

55TH NATIONAL CONFERENCE **PROGRAMME**





ANC 55TH NATIONAL CONFERENCE PROGRAMME

16th to 20th December 2022 – Johannesburg Expo Centre, Nasrec

THURSDAY 15 DECEMBER 2022

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

FRIDAY 16 DECEMBER 2022

DAY ONE

SESSION 1 OPEN PLENARY SESSION

08h30–09h15 Interdenominational Prayers
National Anthem

SESSION 2 OPEN PLENARY SESSION

09h15–12h00 POLITICAL REPORT President Cyril Ramaphosa

12h00–14h30 LUNCH

SESSION 3 CLOSED PLENARY SESSION

14h00–14h15 Adoption of Conference Programme, Rules and Electoral Rules for Conference

14h15–14h45 CREDENTIALS Comrade Senzo Mchunu

14h45–17h15 ORGANISATIONAL REPORT Deputy President David Mabuza

17h15–19h00 DINNER

SESSION 4 CLOSED PLENARY SESSION

19h00–20h00 Clarifications and Adoption of Organisational Report

20h00–21h00 FINANCIAL REPORT Treasurer General Paul Mashatile

21h00–21h30 Integrity Commission Comrade George Mashamba

21h30–22h00 Constitutional Amendments Comrade Ronald Lamola

SESSION 5 OPEN PLENARY SESSION

Electoral Committee

22h00 – 23h00 Additional Nominations for President,
Deputy President, National Chair, Secretary General;
Deputy Secretary General and Treasurer General

SATURDAY 17 DECEMBER 2022**DAY TWO****SESSION 6 OPEN PLENARY SESSION**

08h30 – 09h30 Messages of Support

Voting for President, Deputy President, National Chair, Secretary General; Deputy Secretary General
and Treasurer General – Continues until concluded

SESSION 7 CLOSED PLENARY SESSION

09h30 – 10h05 Strategy and Tactics

Comrade Nathi Mthethwa

10h05 – 10h45 Elections

Comrade Fikile Mbalula, Comrade Tony Trew

10h45 – 11h20 Organisational Renewal

Comrade Thoko Didiza

11h20 – 11h30 Briefing of Commissions

Comrade Jeff Radebe

SESSION 8 CLOSED SESSION

Commissions on Organisational Strategy, Organisational Renewal, Management and Sustainability (x16)

11h30 – 13h30 Commission 1

Chairperson: David Masondo
Rapporteur: Tasneem Motara
Scribe: Bandile Sizani, Noluthando Shabalala

Commission 2

Chairperson: Thabang Makwetla
Rapporteur: Abba Omar
Scribe: Godfrey Ntombela, Palesa Maqabuka

Commission 3

Chairperson: RONALDA NOMALNAGA
Rapporteur: Buti Manamela
Scribe: Robert Mopp, Itumeleng Mafatshe

Commission 4

Chairperson: Stan Mathabatha
Rapporteur: Viola Motsumi
Scribe: Tebogo Phadu, Insaaf Isaacs

Commission 5

Chairperson: Maropene Ramokgopa
Rapporteur: Bheki Mtolo
Scribe: Sibongile Mbotwe, Tokologo Ngakane

Commission 6

Chairperson: Nathi Mthethwa
Rapporteur: Nonceba Mhalauli
Scribe: Ntakuseni Razwiedani, Luthando Nogcinisa

Commission 7	Chairperson: Mondli Gungubele Rapporteur: Deshi Nxanga Scribe: Lumko Mfende, Ashley Mabaso
Commission 8	Chairperson: Nomvula Mokonyane Rapporteur: Zamani Saul Scribe: Muzi Ndlovu, Ntombi Mekgwe
Commission 9	Chairperson: Nomusa Dube Rapporteur: Lerumo Kalako Scribe: Luvuyo Sasha, Keitumetse Moutloatse
Commission 10	Chairperson: Pemmy Majodina Rapporteur: Muzi Chirwa Scribe: Tingo Tengela, Melany Tembo
Commission 11	Chairperson: Lungiswa Losi Rapporteur: Cameron Dugmore Scribe: Siphon Ndelaphi, Thando Ntlemenza
Commission 12	Chairperson: Lindiwe Ntshalithali Rapporteur: Paseka Nompondo Scribe: Mvusi Mdala, Lawrence Shilabye
Commission 13	Chairperson: Naledi Pandor Rapporteur: Fasiha Hassan Scribe: Donovan Williams, Thulani Fakude
Commission 14	Chairperson: Maqueen Letsoha-Mathae Rapporteur: Lulama Ngcukayitobi Scribe: Ravin Singh, Moferefere Lekorotsoane
Commission 15	Chairperson: Nxolo Kiviet Rapporteur: Joy Maimela Scribe: Paul Mbenyane, Alex Mashilo
Commission 16	Chairperson: Faith Muthambi Rapporteur: Firoz Cachalia Scribe: Zahir Amien, Busani Ngcaweni
13h30 – 15h00	LUNCH
SESSION 9 15h00 – 19h00	Commissions on Organisational Strategy, Organisational Renewal, Management and Sustainability continue
19h00 – 21h00	DINNER

