



ANC YOUTH LEAGUE CONSTITUTION

As amended and adopted by the
23rd National Congress
April 2008

ANC Youth League Constitution

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23rd National Congress, April 2008*

CONTENTS

ARTICLE A: PREAMBLE	1
ARTICLE B: NAME	2
ARTICLE C: COLOURS AND SYMBOLS	2
ARTICLE D: AIMS AND OBJECTIVES	2
ARTICLE E: STATUS	4
ARTICLE F: RELATIONSHIP WITH THE AFRICAN NATIONAL CONGRESS	4
ARTICLE G: MEMBERSHIP	5
ARTICLE H: RIGHTS AND OBLIGATIONS	7
ARTICLE I: GENDER AND AFFIRMATIVE ACTION	9
ARTICLE J: ORGANISATIONAL STRUCTURE OF THE YOUTH LEAGUE	10
<i>Section 1: The National Congress</i>	<i>11</i>
<i>Section 2: Extra-Ordinary Congress</i>	<i>13</i>
<i>Section 3: National General Council</i>	<i>13</i>
<i>Section 4: National Executive Committee</i>	<i>14</i>
<i>Section 5: National Working Committee</i>	<i>17</i>
<i>Section 6 Provincial Congress</i>	<i>21</i>
<i>Section 7: Provincial General Council</i>	<i>22</i>

<i>Section 8: Provincial Executive Committee (PEC)</i>	23
<i>Section 9: Provincial Working Committee</i>	25
<i>Section 10: Regional Congress</i>	26
<i>Section 11: Regional General Council</i>	27
<i>Section 12: Regional Executive Committee (REC)</i>	28
<i>Section 13 Regional Working Committee</i>	29
<i>Section 14: Zonal and Sub-regional Structures</i>	30
<i>Section 15: Branches</i>	32
<i>Section 16: Branch Congress</i>	33
<i>Section 17: Branch Executive Committee</i>	34
<i>Section 18: Branch General Meeting</i>	35
ARTICLE K: DISCIPLINE	36
ARTICLE L: RULES AND REGULATIONS	36
ARTICLE M: FINANCE POLICY	37
ARTICLE N: QUORUM	37
ARTICLE O: AMENDMENTS	37
ARTICLE P: DISSOLUTION	38
SCHEDULE A:	
CODE OF CONDUCT OF THE ANC YOUTH LEAGUE	39

ARTICLE A: PREAMBLE

The African National Congress Youth League was founded in 1944 as an organisation of the youth committed to the ideals of democracy, freedom and peace, it is governed by and adheres to the policies and programmes of the ANC, and its existence derives from the Constitution of the ANC.

The Youth League as a mass youth formation of the ANC is committed to the creation of a united, non racial, non-sexist, democratic and prosperous South Africa. It shall rally all the youth of our country to play an active part in the struggles of the community and the building and defence of democracy. In doing so, the ANC Youth League shall strive to achieve fundamental social change for the benefit of all young people. It shall endeavour to unite the youth of our country to take their rightful place in the affairs of the country.

The Youth League has over the years organised young people to play a critical role in the struggle for liberation culminating in the democratic breakthrough of 1994 which opened up opportunities for the liberation movement to advance the National Democratic Revolution. The Freedom Charter remains the guiding programme of the Youth League.

ARTICLE B: NAME

1. The name of the organisation shall be the African National Congress Youth League; hereinafter referred to as the ANCYL.

ARTICLE C: COLOURS AND SYMBOLS

1. The colours of the ANCYL shall be those of the ANC, which are Black, Green and Gold.
2. The emblem of the ANCYL shall be three hands each holding a spear, a hammer and a book. In the same sequence, these will be in red, signifying the blood of our young martyrs spilt over many years of resistance to oppression, against a gold background. The emblem will be round in shape and shall be ringed with the green and black colours at its fringes with the black colour on the outer edge.
3. The name of the organisation shall be printed in black on the green strip.

ARTICLE D: AIMS AND OBJECTIVES

The ANCYL shall:

1. Strive to rally the youth of our country to support and unite behind the ANCYL and actively participate in the struggle to create a non-racial, non-sexist, united, democratic and prosperous society;

2. Support and reinforce the African National Congress in the attainment of the goals of the National Democratic Revolution;
3. Ensure that the youth make a full and rich contribution to the work of the ANC and to the life of the nation;
4. Champion the general interests and rights of the South African Youth in the socio-economic and political life of the country;
5. Promote unity and patriotism among the youth;
6. Promote the creation of a broad, non-aligned pioneer movement and fight for the rights of children as enshrined in the Constitution of the Republic of South Africa
7. Strive and work for the educational, moral and cultural upliftment of the youth;
8. Promote gender equality in all spheres of life, especially amongst the youth;
9. Promote among youth the spirit of international solidarity, peace and friendship with other nations;
10. To champion the cause of the African Renaissance.

