] Electoral Commission: Nominations for NEC Members 24h00: Submission of draft resolutions for printing

WEDNESDAY 19 DECEMBER 2012

SESSION 16	08h30–10h30 [Closed] ORGANISATIONAL RENEWAL Presentation of consolidated report, discussion and adoption
SESSION 17	10h30–12h30 [Closed] CONSTITUTIONAL AMENDMENTS Presentation of consolidated report, discussion and adoption
Lunch	12h30–14h30
SESSION 18	14h30–18h00 [Closed] Presentation of Draft Resolutions on Policies and Programmes of the ANC, discussion and adoption
Supper	18h00-20h00
SESSION 19	20h00–22h00 [Closed] Presentation of Draft Resolutions on Policies and Programmes of the ANC, discussion and adoption continues

THURSDAY 20 DECEMBER 2012

SESSION 20	08h30–10h00 [Closed] Presentation of Draft Resolutions on Policies and Programmes of the ANC, discussion and adoption continues
SESSION 21	10h30-13h00 [Open] Electoral Commission:Announcement of results for NEC Declaration of the 53rd National Conference Closing Address by the President Nkosi sikelel' Afrika
Lunch	13h00
Departure	

GUIDELINES

1. Conference time

The times as stipulated in the programme serve as a guide and are subject to change.

2. Commissions

- All commissions discuss Organisational Renewal and Strategy & Tactics during session 10, taking into consideration the Political, Organisational and Financial Reports.
- All provinces, leagues and alliance partners must ensure equitable distribution of delegates across commissions.
- Delegates are expected to remain at the same commission venue for both the Organisational Renewal and S&T as well as the respective policy and programmatic commissions.
- All sub-committees must take into consideration submissions made and these should be brought to the attention of the respective commissions.
- Chairs should ensure the maximisation of participation of delegates.

3. Equitable Distribution to Commissions

All provincial and league delegations must adhere to the principles of equitable distribution at commissions and ensure that delegates are allocated in proportion to the number of commissions. Leaders of delegations must assign comrades to the various commissions and present the lists of names to the Steering Committee at the start of Conference.

Equal emphasis must be placed on all policy areas. Discussions on Economic Transformation that focus on achieving a more equitable distribution of wealth, a higher growth rate and creating more jobs cannot overshadow discussions on Education and Health that form the foundation for ensuring that we have appropriate skills and capacity and a healthy workforce. Likewise, the discussions on Rural Development and Land Reform cannot take precedence over the policy choices we make on the security of our citizens and their access to justice in the Peace and Stability Commission. Similarly discussions that focus on our ability to communicate and disseminate information to our fellow South Africans and the rest of the world cannot be achieved at the expense of discussing our international obligations. It is therefore imperative for provinces and leagues to ensure that their delegations are spread evenly across all the commissions.