SESSION 10 OPEN PLENARY SESSION

21h00 – 23h00 Announcement Result of Incoming President, Deputy President, National Chair, Secretary General; Deputy Secretary General and Treasurer General
Electoral Committee

Additional nominations for NEC Members
Electoral Committee

Meeting of the Drafting and Resolutions Committee Consolidation Organisational Strategy, Organisational Renewal, Management and Sustainability

SUNDAY 18 DECEMBER 2022

DAY THREE

Voting for NEC Members from 08h30 – until conclusion

SESSION 11 CLOSED SESSION

08h30 – 12h30 Governance and Transformation Commissions

1. Peace and Stability

Chairperson: David Mahlobo
Rapporteur: Thandi Modise
Scribe: Thulani Mavuso, Michael Masiapata
Resource: Bheki Cele

2. Peace and Stability

Chairperson: Nosiviwe Mapisa-Nqakula
Rapporteur: Cassel Mathale
Scribe: Makgati Moholo, Ntandazo Sifolo
Resource: John Jefferies

3. Social Transformation

Chairperson: Lindiwe Sisulu
Rapporteur: Sylvia Lucas
Scribe: Sandi Mbatsha, Joe Rantete
Resource: Linton Mchunu, Sindi Nxonxo

4. Social Transformation

Chairperson: Nocawe Mafu
Rapporteur: Noxolo Kiviet
Scribe: Baphelele Mhlaba, Joseph Leshabane
Resource: Joyce Maluleke, Vusi Ndimba

5. Arts Culture and Heritage

Chairperson: Baleka Mbete
Rapporteur: Obed Bapela
Scribe: Noel Solani, Oscar van Heerden
Resource: Palesa Kadi

6. Arts Culture and Heritage

Chairperson: Susan Shabangu
Rapporteur: Sibongile Besani
Scribe: Bongani Ndlovu, Mandisa Khumalo
Resource: Nokugcina Madikezela

7. Communications and Battle of Ideas

Chairperson: Nkenke Kekana
Rapporteur: Khumbudzo Ntshavheni
Scribe: Themba Phiri, Nomfanelo Kota
Resource: Robert Nkuna

8. Communications and Battle of Ideas

Chairperson: Snuki Zikalala
Rapporteur: Dakota Legoete
Scribe: Siyabonga Mahlangu, Nongqubela Jordan
Resource: Tebogo Leshope

9. Legislature and Governance

Chairperson: Ayanda Dlodlo
Rapporteur: Thembi Nkadimeng
Scribe: Nhlankanipo Nkontwana, Sfisio Nkabinde
Resource: Mike Suttcliffe

10. Legislature and Governance

Chairperson: Phumullo Massualle
Rapporteur: Lechesa Tsenoli
Scribe: Melandre Frost, Vukani Mtintso
Resource: Linkie Mohlala

11. Education, Health Science and Technology

Chairperson: Nkosazana Dlamini Zuma
Rapporteur: Regina Mhlaule
Scribe: Confidence Moloko, Aquina Thulare

12. Education, Health Science and Technology

Chairperson: Blade Nzimande
Rapporteur: Angie Motshekga
Scribe: Dingane Ngobeni, Bandile Masuku

13. International Relations

Chairperson: Lindiwe Maseko
Rapporteur: Lindiwe Zulu
Scribe: Carmen Smidt, Mikatekiso Kubayi
Resource: Molly Dhlamini, Philani Mthembu
Resource: Zane Dangor, Siphomandla Zondi