ARTICLE E: STATUS

1. The ANCYL shall be a legal persona with perpetual succession of power, apart from its individual members, to acquire, to hold and alienate property, enter into agreements, and do all things necessary to carry out its aims and objects and defend its members, its property and reputation.
2. The organisational control and programmes of the ANCYL shall rest in the ANCYL membership and structures in accordance with its Constitution.
3. The ANCYL shall operate on a national, provincial, regional, zonal and branch level. Other structures can be created for co-ordination and implementation purposes and will enjoy delegated powers.

ARTICLE F: RELATIONSHIP WITH THE AFRICAN NATIONAL CONGRESS

1. The ANCYL shall be a voluntary youth organisation and mass organ of the ANC.
2. The ANCYL shall function as an autonomous body within the overall structure of the ANC of which it shall be an integral part. It shall be based on the political and ideological objectives of the ANC.

3. The ANCYL shall liaise closely with the ANC at all levels (national, provincial, regional, zonal and branch levels).
4. Members of the Youth League over the age of 18 shall be obligated to play a full part in the general political life of the ANC.
5. A member of the Youth League shall not be eligible for any position as office-bearer of the ANC or attend ANC conferences, members or executive meetings of the ANC (unless specially invited), unless s/he is a full member of the ANC.

ARTICLE G: MEMBERSHIP

1. Membership of the ANCYL shall be open to all South African Youth between the ages of 14 and 35 who accept its policy guidelines, aims and objectives as referred to above.
2. Applications for membership shall be received and considered by the ANCYL Branch Executive Committee, where such exists, and by the Regional Executive Committee if no Branch Executive Committee exists. The Branch Executive Committee and the Regional Executive Committee have the power to accept or reject an application. In the event of a rejection, the applicant must be informed

in writing and shall be made aware of his/her right to appeal to the Provincial Executive Committee within twenty one (21) working days. The appeal should be in writing. The Provincial Executive Committee must finalise the appeal within 60 working days.

3. Young people, who qualify for membership in accordance with rules of this section, shall be issued with a membership card on payment of a Joining fee. Members shall be expected to pay Annual Subscription fees. The joining and Annual Subscription fees shall be determined by Congress or the NEC.
4. Members shall join the ANCYL only once, and membership shall lapse when a person turns 35 years, is expelled following disciplinary proceedings, immigrates, resigns from the Youth League in writing to the organisation or passes away. A person's membership shall also lapse if after an annual membership audit or review, it is found that such a member has not paid her/his annual subscriptions for up to 6 months.
5. All members shall on acceptance into the ranks of the ANCYL solemnly declare their readiness and willingness to serve the organisation and shall declare as follows:

"I, solemnly declare that I will abide by the aims

and objectives of the ANC Youth League as set out in the Constitution, that I am joining the organisation voluntarily, without expectation of material gain and I will participate in the life of the organisation as a loyal, active and disciplined member.”

6. Dual or multiple memberships by individuals shall be welcome provided the policies and programmes of those organisations to which they belong or may wish to belong, are not hostile to those of the ANCYL.
7. Young women, who are members of the ANCYL and over the age of eighteen (18) years, shall be obliged to join and play a full and active part in the general political life of the ANC Women’s League.

ARTICLE H: RIGHTS AND OBLIGATIONS

Rights:

Every member of the ANCYL shall have the right to:

1. Take part in the formulation and discussion of the ANCYL policy;
2. Be elected to any committee, commission or delegation of the youth. For an ANCYL member to qualify to stand for position in the NEC, PEC, REC, Zonal Committee and BEC,

the member should be an active member of the ANCYL in good standing for at least three years for the NEC and PEC; two years for the REC; one year for the Zonal Committee and the BEC

3. Submit proposals or statements to the branch and to the region and province on any matter that affects the youth and society in general;
4. Engage in constructive criticism and self-criticism, within the constitutional structures of the League;
5. Protection against any harassment, victimisation and/ or discrimination based on race, ethnicity, sex or creed;
6. Actively participate in all ANCYL activities.