COMMISSIONS

Organisational Renewal and Strategy and Tactics

	Venues	Commissions	Chairpersons, Rapporteurs and Scribes
1	STABILIS 2	Organisational Renewal and Strategy and Tactics	Chairperson: Joel Netshitenzhe Rapporteur: Thandi Tobias Scribe: Maruping Lekwene
2	Exam Room 6	Organisational Renewal and Strategy and Tactics	Chairperson: Mandla Nkomfe Rapporteur: F��b�� Potgieter-Gqubule Scribe: Magdelene Moonsamy
3	STABILIS 3	Organisational Renewal and Strategy and Tactics	Chairperson: Nomvula Mokonyane Rapporteur: Abner Mosaase Scribe: Vukani Mtintso
4	STABILIS 4	Organisational Renewal and Strategy and Tactics	Chairperson: Lechesa Tsenoli Rapporteur: Soviet Legkanyane Scribe: Mdu Mbada
5	W201	Organisational Renewal and Strategy and Tactics	Chairperson: Ayanda Dlodlo Rapporteur: Nomusa Dube Scribe: Gcinibandla Mtukela
6	W202	Organisational Renewal and Strategy and Tactics	Chairperson: Phumulo Masualle Rapporteur: Qedani Mahlangu Scribe: Tsumbu Nephawe
7	FGG183	Organisational Renewal and Strategy and Tactics	Chairperson: Sisisi Tolashe Rapporteur: Zamani Saul Scribe: Zanele Khena
8	FGG377	Organisational Renewal and Strategy and Tactics	Chairperson: Fikile Mbalula Rapporteur: Oscar Mbuyane Scribe: Malusi Mbhata
9	LG 4	Organisational Renewal and Strategy and Tactics	Chairperson: Tate Makgoe Rapporteur: David Makhura Scribe: Bandile Sizani
10	STABILIS 1	Organisational Renewal and Strategy and Tactics	Chairperson: Zou Kota-Fredericks Rapporteur: Sibongile Manana Scribe: Xolani Mkhwemde
11	Exam room 2	Organisational Renewal and Strategy and Tactics	Chairperson: Supra Mahumapelo Rapporteur: Gayle Parker Scribe: Zakele Cele
12	Exam room 3	Organisational Renewal and Strategy and Tactics	Chairperson: Cassel Mathale Rapporteur: Pemmy Majodina Scribe: Shaka Sisulu
13	GENMIN LCT A	Organisational Renewal and Strategy and Tactics	Chairperson: Lerumo Kalako Rapporteur: Alvin Botes Scribe: Sibongile Mbotwe
14	GENMIN LCT B	Organisational Renewal and Strategy and Tactics	Chairperson: Nathi Mthethwa Rapporteur: Khusela Sangoni-Khawe Scribe: Phillip Musekwa
15	Exam room 1	Organisational Renewal and Strategy and Tactics	Chairperson: Derek Hanekom Rapporteur: Kabelo Mataboge Scribe: Rudolph Phala
16	Exam room 4	Organisational Renewal and Strategy and Tactics	Chairperson: Aaron Motsoaledi Rapporteur: Salome Sithole Scribes: Mhleli Matyila & Ontiretse Pilane

COMMISSIONS

Policies and Programmes

	Venues	Commissions	Chairpersons, Rapporteurs and Scribes
1	STABILIS 2	Economic Transformation	Chairperson: Max Sisulu Rapporteur: Thaba Mufamadi Scribes: Njabulo Sithabe & Mohammed Jahed
2	Exam Room 6	Economic Transformation	Chairperson: Sankie Mthembi-Mahanyele Rapporteur: Malusi Gigaba Scribe: Michael Sachs
3	STABILIS 3	Social Transformation	Chairperson: Lindiwe Sisulu Rapporteur: Joe Phaahla Scribes: Zane Dangor & Livhu Matsila
4	STABILIS 4	Social Transformation	Chairperson: Paul Mashatile Rapporteur: Bathabile Dlamini Scribes: Sandi Mbatsha & Bantu Xozwa
5	W201	Legislature and Governance	Chairperson: Noma-India Mfeketo Rapporteur: Joyce Moloji-Moropa Scribe: Thabo Mokoena
6	W202	Legislature and Governance	Chairperson: Lynne Brown Rapporteur: Yunus Carrim Scribe: Pam Yako
7	FGG183	Communications	Chairperson: Jessie Duarte Rapporteur: Obed Bapela Scribe: Mark Sweet
8	FGG377	Communications	Chairperson: Dina Pule Rapporteur: Naledi Pandor Scribe: Eric Kholwane
9	LG 4	Finance and Fundraising	Chairperson: Mathews Phosa Rapporteur: Cyril Ramaphosa Scribe: Fezile Calana & Thobani Matheza
10	STABILIS 1	Constitutional Amendments	Chairperson: Collins Chabane Rapporteur: Andries Nel Scribe: John Jefferey & Billy Malatji
11	Exam room 2	International Relations	Chairperson: Ebrahim Ismail Ebrahim Rapporteur: Lindiwe Zulu Scribe: Job Sithole
12	Exam room 3	International Relations	Chairperson: Maite Nkoana-Mashabane Rapporteur: Marius Fransman Scribe: Molly Dlamini
13	GENMIN LCT A	Peace and Stability	Chairperson: Siphwe Nyanda Rapporteur: Fatima Chohan Scribe: Mike Ramagoma
14	GENMIN LCT B	Peace and Stability	Chairperson: Nosiviwe Mapisa-Nqakula Rapporteur: Thabang Makwetla Scribe: Tumisang Bojabotsheha
15	Exam room 1	Education and Health	Chairperson: Angie Motshekga Rapporteur: Enver Surty Scribe: Confidence Moloko
16	Exam room 4	Education and Health	Chairperson: Zweli Mkhize Rapporteur: Gwen Ramakgopa Scribe: Dingaane Ngobeni

RULES OF PROCEDURE FOR THE 2012 NATIONAL CONFERENCE

1. **Times of business of Conference**

Conference will meet each day as set out in the Conference Programme.