14. Economic Transformation

Chairperson: Joe Maswagayi
Rapporteur: Mmamoloko Kubayi
Scribe: Nokwanda Mahori, Percy Mthimkhulu
Resource: Lufuno Marwala

15. Economic Transformation

Chairperson: Thoko Didiza
Rapporteur: Mdu Manana
Scribe: Njabulo Sithabe, Khwezi Tiya
Resource: Kenneth Creamer

16. Finance; Organisational Operations; and Programme Sustainability

Chairperson: David Makhura
Rapporteur: Febe Potgieter Gqubule
Scribe: Mdu Mbada, Safoora Sadek
Resource: Nhlanhla Mabaso
Resource: Bongani Mahlalela
Resource: Valli Moosa

12h30-14h30

LUNCH

SESSION 12 CLOSED SESSION

14h30 – 17h30 Governance and Transformation Commissions Continue

17h30 – 19h00 DINNER

SESSION 13 CLOSED PLENARY SESSIONReport Back to Plenary **Organisational Strategy, Organisational Renewal, Management and Sustainability**

19h00-21h00 Strategy and Tactics Comrade David Makhura

MONDAY 19 DECEMBER 2022**DAY FOUR****SESSION 14 CLOSED PLENARY SESSION**Report Back to Plenary continues **Organisational Strategy, Organisational Renewal, Management and Sustainability**

08h30 – 10h30 Organisational Renewal Comrade Fasiha Hassan

10h30 – 12h30 Constitutional Amendmentss Comrade Ronald Lamola

12h30 – 14h30 LUNCH

SESSION 15 CLOSED PLENARY SESSIONReport Back to Plenary **Governance and Transformation**14h30 – 22h30 Presentation of Draft Resolutions of Policies on Governance and Transformation
9 Reports

18h30 – 20h30 DINNER

TUESDAY 20 DECEMBER 2022**DAY FIVE****SESSION 16 CLOSED PLENARY SESSION**Report Back to Plenary continues **Governance and Transformation**09h00 – 12h00 Presentation of Draft Resolutions of Policies on Governance & Transformation and Finance, Operations
& Programme Sustainability
Outstanding Reports**SESSION 17 OPEN PLENARY SESSION**

12h00 – 12h45 Announcement of Incoming NEC Electoral Committee

12h45 – 13h00 Conference Declaration

13h00 – 13h30 Closing Address of ANC President

13h30 Nkosi sikelel' Afrika

LUNCH AND DEPARTURE

This programme serves as a guide. Plenary may be reconvened for any other presentations that may be required or should the need arise as determined by the Steering Committee or the nature of the electoral processes

RULES OF PROCEDURE

FOR THE 55TH 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) Treasurer General, Provincial Secretaries/IPC Coordinators and x3 League Secretary Generals/NTT Coordinators, General Manager, CFO, Finance Manager
NEC, NWC Coordinator and Conference Coordinator
- b. Drafting and Resolutions Committee: Convenors Barbara Creecy & Jeff Radebe.
Joel Netshitenzhe, Chairpersons of NEC Sub Committees and Supported by Spongy Moodley,
Robert Mopp, Desmoreen Carolus, & Rachmat Lamera
- c. Media Committee: Convenor Nat Kekana
- d. NDC: Chairperson Dr Ralph Mjijima

3. PROCEDURE IN PLENARY

The normal rules of ANC meeting procedure 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 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 a maximum of three minutes in Plenary Session. The Conference Chairperson shall reduce or extend this period.
- Delegates will be allowed to speak once during the plenary sessions on each topic.
- Each speaker will stand at the microphone provided on the floor and state his name 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 authorize 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 mike 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, where after the Chairperson shall give his or her ruling.
- All motions must be proposed and seconded before they are opened for discussions.

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- An exigency motion 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 which 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.

4. COMMISSIONS

- All commissions discuss Organisational Strategy, Organisational Renewal, Management and Sustainability
- 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 sectoral commissions
- All sub-committees must take in to consideration submissions made and these should be brought to the attention of the respective commissions
- Chairs should ensure the maximisation of participation of delegates.