Obligations:

All ANCYL members are obliged to:

1. Pledge their unswerving loyalty to the ANCYL and place them under its overall discipline;
2. Carry out decisions, duties and directives with diligence;
3. Organise, participate and contribute positively to all ANCYL activities and to contribute to the strengthening of its organic unity;
4. Rally all youth to support and unite behind the

ANCYL and actively participate in the creation of a united, non-racial, non-sexist, democratic and prosperous South Africa;

5. Protect the ANCYL and its property at all times by exercising maximum vigilance;
6. Exercise discipline and exemplary behaviour at all times and maintain harmonious relations with all members of the ANCYL and the community in general;
7. Combat all forms of tribalism, regionalism, nepotism, and other forms of discrimination based on race and sex as well as combating factionalism and malicious gossip within our ranks;
8. Initiate and participate in activities aimed at promoting international solidarity, peace and social Justice;
9. Every member of the ANC Youth League above the age of 18 shall be obliged to join the ANC.

ARTICLE I: GENDER AND AFFIRMATIVE ACTION

1. In the endeavour to reach the objective of full representation of women in all decision-making structures, the ANCYL shall implement a programme of affirmative action, including the provision of a quota not less than fifty

percent (50%) in all its structures to enable such effective participation.

2. The method of such implementation will be addressed immediately in all ANCYL structures and on a continuing basis.
3. Representation or delegations to ANCYL activities shall be based on the 50/50 principle.

ARTICLE J: ORGANISATIONAL STRUCTURE OF THE YOUTH LEAGUE

1. National Congress
2. Extra-Ordinary Congress
3. National General Council
4. National Executive Committee
5. National Working Committee
6. Provincial Congress
7. Provincial General Council
8. Provincial Executive Committee
9. Provincial Working Committee
10. Regional Congress
11. Regional General Council
12. Regional Executive Committee
13. Regional Working Committee
14. Zonal General Council

15. Zonal Committee
16. Branch Congress
17. Branch Executive Committee
18. Branch General Meeting

Section 1: The National Congress

The National Congress shall be the highest decision making body of ANCYL. National Congress shall convene after every three years.

1.1 Composition

- 1.1.1 Delegates shall be elected democratically by and from branches in good standing in proportion to their membership. Branch delegates shall constitute at least 90% of all voting delegates to Congress.
- 1.1.2 The NEC may consider special representation for areas where ANCYL structures are not fully developed,
- 1.1.3 Members of the NEC and PECs shall attend ex-officio as participants in the Congress, with full speaking and voting rights.
- 1.1.4 A quorum at National Congress shall be 2/3 of delegates.
- 1.1.5 All delegates to Congress shall be members in good standing.

1.2 *Procedures at Congress*

- 1.2.1 The Congress shall determine procedures in accordance with democratic principles.
- 1.2.2 Decisions at Congress are made on the basis of 50 percent plus a one majority in favour or against, subject to the provisions of Section N of the Constitution.
- 1.2.3 Election of office bearers shall be by secret ballot.

1.3 *Duties and Powers of National Congress*

- 1.3.1 Lay down policy platform, determine and decide programmes and the Constitution of the ANCYL;
- 1.3.2 Receive and consider reports of the NEC, which shall be presented by the President, the Secretary General and the Treasurer-General;
- 1.3.3 Have the right to review, ratify, amend or rescind any decision and/ or recommendation taken by any of the constituent structures and/or officials of the ANCYL;
- 1.3.4 Elect the President, the Deputy President, the Secretary General, the Deputy Secretary General, the

- Treasurer-General and thirty five (35) other members of the NEC;
- 1.3.5 Have the power to elect or appoint any Commission or Committee and assign specific tasks and duties to such Commission, Committee or individual(s) as the case may be;
 - 1.3.6 Have the power to confer honours, decorations and awards on members, organisations or individuals in appreciation or recognition of their role in the work of the ANCYL or the struggle for the birth and the creation of a united, non-racial, non-sexist, prosperous and democratic South Africa

Section 2: Extra-Ordinary Congress

- 2.1 An Extra-ordinary Congress may be convened at any time to address major policy issues.
- 2.2 The Congress may be called by the NEC or at the insistence of a 2/3 majority of the provinces of the ANCYL.

Section 3: National General Council

- 3.1 A National General Council may be convened by the NEC from time to time, provided that the NEC shall convene a National General

Council not later than 18 months after National Congress.

3.2 The National General Council shall:

- (a) Subject to scrutiny, determine and review the policies and programmes of the ANCYL;
- (b) Receive and discuss reports of the NEC;
- (c) Have the power to discuss any issues it deems necessary taking into account policies and directives of the National Congress,
- (d) Subject to Clause 13.2.1 (e) the National General Council may fill vacancies that have arisen in the NEC provided that such vacancies do not exceed 50% of the NEC National Executive Committee.