2. **Appointment of Committees of Conference**

For the efficient conduct of business, the conference will ratify by the show of hands the following committees:

- a. Steering Committee: (Convenor – SG) SG, DSG, TG, Prov Secretaries, League Secretaries, Jeff Radebe.
Work supported by GM, Desmoreen Carolus & Moferefere Lekorotsoana.
- b. Drafting and Resolutions Committee: (Convenor – Jeff Radebe) Jeff Radebe, Jessie Duarte, Joel Netshitenzhe, Enoch Godongwana, Jeremy Cronin, Pallo Jordan, Fébé Potgieter-Gqubule, Hlengiwe Mkhize, Zolile Ngcakani, Khusela Khawe, David Makhura.
Work supported by Andries Nel, Desmoreen Carolus, Spongy Moodley and Tebogo Phadu.
- c. Media Committee: (Convenor – Jackson Mthembu) Jackson Mthembu, Lindiwe Zulu, Naledi Pandor. Work supported by Keith Khoza.

3. **Procedure In Plenary**

The normal rules of ANC meeting procedures will apply, with the following additions:

- Only duly accredited delegates will be allowed into closed plenary and commission sessions.
- All delegates will have the right to speak in plenary. All duly accredited delegates will have the right to speak in commissions.
- Delegates wishing to speak must indicate their intension by raising the delegation board (bearing the name of their province).
- The Conference Chairperson will decide on the order of speakers in order to ensure that there is a spread of speakers from various delegations.
- A delegate may speak in any of the official languages or in sign language and translation will be provided.
- Delegates will be allowed to speak for a maximum of three minutes in Plenary Session. The Conference Chairperson shall reduce or extend this period.
- Delegates will be allowed to speak once on each topic during the plenary sessions.
- Each speaker will stand at the microphone provided on the floor and state his or her name, branch and province or organisation before speaking.
- If the Chairperson calls a speaker to order, the delegate will stop speaking and will not resume speaking until the Chairperson has authorised him or her to continue.
- There will be no howling, hissing, whistling or booing of speakers. Each delegate/speaker will be allowed to express his/her views without fear or favour or any form of intimidation or disruption.
- Delegates wishing to raise a point of order or ask a question will do so by proceeding to the microphone and raising their hand.
- On a point of order being raised, discussion shall be suspended to allow an intervention of not more than one minute, whereafter the Chairperson shall give his or her ruling.
- All motions must be proposed and seconded before they are opened for discussion.
- An exigency motion must be submitted in writing by the proposer and seconder to the Steering Committee and will only be debated with approval of two-thirds of delegates at Conference.
- No business will be allowed to be discussed that does not arise out of the reports or motions before Conference, unless agreed to by the Steering Committee. No other points of intervention will be allowed, except those provided for in the Rules of Conference.
- The mover of a motion or amendment shall be limited to 5 minutes, the seconder to 4 minutes and all subsequent speakers to 3 minutes. The mover of the motion shall close the debate.
- Voting in plenary will be by a show of hands, unless a secret ballot is called for and supported by one-third of delegates. Questions in dispute not provided for in the present rules procedure shall be settled by Conference upon proposal from the Steering Committee.

