

# African National Congress



## National Disciplinary Committee of Appeal (NDCA)

OFFICE OF THE CHAIRPERSON: CDE JEFF RADEBE

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**IN THE NATIONAL DISCIPLINARY COMMITTEE OF APPEAL  
(NDCA)**

**HELD AT ST. GEORGE HOTEL, IRENE, PRETORIA**

**ON FRIDAY 27 NOVEMBER 2015**

**CASE NUMBER: 7/2015**

**In the application of**

**THE CHAIRPERSON  
KWA ZULU NATAL PDC**

**Applicant**

**In the matter between**

**AFRICAN NATIONAL CONGRESS**

**Complainant**

**AND**

**SIYABONGA THANGO  
ZANELE NDZOYIYA  
SDUDUZO MAGWAZA**

**Charged Members**

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### **NDCA RULING**

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#### ***PDC request for extension of time***

1. On 5 November 2015 the Chairperson of the PDC in Kwa Zulu Natal applied to the NDCA in terms of Rule 25.53 of the ANC Constitution

for an extension of time to conclude the disciplinary proceedings against the abovenamed charged members.

**Background**

2. The allegation against the charged members was that on 15 March 2015 at the Ward 30 BGM of the ANC held at the Chesterville Community Hall, they consciously worked towards the failure of the BGM by:-
  - 2.1 discouraging members from attending;
  - 2.2 failing to participate effectively in programmes of the ANC towards a successful BGM;
  - 2.3 intimidating members not to attend; and
  - 2.4 refusing to sign the register for the BGM.
3. The charged members were alleged to have contravened the following acts of misconduct:-
  - 3.1 Rule 25.17.3 – failing or neglecting to execute ANC policy;
  - 3.2 Rule 25.17.4 – bringing the ANC into disrepute;
  - 3.3 Rule 25.17.5 – sowing racism or any other form of discrimination;
  - 3.4 Rule 25.17.6 – provoking divisions or impacting negatively on the unity of the ANC;
  - 3.5 Rule 25.17.8 – abuse of an elected or employed office to obtain an undue advantage;
  - 3.6 Rule 25.17.9 – participating in organized factional activity;
  - 3.7 Rule 25.17.11 – impeding the functioning of any structure or committee of the ANC; and
  - 3.8 Rule 25.17.15 – behaving in an unruly manner at ANC meetings and/or disrupting meetings.