5. EQUITABLE DISTRIBUTION TO COMMISSIONS

The NEC Policy Sub-Committee stressed that all provincial and league delegations must adhere to the principles of equitable distribution at commissions and that delegate are allocated proportionately to the number of commissions. The rationale is so that commissions do not get clogged on one particular sectoral policy discussion. Equal emphasis must be placed on all policy areas. Discussions on Economic Transformation that focus on achieving a more equitable distribution wealth, a higher growth rate and creating more jobs cannot overshadow discussions on Education and Health that forms the foundation of ensuring that we have the most appropriate skills and capacity and a healthy workforce through the realisation NHI. Likewise the discussions on Rural Development and Land Reform cannot take precedence over the policy choices we make on the security of our citizen and their access to justice in the Peace and Stability Commission. Similarly discussions on that focus on our ability to communicate and disseminate information to our fellow South African 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.

6. 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.

- a) 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.
- b) Delegates must refrain from any behaviour or action, which 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.
- c) 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 other documents will be distributed, unless approved by the Steering Committee.

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- d) Any acts of sexual harassment will be punishable.
- e) Delegates are expected to respect and obey the Chairperson in all sessions and commissions.
- f) 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.
- g) 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.
- h) Any breach of discipline shall be report to the Steering Committee, who shall bring such violations to the attention of the National Disciplinary Committee.

7. MANAGEMENT OF ORGANISATIONAL DISCIPLINE WILL BE APPLIED AS REFLECTED IN THE ANC CONSTITUTION AS ADOPTED BY THE 54th NATIONAL CONFERENCE IN 2017 IN RULE 25.

Delegates to conference attention is however drawn to the following in respect of the Constitution

- 25.2 All members, office bearers and public representatives have a duty to familiarise themselves with the contents of this Constitution, Standing Orders, Rules, Regulations, Resolutions and policies adopted or made in terms of the Constitution.

Acts of misconduct

- 25.17 The following conduct by a member, officer bearer or public representative shall constitute misconduct in respect of which disciplinary proceedings may be invoked and instituted against him or her:
 - 25.17.1 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;
 - 25.17.2 Conviction in a court of law for any serious non-political offence;
 - 25.17.3 Failing, refusing or neglecting to execute or comply with any ANC Policy, Standing Order, Rule, Regulation or Resolution adopted or made in terms of this Constitution or breaching the provisions of this Constitution;
 - 25.17.4 Behaving in a manner or making any utterance which brings or could bring or has the potential to bring or as a consequence thereof brings the ANC into disrepute;
 - 25.17.5 Sowing racism, sexism, tribal chauvinism, religious and political intolerance, regionalism or any other form of discrimination;
 - 25.17.6 Behaving in a manner which provokes or is likely to provoke or has the potential to provoke division or impact negatively on the unity of the ANC;
 - 25.17.7 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;
 - 25.17.8 Abuse of elected or employed office in the Organisation or in the State to obtain any direct or indirect undue advantage or enrichment;
 - 25.17.9 Participating in any organised factional activity that goes beyond the recognised norms of free debate inside the ANC and which threatens its unity;
 - 25.17.10 Publishing and/or distributing any media publication without authorisation which purports to be the view of any organised grouping, faction or tendency within the ANC;
 - 25.17.11 Undermining the respect for or impeding the functioning of any structure or committee of the ANC;
 - 25.17.12 Joining or 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;
 - 25.17.13 Standing in an election for local, provincial or national government or acting as the election agent or canvasser of a person standing