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4. Code of Conduct

- In addition to the normal Rules of the ANC Constitution, failure to comply with the following additional rules will constitute a disciplinary offence.
- Delegates are at Conference to represent the views of their branches or other accredited structures and they are therefore expected to attend all sessions and commissions and to be punctual.
- Delegates must refrain from any behaviour or action that would bring the ANC or Conference into disrepute. This includes singing of derogatory songs against a comrade, leader, our alliance partners or guests. No one should distribute, wear or display any material that is deemed to be divisive.
- Certain documents distributed at Conference may be confidential and delegates are not allowed to distribute such documents to persons who are not entitled to them. No documents will be distributed, unless approved by the Steering Committee.
- Any acts of sexual harassment will be punishable.
- Delegates are expected to respect and obey the Chairperson in all sessions and commissions.
- No one shall disobey instructions from the Electoral Commission, cast a vote to which they are not entitled, interfere with the voting process or use unfair methods to influence voting.
- Canvassing and lobbying for support shall be conducted in a dignified manner consistent with the character and traditions of the ANC. Slandering, negative campaigning and character assassination is strictly forbidden. Anyone found guilty of such an offence shall in addition to any other penalty which may be imposed by the National Disciplinary Committee be disqualified from standing for any position in the ANC.
- Any breach of discipline shall be reported to the Steering Committee, which shall bring such violations to the attention of the National Disciplinary Committee.

Rule 25: DISCIPLINE

(Extract from the ANC Constitution as adopted at the 2007 National Conference.)

- 25.1. (a) All members, without exception, must abide by the Constitution of the ANC, and the Rules and Regulations, the Standing Orders and Codes of Conduct, as adopted or amended from time to time, as well as all policies and decisions properly adopted or made in terms of the Constitution.
- (b) Every candidate representing the ANC during an election at any level of government, must undertake, in writing, prior to the elections, to abide by the Constitution of the ANC and the relevant Code of Conduct for elected representatives, and to submit to and abide by any disciplinary proceedings instituted against her or him in terms of the Constitution or such Code, directly or indirectly arising from her or his conduct as a public representative of the ANC.
- (c) All members and public representatives of the ANC, without exception, are subject to the discipline of the ANC and must submit to the provisions of the Constitution, Rules and Regulations, Standing Orders and Codes of Conduct with regard to the regulation of the conduct of members and public representatives, and the applicable disciplinary procedures, in particular Rule 25.
- 25.2 Disciplinary proceedings against a member and public representative shall be confined to violations of the ANC Constitution, Rules and Regulations, Standing Orders, Codes of Conduct and the policies and decisions of the ANC properly adopted or made in terms of the Constitution, or the misconduct referred to in Rule 25.5 or provided for in terms of Rule 25.13(b) and shall not:
- a. Be used as a means of stifling debate or denying members their basic democratic rights; or
 - b. Be instituted as a means of solving private problems or as a means of interfering in the private lives of members where the norms of the organisation are not directly affected, unless such conduct itself constitutes a violation or an offence affecting the organisation.
- 25.3 If the NEC, PEC, REC or BEC, as the case may be, or the relevant body exercising its right to invoke disciplinary proceedings under this Constitution, is satisfied that the institution of a disciplinary procedure is warranted against a member or public representative in respect of any conduct referred to in Rule 25.5 or any other misconduct prohibited in terms of the Constitution, it may decide to

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institute disciplinary proceedings against such member in respect of such misconduct and then refer the matter to the NDC, PDC, RDC or BDC, as the case may be, or any other body authorised in terms of the Constitution to conduct disciplinary proceedings, to proceed with such disciplinary hearing [refer to 25.6(c)].