Section 4: National Executive Committee

4.1 The National Executive Committee shall hold office for three years.

4.2 ***Composition***

- 4.2.1 The NEC shall be constituted as follows:
President

Deputy President
Secretary General
Deputy Secretary General
Treasurer General
Thirty five (35) directly elected
members
Provincial Chairpersons and Provincial
Secretaries in an ex-officio capacity.

- 4.2.2 Any member shall, upon his/her election to the NEC in his/her own right, relinquish his/her position in lower constitutional structures.
- 4.2.3 In that event, the Deputy shall assume all the duties of the predecessor including the membership of the NEC pending a Provincial General Council.
- 4.2.4 One shall cease to be a member of the NEC upon absencing oneself from two successive NEC meetings without a valid reason.
- 4.2.5 Should a vacancy occur in the NEC for any reason, the NEC shall have the power to co-opt a replacement, provided such co-option is supported by 2/3 majority of the members of the NEC.
- 4.2.6 The NEC shall have the power to co-opt not more than five (5) additional

members at any time during its term of office in order to provide for a broad representation that reflects the true character of the South African youth, provided such cooption enjoys the support of 2/3 of the NEC.

- 4.2.7 The position of Secretary General shall be full-time and the NEC will decide which other positions shall be fulltime.

4.3 ***Powers and Procedures***

4.3.1 The NEC shall, at its first meeting, meet and elect a National Working Committee.

4.3.2 The NEC shall meet at least once in three months;

4.4 ***Duties***

The NEC shall:

4.4.1 Carry out the decisions and instructions of the National Congress;

4.4.2 Issue and send directives to and receive reports from Provincial Executive Committees;

4.4.3 Supervise and direct the work of the ANCYL;

4.4.4 Ensure that the provincial, regional

- and branch structures of the ANCYL function democratically and effectively;
- 4.4.5 Manage and control all national property and funds of the ANCYL;
 - 4.4.6 In pursuit of the above, have the power to establish commissions, departments or subcommittees in order to facilitate the work of the ANCYL.
 - 4.4.7 Shall receive and adopt annual audited financial statements of the ANCYL and shall present this statement to a finance commission at National Congress.

Section 5: National Working Committee

The NWC shall be elected at the first NEC meeting from the ranks of directly elected members by Congress.

- 5.1 The ***National Working Committee*** shall:
 - 5.1.1 Carry out decisions and instructions of the NEC;
 - 5.1.2 Ensure communication between provinces and the NEC;
 - 5.1.3 Submit reports to each NEC meeting;
 - 5.1.4 Co-ordinate and execute the day-

to-day administrative tasks of the ANCYL.

- 5.1.6 One shall cease to be a member of the NWC upon absencing oneself from two successive meetings without a valid reason.

5.2 ***Duties and Functions of Officials***

5.2.1 The **President**:

- (a) Shall be the Chief Executive Officer of the ANCYL;
- (b) Shall preside over meetings of the NEC;
- (c) Shall liaise with the NEC of the ANC;
- (d) Shall present a report on the state of the ANCYL and the political situation in general at National Congress;
- (e) Shall supervise all work of the ANCYL in conformity with the constitution and rules of procedure agreed upon by the NEC;
- (f) Shall report regularly to the NWC and the NEC;
- (g) Shall be an ex-officio member of the ANC National Executive Committee.

- 5.2.2 The **Deputy President**:
- (a) Shall deputise for the President;
 - (b) Shall; in the absence of the President, assume his/her duties and responsibilities.

- 5.2.3 The **Secretary General**:
- (a) Shall be the chief Administrative Officer of the ANCYL.
 - (b) Shall be responsible for minutes of the National Congress, the NEC, the National Working Committee and all other records of the ANCYL;
 - (c) Shall prepare annual reports on the overall work of the ANCYL;
 - (d) Shall liaise with other organisations and institutions nationally and internationally;
 - (e) Shall be responsible for the overall functioning of the NEC as well as convening meetings thereof;
 - (f) Shall report regularly to the NWC and the NEC; and
 - (g) Shall be an ex -officio member of the ANC National Executive Committee.

- 5.2.4 The **Deputy Secretary General**:
- (a) Shall deputise for the Secretary General;
 - (b) Shall, in the absence of the Secretary General, carry out her/his duties and responsibilities;
 - (c) shall serve as the Chief Personnel Officer of the ANCYL.