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- in such election for any political party and in opposition to a candidate duly endorsed by the NEC or PEC;
- 25.17.14 Misappropriating funds of the ANC or destroying its property;
- 25.17.15 Fighting, assaulting another member or behaving in a disorderly or unruly manner at ANC meetings, assemblies or gatherings and/or disrupting meetings and interfering with the orderly functioning of the ANC;
- 25.17.16 Prejudicing the integrity or repute of the Organisation, its personnel or its operational capacity by:
- 25.17.16.1 impeding the activities of the Organisation;
- 25.17.16.2 creating divisions within its ranks or membership;
- 25.17.16.3 doing any other act which undermines the ANC's effectiveness as an organisation; or
- 25.17.16.4 acting on behalf of or in collaboration with:
1. counter-revolutionary forces;
 2. 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;
 3. intelligence or the security services of other countries; or
 4. any person or group who seriously interferes with the work of the Organisation or prevents it from fulfilling its mission and objectives.
- 25.17.17 Being convicted in a court of law for the offence of fraud, theft of money, corruption, money-laundering, racketeering or any other act of financial impropriety;
- 25.17.18 Soliciting or accepting any bribe for performing or not performing any task pertaining to or in connection with the ANC;
- 25.17.19 In the case of a public representative, breaching his or her contract of deployment concluded with the NEC;
- 25.17.20 In the case of a member of an ANC Caucus, failing, refusing or neglecting to carry out or execute an instruction or mandate of such caucus; and
- 25.17.21 In the case of a representative in disciplinary proceedings, charging or soliciting a fee for services rendered or levying a disbursement for associated costs when representing a charged member, appellant or review applicant, as the case may be.
- 25.18 Notwithstanding the discretion afforded to a Disciplinary Committee in terms Rules 25.21 and 25.22 below, any member, office bearer or public representative found guilty by a Disciplinary Committee of any act of misconduct referred to in Rule 25.17. 12, 25.17.13 or 25.17.17 above shall be ineligible to be or remain as a member of the ANC and shall be expelled from the Organisation.

National Disciplinary Committee

- 25.19 The quorum for any sitting of the NDC shall be 3 (three) of the members appointed in terms of 12.2.17 above, one of whom shall chair the relevant disciplinary proceedings in the absence of the designated Chairperson of the NDC.
- 25.20 The NDC shall have jurisdiction to:
- 25.20.1 Hear and adjudicate upon any violation or act of misconduct contemplated in Rule 25.17 above and referred to it by the relevant body.
- 25.20.2 Act as an appeal committee in respect of cases adjudicated upon by a PDC; and
- 25.20.3 Act as a review committee in respect of cases adjudicated upon by a PDC, RDC or BDC which may be referred to it.
- 25.21 Where the NDC acts as a disciplinary tribunal of first instance, it shall have the competence to impose the following sanctions:
- 25.21.1 a fine;
- 25.21.2 a reprimand;
- 25.21.3 payment of compensation;
- 25.21.4 performance of useful tasks;
- 25.21.5 remedial action;
- 25.21.6 suspension of membership;
- 25.21.7 expulsion from the ANC;
- 25.21.8 in the case of an office bearer, removal or suspension from office;
- 25.21.9 In the case of a public representative, cancellation or suspension of his or her contract of deployment and/or removal from any

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list or instrument which entitles such person to represent the ANC at any level of government; and

25.21.10 A combination of sanctions set out in 25.21.1 to 25.21.6 above.

25.22 The NDC may suspend the operation of any of the sanctions imposed in terms of 25.21 above, with or without conditions, for a period to be determined by the NDC.

Where the NDC acts as an appeal or review tribunal

25.23 Where the NDC acts as an appeal tribunal or reviews a decision of a PDC, it shall have the competence to impose the following verdicts:

25.23.1 Uphold the appeal and set aside the decision of the PDC;

25.23.2 Dismiss the appeal and confirm the sanction imposed by the PDC;

25.23.3 Dismiss the appeal and impose an appropriate sanction;

25.23.4 Uphold the application for review and refer the matter back to the PDC for re-hearing;

25.23.5 Uphold the application for review, consider the merits and impose an appropriate sanction, if necessary; and

25.23.6 Dismiss the application for review.

25.24 Where the NDC acts as a disciplinary tribunal of first instance, an appeal from or review of its decision shall be to the NDCA.

National Disciplinary Committee of Appeal

25.25 The quorum for any sitting of the NDCA shall be 3 (three) of the members appointed in terms of 12.2.18 above, one of whom shall chair the relevant disciplinary proceedings in the absence of the designated Chairperson of the NDCA.

25.26 The NDCA shall have jurisdiction to:

25.26.1 Adjudicate upon appeals and review applications in matters determined by the NDC;

25.26.2 Adjudicate upon appeals and/or review applications lodged by public representatives; and

25.26.3 Adjudicate upon applications brought before it in terms of this Constitution.

25.27 The NDCA shall have the competence to impose the following verdicts:

25.27.1 Uphold the appeal and set aside the decision of the NDC and/or PDC;

25.27.2 Dismiss the appeal and confirm the sanction imposed by the NDC and/or PDC;

25.27.3 Dismiss the appeal and impose an appropriate sanction;

25.27.4 Uphold the application for review and refer the matter back to the NDC or PDC for rehearing or with an appropriate directive;

25.27.5 Uphold the application for review, consider the merits and impose an appropriate sanction, if necessary; and

25.27.6 Uphold or dismiss the application.

25.28 The decision of the NDCA shall be final.

Review by NEC

25.29 The NEC may, in its discretion, review any decision of the NDCA or NDC (if it was the final arbiter) to ensure that procedural fairness has been afforded to the charged member, appellant or applicant for review, as the case may be.