- 25.4 A disciplinary committee, which has conducted a disciplinary hearing in terms of this Constitution, may find any member or public representative guilty of any misconduct referred to in Rule 25.5 or any other misconduct prohibited in terms of the Constitution, only if it is satisfied that the evidence presented is of such a cogent and sufficient nature as to prove the guilt of such member or public representative on a balance of probabilities.
- 25.5 The following conduct by a member or public representative shall constitute misconduct in respect of which disciplinary proceedings may be invoked and instituted against him or her:
- a. Conviction in a court of law and being sentenced to a term of imprisonment without the option of a fine, for any serious non-political offence;
 - b. Conviction in a court of law, for any serious non-political offence;
 - c. Behavior which brings the organisation into disrepute or which manifests a flagrant violation of the moral integrity expected of members and public representatives or conduct unbecoming that of a member or public representative;
 - d. Sowing racism, sexism, tribal chauvinism, religious and political intolerance, regionalism or any form of discrimination;
 - e. Engaging in sexual or physical abuse of women or children or abuse of office to obtain sexual or any other undue advantage from members or others;
 - f. Abuse of elected or employed office in the organisation or in the State to obtain any direct or indirect undue advantage or enrichment;
 - g. Behaving corruptly in seeking or accepting any bribe for performing or not performing any task;
 - h. Misappropriation of the funds of the organisation or destruction of its properties;
 - i. Behaving in such a way as to provoke serious divisions or a break-down of unity in the organisation;
 - j. Undermining the respect for or impeding the functioning of the structures of the organisation;
 - k. Participating in organised factional activity that goes beyond the recognised norms of free debate inside the organisation and threatens its unity;
 - l. Supporting a political organisation or party other than an organisation in alliance with the ANC in a manner contrary to the aims, objectives and policy of the ANC;
 - m. Standing in an election for local, provincial or national government or acts as the election agent or canvasser of a person standing for such election in opposition to a candidate duly endorsed by the NEC or PEC;
 - n. Joining a political organisation or party other than the ANC or a party in alliance with the ANC;
 - o. Prejudicing the integrity or repute of the organisation, its personnel or its operational capacity by:
 - aa. Impeding the activities of the organisation;
 - bb. Creating division within its ranks or membership;
 - cc. Doing any other act, which undermines its effectiveness as an organisation; or
 - dd. Acting on behalf of or in collaboration with:
 - i. Counter-revolutionary forces;
 - ii. A political organisation or party other than an organisation or party in alliance with the ANC in a manner contrary to the aims, policies and objectives of the ANC;
 - iii. Intelligence or the security services of other countries; or
 - iv. Any person or group who seriously interferes with the work of the organisation or prevents it from fulfilling its mission and objectives.
 - p. Fighting or behaving in a grossly disorderly or unruly way;
 - q. Deliberately disrupting meetings and interfering with the orderly functioning of the organisation;
 - r. Payment of, or assisting or facilitating the payment of, membership subscription of the organisation for a person or persons or a group of persons who would otherwise be unwilling or unable to pay their own subscriptions;
 - s. Offering a reduced rate membership to those known by the individual or group making the offer to be ineligible for that category of membership;

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- t. Recruitment of members who do not reside at an address claimed, where this is done in order to manipulate branch meetings or the outcome of organisational votes; or
 - u. Giving, collecting or raising of funds for campaigning activities within the ANC aimed at influencing the outcome of a conference or meeting.
- 25.6 (a) The NEC shall appoint a National Disciplinary Committee (NDC), from among its membership and from other structures of the ANC, which will consist of at least 5 but not more than 9 members. At least three members of the NDC shall constitute its quorum. The national officers, the NWC or the NEC may refer any violation or misconduct directly to the NDC for determination of a complaint.
- (a1) In addition, the NEC shall appoint the National Disciplinary Committee of Appeal (NDCA), from among its membership and from other structures of the ANC, which will consist of at least 3, but not more than 5 members, provided that its members may not serve in the NDC. At least three members of the NDCA shall constitute its quorum. The NDCA shall hear cases of appeal where the NDC heard the case as a structure of first instance.
 - (a2) The decisions of the NDCA shall be final, except that the NEC may, in its discretion, review a decision. Such a review shall be regulated by standing orders adopted by the NEC.
- (b) Each BEC shall appoint a Branch Disciplinary Committee (BDC). Each REC shall appoint a Regional Disciplinary Committee (RDC). Each PEC shall appoint a Provincial Disciplinary Committee (PDC). These respective Disciplinary Committees must be appointed as soon as possible after the election of the respective executive committees and will consist of at least 3 but not more than 5 members. At least three members of a disciplinary committee shall constitute its quorum.
- (c) Disciplinary proceedings will normally be conducted at the level where the alleged violation or misconduct took place, namely the branch, region, province or national level, and may be heard by the relevant structure.
- (d) Disciplinary proceedings may only be instituted at branch level if the relevant PWC has granted that branch written permission to do so.
- (e) The NWC may direct that the disciplinary proceedings should be heard at a higher level than where the alleged violation or misconduct took place.
- (e1) As soon as possible, after the election of the respective executive committees at any level of the organisation, the:
 - (i) NEC shall appoint a Chief National Presenter, to be assisted by no more than 3 other suitably competent members, to represent and present the case of the ANC, in any NDC and NDCA hearing;
 - (ii) PEC shall appoint a Chief Provincial Presenter, to be assisted by no more than 3 other suitably competent members, to represent and present the case of the ANC, in any PDC hearing;
 - (iii) REC shall appoint a Chief Regional Presenter, to be assisted by no more than 5 other suitably competent members, to represent and present the case of the ANC, in any RDC hearing or any BDC hearing within its region.
- (f) No member of a disciplinary committee may participate in a decision to institute disciplinary proceedings against a member and such member of the disciplinary committee should recuse himself or herself from such discussion and decision, save in the exceptional circumstances contained in Rule 25.6 (a). However, this does not prohibit such member from participating in any political discussion on any issue, which later becomes the subject of a discussion and decision to institute such disciplinary proceedings against a member.
- 25.7 (a) Any person faced with disciplinary proceedings shall receive due written notice of any hearing and of the basic allegations and charges against him or her and be afforded a reasonable opportunity to make his or her defense.
- (b) Any person faced with disciplinary proceedings is entitled to be represented by a member in good standing and who is a paid up member for at least three months prior to the receipt of such written notice referred to in Rule 25.7(a).
- (c) If disciplinary proceedings are instituted against a member and such member does not appear at the venue and at the time determined for such proceedings or does not remain in attendance when required to do so, the relevant disciplinary committee, if satisfied that such member was properly and timeously notified of such venue and time, may order that the proceedings continue in the absence of such member. The disciplinary committee may form an opinion