- 5.2.5 The **Treasurer General**:
- (a) Shall be responsible for the finances of the League and shall, with two appointed members of the NWC, operate a banking account on behalf of the ANCYL;
 - (b) Shall keep books, accounts and other records necessary to clearly reflect the financial position of the ANCYL;
 - (c) Shall head the National Finance and Fundraising Committee which shall be responsible for:
 - (i) working out and executing plans for fundraising
 - (ii) preparing annual and other budgets; and
 - (iii) making recommendations regarding funding of all structures of the ANCYL
 - (d) Shall be the chief guardian of all

- the property of the ANCYL;
- (e) Shall ensure the presentation of annual audited financial statements to the NEC;

Section 6: Provincial Congress

The Provincial Congress shall be highest decision-making body of the ANCYL in the provinces.

6.1 Composition

- 6.1.1 Delegates shall be elected democratically by and from branches in good standing in proportion to their membership. Branch delegates shall constitute at least 90% of all voting delegates to Congress.
- 6.1.2 Members of the PEC, including Regional Chairpersons and Secretaries shall attend ex-officio as participants in the Congress, with full voting and speaking rights.
- 6.1.3 REC members may, as per decision of the PEC attend with full speaking, but no voting rights.

6.2 Procedures, Powers and Duties

The Provincial Congress shall:

- 6.2.1 be held at least once in two years or more frequently if requested by two-

- thirds of all branches in the province;
- 6.2.2 Receive and consider reports by the Provincial Executive Committee; which shall be presented by the Chairperson, the Secretary and the Treasurer;
 - 6.2.3 Elect the Provincial Executive Committee;
 - 6.2.4 Develop and implement the policy and program of the ANCYL guided by the national program of action, within the context of each province.

Section 7: Provincial General Council

- 7.1 The provincial General Council shall be the highest decision-making body in the province between Provincial Congresses.
- 7.2 The Provincial General Council shall consist of all members of the PEC; RECs and delegates representing branches in proportion to membership.
- 7.3 It shall convene at least twice a year.
- 7.4 It shall on good cause shown, be convened by the PEC upon the request of one third of the branches in the provinces.
- 7.5 Reports following meetings of Provinces General Council shall be submitted to the PEC and the branches.

- 7.6 The Provincial General Council shall have the power to deal with any issues it deems necessary including the filling of vacancies on the PEC provided it does not exceed 50 percent plus one of the Executive, subject always to policies and directives of National and Provincial Congress

Section 8: Provincial Executive Committee (PEC)

8.1 Composition

- 8.1.1 The Provincial Executive Committee shall consist of elected members by the Provincial Congress which shall be the:

Provincial Chairperson

Deputy Chairperson

Provincial Secretary

Deputy Secretary

Treasurer

Twenty (20) additional members and Regional chairpersons or Secretaries in an ex-officio capacity

- 8.1.2 The position of Provincial Secretary shall be a full-time position.
- 8.1.3 One shall cease to be a member of the PEC should one absent oneself

from two successive PEC meetings without a valid reason.

8.1.4 The PEC shall have the power to co-opt not more than three (3) additional members at any time during its term of office in order to provide for a broad representation that reflects the true character of the South African youth, provided such co-option enjoys the support of 2/3 of the PEC.

8.1.5 Where vacancies on the PEC exceed more than 50% of members elected at Provincial Congress, a Special Provincial Congress shall be convened.

8.2 Powers and Duties

The PEC shall:

8.2.1 Be responsible for the implementation of decisions of the Provincial Congress, NEC and National Congress;

8.2.2 At its first meeting allocate portfolios to the eight (8) additional members of the PEC and there after meet at least once a month;

8.2.3 Organise, establish and co-ordinate regions and branches of the ANCYL in the province;

- 8.2.4 Implement the policy and programmes of the ANCYL and strive to further the interests, aims and objectives of the ANCYL as a whole;
- 8.2.5 Manage and control the funds and property of the ANCYL in the province.

8.3 Functions of Provincial Executive Committee (PEC) Office Bearers

Provincial office bearers shall, with specific consideration of circumstances and scope, perform the same functions as the national office bearers of the ANCYL in the provinces.

Section 9: Provincial Working Committee

Provincial Working Committee shall be elected at the first PEC meeting from the ranks of directly elected members by Provincial Conference.