25.30 If the NEC finds that procedural fairness has not been afforded to the charged member, appellant or applicant for review, as the case may be, the NEC shall refer the matter back to the appropriate disciplinary committee, for re-hearing.

25.31 The members of the NEC who were party to the institution of the disciplinary proceedings and the NDCA or NDC members, as the case may be, who are also members of the NEC and who presided over the hearing and appeal concerned, shall recuse themselves from the NEC meeting during the discussion of the case.

RULES FOR NOMINATION AND ELECTION OF NEC MEMBERS AT 55th ANC CONFERENCE

The Electoral Committee was established by the NEC in 2021 as resolved by the 54th Conference, to make rules for and manage the selection of candidates for ANC public representatives, as well as for leadership positions in ANC structures.

The Conference Resolutions were passed to address weaknesses and manipulation of ANC selection and elections processes, and to make campaigning rules. The goal was to ensure a process that delivers candidates and leaders with the capacity, integrity and support needed to lead the ANC and government.

In terms of Rule 14, the NEC also appointed the EC to be the duly authorised electoral commission for NEC nomination and elections at the 55th Conference.

The EC does not elect or select leaders or candidates. It plays the same role as the IEC in national elections – the rule-maker and referee. Election and nomination administration and management is done by an independent agency, ELEXIONS, appointed by the ANC procurement process together with the EC and accountable to the EC. A secretariat of the EC acts as the link and liaison between the EC, Agency and Conference.

The EC members appointed by the NEC are the following:

- Kgalema Motlanthe (chair), Limpho Hani, Norah Fakude, Nkele Nthingane, Amos Masondo, Theodora Steele, Busi Tshwete, and Loretta Jacobus.
- The Secretariat are Chief Livhu Matsila, Bafana Sithole and Beatie Hofmeyr
- The Chief Electoral Officer of the Agency is Bontle Mpakanyane of the Elexions Agency

2. NOMINATIONS

- ANC branches are the primary structures of the ANC that nominate and vote for candidates for leadership. All voting delegates appear on the Conference voters roll and will be allowed to vote.
- Branches each nominated a maximum of 6 officials and 80 additional members. Provincial nominations were consolidated from the branch nominations for each province. All provinces and Leagues successfully nominated as stipulated in the Constitution and the Rules.
- The national consolidation of nominations was done on all who received provincial nominations, to determine the top three officials and top 240 provincial and league nominees who received the most branch support nationally. This list has been published, acceptance by nominees was obtained, and verification was done in terms of the Rules and Constitution.
- We are now left with the top three names for each official position – only names nominated by a province or league are considered and the number of branch nominations are then used to determine the top 3 for each official position and the top 240 for each NEC additional member. For some officials (President and DSG) only two were successfully nominated by a province or League.
- At Conference voting delegates may nominate from the floor anyone that you feel should still be included. To be added to a ballot a nominee must get 25% of voting delegates' support and pass the immediate verification and screening. From each province or league, delegates may nominate successfully from the floor, a maximum of two candidates per ballot.

3. Leadership selection is a very important task and voting delegates must approach it with careful political analysis and integrity.

- The ANC depends on its leadership to guide implementation of ANC policies and Conference Resolutions, and to make decisions in between National Conferences. Our success as a movement depends on the quality, capacity and makeup of our NEC. The NEC is the public face of the

RULES FOR NOMINATION AND ELECTION OF NEC MEMBERS AT 55th ANC CONFERENCE

ANC and must be made up of leaders who reflect our values and represent the diversity of the South African people. They need leadership and political capacity, a good track-record, public standing and the moral integrity to provide leadership to the ANC, the motive forces of our struggle, and society in general.