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of the evidence led, after applying the test provided for in Rule 25.4, and it may proceed and make a finding of guilty or not guilty, as the case may be, even if such member was absent from part or the whole of the proceedings.

- 25.8 (a) Penalties or sanctions, which may be imposed by a disciplinary committee, for proven violations of the Constitution, other relevant instruments, principles, norms, policies and decisions of the ANC, will include reprimand, payment of compensation and/or the performance of useful tasks, remedial action, and suspension of membership or expulsion from the ANC, and in the case of a public representative also the removal from any list or instrument which entitles such person to represent the ANC at any level of government.
- (b) A disciplinary committee may suspend the imposition of any of the above penalties or sanctions, with or without certain conditions for a period to be determined by such disciplinary committee.
- (c) Any member found guilty of the misconduct referred to in Rule 25.5.(m) and (n), shall be ineligible to be or remain a member, and shall be expelled from the organisation.
- 25.9. (a) A decision of a disciplinary committee only takes effect once the internal appeal procedures and remedies provided for in terms of Rule 25 have been exhausted. Any person found guilty during a disciplinary proceeding, or the complainant, has the right, within 14 days from the date of sentencing, to appeal against the conviction or sentence, to the disciplinary committee of the next highest body of the ANC. A member is only entitled to one appeal to such next highest disciplinary body, whose decision shall, subject to paragraph (b), be final and binding, provided that the NDCA may, upon application to it and if it deems it necessary, grant a further appeal to be heard by itself. The NWC may direct that a body higher than the one to which the appeal has been made should hear any appeal. An appeal against the decision of a branch disciplinary committee should be heard directly by the Provincial Disciplinary Committee.
- (b) Where a disciplinary committee arrives at a decision to suspend or expel a local government councilor or a member of a provincial legislature or Parliament, such a decision shall be suspended pending the outcome of an automatic appeal to the National Disciplinary Committee of Appeal. The National Disciplinary Committee of Appeal must commence with such an appeal within 14 days of the notification of the decision of such disciplinary committee.
- 25.10 All disciplinary proceedings shall be disposed of expeditiously, but within 6 months from the date that notice of the charge has been delivered to the member, provided that the NDCA may, upon application from the relevant disciplinary committee, in writing, at any stage before or after the expiry of such period extend this period in a particular case, if it deems it necessary.
- 25.11 The relevant Disciplinary Committee shall in writing report the outcome of each disciplinary proceeding to the secretary of the executive structure which established it and then the decision shall be publicly announced by the relevant Disciplinary Committee.
- 25.12 Temporary Suspension
- (a) The Provincial Disciplinary Committee or the PWC with regard to disciplinary matters not being dealt with at a national level, and the National Disciplinary Committee or the NWC, may summarily suspend the membership of any member, by acting in accordance with the procedures prescribed in Rule 25.12.
- (b) Before any of the above structures make such a decision, it must have due regard to the nature and seriousness of an alleged violation or misconduct by a member and/or public representative only after the accusations have been put to him or her for comment by the person or body tasked with such duty by the relevant structure, and he or she has had an opportunity to respond, provided that if such member has been given proper and timeous notice of such opportunity and does not avail himself or herself of such opportunity, and/or does not attend or does not stay in attendance, the matter may be proceeded with in his or her absence.
- (c) Exceptional circumstances, as determined by the NWC or National Disciplinary Committee or PWC, as the case may be, may warrant an immediate decision of temporary suspension of a member without eliciting the comment of such member, as provided for in paragraph (b).
- (d) The member or public representative shall immediately be informed of such suspension.
- (e) In the case of the suspension of an elected public representative, the relevant structure making the decision must also provide for any terms and conditions, which will regulate his or her participation and conduct as a public representative during the period of suspension.