- 9.1 The Provincial Working Committee shall:
 - 9.1.1 Be constituted by officials and three members of the Provincial Executive Committee.
 - 9.1.2 Carry out decisions and instructions of the PEC.
 - 9.1.3 Ensure communication between regions and the PEC.
 - 9.1.4 Submit reports to each PEC meeting.

- 9.1.5 Co-ordinate and execute day to day administrative tasks of the ANCYL.
- 9.1.6 One shall cease to be a member of the PWC upon absenting oneself from two successive meetings without a valid reason.

Section 10: Regional Congress

Delineation of regions shall be undertaken by the PEC, with demarcations as far as possible in line with those of the ANC

10.1 Composition

The Regional Congress shall:

- 10.1.1 be attended by delegates elected democratically by and from branches in good standing in proportion to their membership. Branch delegates shall constitute at least 90% of all voting delegates to Congress.
- 10.1.2 be attended by members of the Regional Committee who shall have full speaking and voting rights in their ex-officio capacity.
- 10.1.3 elect the REC that must be composed of the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and twelve (12) additional members.

10.2 Procedures and Powers

The Regional Congress shall:

10.2.1 Be held every 18 months.

10.2.2 Receive and consider reports of the regional Executive Committee; which shall be presented by the Chairperson, the Secretary and the Treasurer;

10.2.3 Develop and implement the policy and programme of the ANCYL in the region.

Section 11: Regional General Council

11.1 The Regional General Council (RGC) shall be the highest decision-making body of the ANCYL in the region between Regional Congresses.

11.2 The RGC shall consist of all members of the REC and delegates representing branches in proportion to their membership.

11.3 The RGC shall convene at least twice during the term of the REC.

11.4 Special RGCs may be convened to deal with major issues.

11.5 Following sittings of the RGC, the reports thereof will be tabled with the REC and submitted to the PEC and branches.

11.6 The RGC shall ratify the filling of vacancies on the REC.

Section 12: Regional Executive Committee (REC)

12.1 Composition

REC shall comprise of the Regional Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer; and twelve (12) additional members.

12.2 Duties

The REC shall convene at least once a month. Its duties shall be to:

- 12.2.1 At its first meeting after Regional Congress, elect the Regional Working Committee.
- 12.2.2 be responsible for the implementation of decisions of the Regional, Provincial and National Congresses as well as decisions of the PEC, PGC and NEC;
- 12.2.3 organise, establish, service and co-ordinate branches of the ANCYL in the region;
- 12.2.4 implement the policy and programmes of the ANCYL and strive to further the interest, aims and objectives of the league as a whole;
- 12.2.5 manage and control the funds and property of the league in the region;
- 12.2.6 Represent the ANCYL on the ANC

- REC in an ex-officio capacity through the Regional Chairperson and Secretary;
- 12.2.7 carry out other responsibilities delegated by the PEC and NEC.
 - 12.2.8 The REC shall have the power to co-opt not more than three members, in order to ensure that all different sections of the youth are well represented.
 - 12.2.9 One shall cease to be a member of the REC upon absenting oneself from two successive meetings without a valid reason.

Section 13: Regional Working Committee

- 13.1 The REC shall elect from amongst the ranks of directly elected members from Congress, a Regional Working Committee (RWC).
- 13.2 The RWC shall be constituted by regional officials and three members of the Regional Executive Committee.
- 13.3 One shall cease to be a member of the RWC upon absenting oneself from two successive meetings without a valid reason.

The RWC shall:

- 13.3.1 Carry out decisions and instructions of the REC.

- 13.3.2 Submit reports to each REC meeting.
- 13.3.3 Co-ordinate and execute the day to day administrative tasks of the ANCYL.

Section 14: Zonal and Sub-regional Structures

14.1 Zonal Congress

All branches within the same municipal boundary, for the purpose of co-ordination of activities shall be formed into zones.

The Zonal Congress:

- 14.1.1 Shall convene once a year.
- 14.1.2 Shall be composed of all branches in the local municipality or demarcated metro zonal area, in proportion to their membership.
- 14.1.3 The Zonal Congress shall elect a Zonal Chairperson, Secretary and Treasurer.

14.2 Zonal Committee

- 14.2.1 The Zonal Committee shall be composed of the Chairperson, Secretary, Treasurer and each branch shall be represented by the chairperson or Secretary;
- 14.2.2 The Zonal Committees shall be aligned with those of the ANC;
- 14.2.3 In addition to the powers delegated

to it by higher structures of the organisation, the Zonal Committee shall:

- 14.2.3. Coordinate work and activities of constituent branches and submit reports to the REC.
- 14.2.4. Be responsible for the implementation of decisions and instructions of the NEC, PEC and the REC.