- We need the NEC to reflect our values and our united, non-racial and non-sexist character. We should recognise the importance of including young people in leadership positions. At least 50% of elected members must be women and we must strive to represent the different national groups in our country.
- It is your mission as a delegate to represent your branch and ensure that the best possible leadership collective is elected by Conference. Remember that you must make up your own mind and do not have to vote for any consolidated provincial or league nomination list. Your branch is your mandating structure and you should report back on how you exercised the mandate they gave you. You may be influenced by others, but you have a very serious responsibility to apply your mind, and your political and ethical values to the choices you make.
- The Rules as approved by the NEC, ensure a free and fair nomination and election processes. They seek to undo the negative practices that have plagued our processes in the last three Conferences, where delegates were influenced by often irregular means to ensure a particular outcome for a faction or a slate.
- The Rules are based on the Constitution and the Organisational Renewal Resolution of the 54th Conference. Breaking or undermining these Rules will be a disciplinary offense and can lead to offenders being expelled or suspended from the ANC, and/or from participation in the Conference.

4. RULES FOR WHO MAY STAND AS A CANDIDATE FOR THE NEC

The ANC expects the highest ethical and moral standards from its NEC leaders. Any member may stand for the NEC if they have been an active member for at least ten years, unless they are prohibited from standing by one of the rules below.

"4.2 No-one may contest ANC elections for leadership if:

4.2.1 They have been found guilty of, or have been charged with unethical or immoral conduct, or any serious crime, or corruption. A serious crime is defined as a crime that could result in a prison sentence of 12 months, or longer, with or without the option of a fine. A disqualification under this paragraph ends five years after the sentence of imprisonment has been completed, or the fine has been paid. (BOLD IS PROPOSED AMENDMENT) A charge is defined as being charged in a court of law. This rule applies also to members who have been charged with any criminal offences in cases that are still being heard, or where a judgment or sentence is being appealed.

4.2.2 They have been found guilty by a Disciplinary Committee for contravening the ANC Code of Conduct, and had their membership suspended for any period in the last ten years. This rule applies also where a member is awaiting the outcome of a disciplinary hearing or an appeal.

4.2.3 The rules above apply also to all members who are temporarily suspended pending the outcome of a court case or disciplinary hearing, and to members on whose cases the IC have completed and submitted a report and recommendation of suspension of membership, or stepping aside from leadership or public office. (Once these reports are tabled and processed by the NEC, recommendations can be implemented.)

4.4 THE EC must use these rules to vet all nominees that make it onto the list of those who may appear on a ballot paper, and exclude those affected by any part of rule 4.2.1 to 4.2.3."

5. ANC CONSTITUTIONAL AND CAMPAIGNING RULES THAT APPLY TO CAMPAIGNING AND CONDUCT DURING NOMINATING AND ELECTING LEADERS

Acts of misconduct related to elections and nominations can result in a disciplinary committee process and a member can be suspended or expelled. Immediate action will be taken to exclude anyone from the conference and charge them at a DC of the ANC if they do the following:

- Fail to obey any rules for nomination and election of leadership, the orderly voting process, security and conduct, in conference and in and around the voting centre.
- Sow racism, sexism, tribal chauvinism, religious and political intolerance, regionalism or any other form of discrimination or factionalism.

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- Bring the ANC into disrepute or disrupt any election or conference process through violence, aggression, disorder or noise.
- Provoke division, promote slates and use negative campaigning against any candidates
- Prevent the functioning of any structure or committee of the ANC.
- Misappropriate funds or destroy the property of the ANC or the hosting venue
- Vote selling or buying or any other act that undermines or corrupts the democratic process.
- Candidates will be held responsible for preventing any actions by their supporters that go against these rules, and for their campaign teams abiding by the following rules:
 1. Any candidate whose campaign supporters participate in such activities must condemn the actions of their supporters and may be disqualified if they do not make a strong effort to end this behaviour.
 2. All candidates must agree to abide by these rules and to keep a clear record of all sources of donations in money or in kind, and all spending on their campaign and present this to the EC.
 3. The EC has the right to demand further particulars and to inspect bank statements of candidates, campaigns and campaign workers and to interview members of campaign teams.

The EC believes that campaigning should be allowed within these rules, but that all should observe the rules. Campaigning and lobbying should be an open process where we are allowed to influence each other but we should protect the right of voters to vote for the nominees of their choice and protect that right against corrupt practices that seek to manipulate and undermine the democratic process.