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- (f) The member or public representative shall immediately be informed of such terms and conditions.
- (g) When a PWC or PDC imposes a temporary suspension on a member or a public representative, it must immediately forward a report of such suspension and the reasons for it, to the NDCA and the NDCA may, if circumstances warrant it, at any stage set aside such suspension.
- (h) The temporary suspension shall lapse if a notice of a charge relating to such suspension is not delivered to the member within 30 days of the date of the commencement of the temporary suspension.
- (i) Such disciplinary proceedings shall be attended to as quickly as possible and completed within a reasonable period.
- (j) The temporary suspension shall, subject to paragraph (g), remain in force until the finalisation of the disciplinary proceedings, including any appeals, provided that the NDCA may, upon application and if the circumstances so warrant, at any stage set aside such suspension.
- (k) The temporary suspension may at any stage be set aside by the structure, which imposed it, if it deems it necessary.

25.13 (a) The NEC must adopt Rules and Regulations for the regulation of the effective and appropriate implementation and functioning of

rule 25 dealing with disciplinary proceedings in the ANC.

- (b) Without prejudice to the generality of Rule 25.5, the NEC may, in regulations, prescribe further conduct by a member or public representative, constituting misconduct in respect of which disciplinary proceedings may be invoked and instituted against him or her.
- (c) The NEC shall adopt guidelines for the interpretation of Rule 25 and for the rules of procedure applicable during disciplinary proceedings, including time limits to be followed before, during and after a hearing.
- (d) The Rules, Regulations and guidelines referred to in this subrule must be adopted by the NEC within six (6) months from the conclusion of the 2007 National Conference.
- (e) The NEC may:
 - i. authorise other structures of the ANC to institute disciplinary proceedings; and
 - ii. establish appropriate structures to implement or make the appropriate arrangements to apply the provisions of Rule 25.



26 JUNE 2012

celebrating 57 years of the

FREEDOM CHARTER

Adopted at the Congress of the People, Kliptown, on 26 June 1955

We, the People of South Africa, declare for all our country and the world to know:

- that South Africa belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of all the people;
- that our people have been robbed of their birthright to land, liberty and peace by a form of government founded on injustice and inequality;
- that our country will never be prosperous or free until all our people live in brotherhood, enjoying equal rights and opportunities;
- that only a democratic state, based on the will of all the people, can secure to all their birthright without distinction of colour, race, sex or belief;
- And therefore, we, the people of South Africa, black and white together equals, countrymen and brothers adopt this Freedom Charter;
- And we pledge ourselves to strive together, sparing neither strength nor courage, until the democratic changes here set out have been won.

The People Shall Govern!

- Every man and woman shall have the right to vote for and to stand as a candidate for all bodies which make laws;
- All people shall be entitled to take part in the administration of the country;
- The rights of the people shall be the same, regardless of race, colour or sex;
- All bodies of minority rule, advisory boards, councils and authorities shall be replaced by democratic organs of self-government.

All National Groups Shall have Equal Rights!

- There shall be equal status in the bodies of state, in the courts and in the schools for all national groups and races;
- All people shall have equal right to use their own languages, and to develop their own folk culture and customs;
- All national groups shall be protected by law against insults to their race and national pride;
- The preaching and practice of national, race or colour discrimination and contempt shall be a punishable crime;
- All apartheid laws and practices shall be set aside.

The People Shall Share in the Country's Wealth!