14.3 Sub-regional Congress

All branches within the same municipal boundary (category C), for the purpose of co-ordination of activities shall be formed into a sub-region.

The Sub-regional Congress:

- 14.3.1. Shall convene once a year.
- 14.3.2. Shall be composed of all branches in the local municipality or in proportion to their membership.
- 14.3.3. The Sub-regional congress shall elect a Zonal Chairperson, Secretary Treasurer and five additional members.

14.4 Sub-regional Committee

- 14.4.1 In addition to the powers delegated to it by higher structures of the organisation, the Sub-regional Committee shall:

- i) Coordinate work and activities of constituent branches and submit reports to the REC.
- ii) Be responsible for the implementation of decisions and instructions of the NEC, PEC and the REC.

Section 15: Branches

The basic unit of the ANCYL shall be the branch. Every member of the ANCYL shall belong to a branch.

15.1 Duties and Functions of a Branch

The duties and functions of a branch shall be to:

- 15.1.1 ensure that the youth in a particular village, area, township, institution of learning, town or suburb are organised into the ANCYL;
- 15.1.2 encourage the youth to take an active part in all activities of the ANCYL;
- 15.1.3 mobilise all youth to participate in the general mass campaigns in the area;
- 15.1.4 prepare members to participate effectively in the formulation of ANCYL policies and programs;
- 15.1.5 elaborate and implement the political education programme of the ANCYL;
- 15.1.6 encourage members to take an active

interest in sports, arts, and cultural activities:

- 15.1.7 encourage all youth above eighteen (18) years to join the ANC;
- 15.1.8 support and reinforce the local ANC branch.

15.2 Branch Sub-structures

Every ANCYL branch shall divide itself administratively into the following substructures;

- 15.2.1 section/block committees and/or street/kraal committees up-to the smallest unit/committee applicable to a given local area;
- 15.2.2 sub-committees which will assist in the implementation of ANCYL policy and programme of action;
- 15.2.3 special committees and projects can be set up to deal with specific interests and concerns of the youth in the community where the ANCYL branch is operating.

Section 16: Branch Congress

16.1 Composition

- 16.1.1 The Branch Congress shall be composed of the Branch Executive Committee and the entire membership

of the ANCYL Branch.

- 16.1.2 Not more than two (2) designated members of the REC shall preside upon the proceedings of the meeting, but shall have no voting rights.

16.2 Procedures, Powers and Duties

The Branch Congress shall convene once a year. It shall:

- 16.2.1 consider and make proposals to the Regional and Provincial Congresses;
- 16.2.2 receive, discuss and adopt the Branch Executive Committee report on the work of the Branch;
- 16.2.3 discuss and adopt resolutions on local matters in keeping with the overall policy objectives of the ANCYL;
- 16.2.4 elect the Branch Executive Committee that will consist of the Chairperson, Deputy Chairperson Secretary, Deputy Secretary, Treasurer and eight (8) additional members

Section 17: Branch Executive Committee

17.1 Powers and Duties

The Branch Executive shall:

- 17.1.1 co-ordinate the general activities of the ANCYL branch;
- 17.1.2 carry out the organisational and

- publicity work in its area in furtherance of the policy programmes and decisions of the ANCYL;
- 17.1.3 liaise closely with the ANC Branch Executive Committee;
 - 17.1.4 look after the funds and property of the ANCYL;
 - 17.1.5 submit progress and development reports to the REC;
 - 17.1.6 consider applications for membership of the ANCYL.
 - 17.1.7 The branch Chairperson and Secretary shall serve ex-officio as members of the ANC BEC in the local area.
 - 17.1.8 One shall cease to be a member of the BEC upon absenting oneself from two successive meetings without a valid reason.

Section 18: Branch General Meeting

The Branch General Meeting shall be held at least once a month.

The BGM shall:

- 18.1 discuss and adopt campaigns and programmes for the branch;
- 18.2 receive and consider progress reports from the branch leadership;

- 18.3 consider and implement directives from the regional leadership;
- 18.4 consist of all members of the ANCYL in that particular branch;
- 18.5 make comprehensive proposals to the REC and PEC.

ARTICLE K: DISCIPLINE

The conduct of members of the ANCYL shall be governed by the Code of Conduct of the YL, which shall be amended and adopted by the NEC, and will be contained in schedule A of the Constitution.