6. ELECTIONS PROCESS AT NATIONAL CONFERENCE

OFFICIALS

At Conference elections will be held in two rounds with results for each round announced before reopening nominations for the next ballot. The first ballot will contain the top three nominees for each of the official positions: President, Deputy President, National Chairperson, Secretary General, Deputy Secretary General, and Treasurer General

Conference delegates may nominate additional candidates from the floor and anyone who gets the support of 25% of delegates, will be added to the ballot. No more than two nominees may be successfully nominated from the floor by delegates from each province or League. Any successful nominations from the floor will be added to the ballot paper in the correct alphabetical position. Nominations from the floor must be counted by the election officers from the independent agency.

ADDITIONAL NEC MEMBERS

For additional members, the 240 nominees with the most branch nominations at national level will appear on the ballot paper in alphabetical order. Additional nominees may be added from the floor by a 25% vote. After that the ballot will be printed on one large sheet of paper with security features.

LOGISTICS AT THE VOTING CENTRE

- All provinces and Leagues will be allowed two observers to be trained and registered as observers for the voting and counting. Only one may be inside the centre at a time and they will be expected to work shifts. They must sign a code of conduct and may be removed if they disrupt the process.
- Around 4 500 voters must be accommodated in the voting centre. Around 25 voters roll check and tag scan points and 200 voting booths will accommodate 200 voters at any one time inside the voting centre – it will take about 4-6 hours to process 4500 for the first ballot. Each voter

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will need about 5 minutes to proceed through the process to vote for the officials' ballots, and about 20 minutes for the additional members vote. The additional NEC member vote will take 8-14 hours

- All voting is manual with pens and on paper ballots.
- Voters will be fetched by marshals from plenary or commissions in groups of 400. They will pass through metal scanners and all phones must be switched off and kept in bags or pockets once in the voting station queue. The process will be much faster if bags are left in commissions or plenary and there will be a faster queue for those without bags. 200 voters will be inside at a time, and a further 200 will be in the queue with about 100-200 in the holding area before the metal detector screening. All will be searched for weapons and must show that their cell phones are switched off and in their pockets or bags, before entering the queue directly outside the voting centre. Phones may not be switched on or used inside the voting centre.
- Voting at Conference will take place by secret ballot, on paper, and on the basis of the voters' roll reflecting the credentials of voting delegates as approved by Conference. Your voting delegate tag must be used to prove you are on the voters roll.
- Every voter who is issued a ballot must have their tag number entered or scanned before receiving a ballot. Voters who exit the centre will also have a different finger marked for every ballot, or have their tag clipped in a different position, to ensure that no-one votes twice.
- Delegates who are not on the roll or do not possess a voting tag, but claim to be voters and have proof will be dealt with in a separate process. They need proof that they have either been issued with a tag, or appear on the list of voting delegates. At a separate table they will cast a quarantined declaration ballot. This ballot is set aside inside a double envelope with their details on the outside, and not added to the ballot box, or counted, until disputed facts about their eligibility are proven to the satisfaction of the EC. These ballots must be kept separately even after results and investigations are completed.
- All ballots placed in the ballot boxes will be counted if the intention of the voter is clear and if there are no more than the allowed number of votes on the ballot. Spoilt ballots should be set aside during the count and kept separately.
- Counting will take place in the same venue which will be locked down and secured for counting at the end of each round of voting. No-one not deployed for working on counting will be allowed in.
- Counting for the first ballot for officials will take about 4-6 hours. Ballots will simply be batched into piles for each candidate and then counted manually (as done in IEC elections) and batch totals will be tallied and captured on an excel spreadsheet. Any batch can be checked and re-counted in front of observers if needed.
- This means that the first round of voting and counting will take about 12 hours in total. When results are announced, further nominations from the floor will also be taken for the additional members at that point.
- The voting for additional members will take up to 10 hours. Counting will take another 8-12 hours depending on requests for recounts. Ballots will be checked by hand in front of observers and every vote will be captured on an excel spread sheet by entering the bar code number or scanning the bar code with a hand held scanner.
- The system will ensure no ballot has more than 80 votes.
- Observers can ask for checks of any ballot.

The EC will have the power to order the removal of anyone from the election centre.

At the end of each count, the Elections Agency and the Chair of the Electoral Committee will announce the results in Plenary.