- The national wealth of our country, the heritage of South Africans, shall be restored to the people;
- The mineral wealth beneath the soil, the Banks and monopoly industry shall be transferred to the ownership of the people as a whole;
- All other industry and trade shall be controlled to assist the wellbeing of the people;
- All people shall have equal rights to trade where they choose, to manufacture and to enter all trades, crafts and professions.

The Land Shall be Shared Among Those Who Work It!

- Restrictions of land ownership on a racial basis shall be ended, and all the land re-divided amongst those who work it to banish famine and land hunger;
- The state shall help the peasants with implements, seed, tractors and dams to save the soil and assist the tillers;
- Freedom of movement shall be guaranteed to all who work on the land;
- All shall have the right to occupy land wherever they choose;
- People shall not be robbed of their cattle, and forced labour and farm prisons shall be abolished.

All Shall be Equal Before the Law!

- No-one shall be imprisoned, deported or restricted without a fair trial;
- No-one shall be condemned by the order of any Government official;
- The courts shall be representative of all the people;
- Imprisonment shall be only for serious crimes against the people, and shall aim at re-education, not vengeance;
- The police force and army shall be open to all on an equal basis and shall be the helpers and protectors of the people;
- All laws which discriminate on grounds of race, colour or belief shall be repealed.

All Shall Enjoy Equal Human Rights!

- The law shall guarantee to all their right to speak, to organise, to meet together, to publish, to preach, to worship and to educate their children;
- The privacy of the house from police raids shall be protected by law;
- All shall be free to travel without restriction from countryside to town, from province to province, and from South Africa abroad;
- Pass Laws, permits and all other laws restricting these freedoms shall be abolished.

There Shall be Work and Security!

- All who work shall be free to form trade unions, to elect their officers and to make wage agreements with their employers;
- The state shall recognise the right and duty of all to work, and to draw full unemployment benefits;
- Men and women of all races shall receive equal pay for equal work;
- There shall be a forty-hour working week, a national minimum wage, paid annual leave, and sick leave for all workers, and maternity leave on full pay for all working mothers;
- Miners, domestic workers, farm workers and civil servants shall have the same rights as all others who work;
- Child labour, compound labour, the tot system and contract labour shall be abolished.

The Doors of Learning and Culture Shall be Opened!

- The government shall discover, develop and encourage national talent for the enhancement of our cultural life;
- All the cultural treasures of mankind shall be open to all, by free exchange of books, ideas and contact with other lands;
- The aim of education shall be to teach the youth to love their people and their culture, to honour human brotherhood, liberty and peace;
- Education shall be free, compulsory, universal and equal for all children; Higher education and technical training shall be opened to all by means of state allowances and scholarships awarded on the basis of merit;
- Adult illiteracy shall be ended by a mass state education plan;
- Teachers shall have all the rights of other citizens;
- The colour bar in cultural life, in sport and in education shall be abolished.

There Shall be Houses, Security and Comfort!

- All people shall have the right to live where they choose, be decently housed, and to bring up their families in comfort and security;
- Unused housing space to be made available to the people;
- Rent and prices shall be lowered, food plentiful and no-one shall go hungry;
- A preventive health scheme shall be run by the state;
- Free medical care and hospitalisation shall be provided for all, with special care for mothers and young children;
- Slums shall be demolished, and new suburbs built where all have transport, roads, lighting, playing fields, creches and social centres;
- The aged, the orphans, the disabled and the sick shall be cared for by the state;
- Rest, leisure and recreation shall be the right of all;
- Fenced locations and ghettos shall be abolished, and laws which break up families shall be repealed.

There Shall be Peace and Friendship!

- South Africa shall be a fully independent state which respects the rights and sovereignty of all nations;
- South Africa shall strive to maintain world peace and the settlement of all international disputes by negotiation – not war;
- Peace and friendship amongst all our people shall be secured by upholding the equal rights, opportunities and status of all;
- The people of the protectorates Basutoland, Bechuanaland and Swaziland shall be free to decide for themselves their own future;
- The right of all peoples of Africa to independence and self-government shall be recognised, and shall be the basis of close co-operation.

Let all people who love their people and their country now say, as we say here:

**THESE FREEDOMS WE WILL FIGHT FOR,
SIDE BY SIDE, THROUGHOUT OUR LIVES,
UNTIL WE HAVE WON OUR LIBERTY.**



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