ARTICLE L RULES AND REGULATIONS

1. The NEC shall have the power to adopt appropriate rules and regulations for the efficiency of the work of the ANCYL if and when the need arises.
2. The PECs shall have the power to govern and improve the work of the ANCYL in the provinces if and when the need arises.
3. All rules and regulations shall be founded upon the constitutional principles and policy platform of the ANCYL, Such rules and regulations as may be formulated by the PECs shall be subject to the approval of

the NEC or its NWC on a provisional basis endorsed by the NEC.

ARTICLE M: FINANCE POLICY

The NEC shall pass a document entitled “the ANCYL Finance Policy” which shall outline the methods of raising of funds, their utilisation and general disbursement at branch, provincial, regional and national levels. This document shall underline that proper financial records be kept of all receipts and expenditures and regular evaluation made of all assets of the ANCYL.

ARTICLE N: QUORUM

1. A quorum for all ANCYL membership or committee gatherings or meetings, shall be 50 percent plus one of eligible participants.
2. A quorum for Congresses shall be 2/3 of eligible participants.
3. A quorum for a branch AGM shall be 50% plus one of branch members in good standing.

ARTICLE O: AMENDMENTS

1. Any proposed amendments to this Constitution shall be submitted to the National Congress

for consideration and can only be passed by a two-thirds majority vote.

2. The NEC shall develop and distribute to structures guidelines for the submission of constitutional amendments, in advance of Congress.

ARTICLE P: DISSOLUTION

1. The National Congress of the ANCYL shall be entitled to decide on the dissolution of the ANCYL. Such a decision shall be subject to adoption or rejection at the National Conference of the ANC in accordance with paragraph one (1) of the Preamble of this Constitution.
2. Upon dissolution or winding up, the assets of the ANCYL remaining after satisfaction of all its liabilities, shall be given or transferred to the ANC.

President: Cde Julius Malema

Secretary-General: Cde Vuyiswa Tulelo

Date: June 2008

SCHEDULE A

CODE OF CONDUCT OF THE ANC YOUTH LEAGUE

NOTE: The NEC in amending and adopting the Code of Conduct should also include the details of the disciplinary hearing.

Table of Contents

- A. Introduction
- B. Classification of Offences
 - 1. General Guiding Principles
 - 2. Grave Offences
 - 3. Serious Offences
 - 4. Violation of Discipline
 - 5. Abuse of Organisational Rules
 - 6. Disciplinary Procedures
 - 7. Disciplinary Structures
 - 8. The Right of Appeal
 - 9. Schedule of Penalties
 - 10. Articulation with the ANC Code of Discipline

A. INTRODUCTION

- 1. The ANC Youth League is an organisation of the youth of South Africa who out of the common desire to build a united, non-racial, non-sexist and democratic country, have voluntarily joined together and accepted a common discipline.

2. The basic rights and duties of our members are therefore set out in the basic documents of the organisation, namely the Constitution and other policy documents.
3. We seek to create our own standards based on the traditions of our struggle in line with our set political goals for national democracy and transformation,
4. This is a document with which by its nature needs to be studied and understood by the whole membership, for in the last resort, it is high political consciousness and the voluntary assumption of rights and duties by members, which lies at the heart of all discipline.

B. CLASSIFICATION OF OFFENSES

1. General Guiding Principles for Classifying Offenses and Violations of the Code of Conduct

- 1.1 The difference between a Grave Offence and a Serious Offence lie in the degree to which the offender's conduct is directed towards destroying, subverting or neutralising the effectiveness of the organisation. In considering whether an offence should be classified as grave,

regard should be given both to the seriousness of the actual offence and the potential consequences of the conduct that led to the commission of the offence.

- 1.2 The difference between a serious offence and a Violation of Discipline shall lie in the degree of intent of the offender, the extent, of the actual repetition and what would normally be regarded as a breach of discipline

2. **Grave Offences Against the Organisation and Members**

2.1 **Definition**

Any offence aimed at damaging the integrity of the organisation and destroying its personnel, members, property or its organisational capacity shall be considered a grave offence.

2.2 **Offences**

A person/s shall be charged with Grave offence against the organisation if:

- 2.2.1 With intent to destroy the integrity of the organisation, its personnel, property or its organisational capacity, s/he:
 - (a) Sabotages the activities of the Youth League;

- (b) Creates divisions within its ranks;
 - (c) Impedes its proper functioning;
 - (d) Destroy or threatens to destroy property of the organisation;
 - (e) Cause grievous bodily harm including rape or attempting to rape,
 - (f) Engage in activities or the spread of misinformation with the objective of turning communities/ sectors against the movement.
 - (g) Does any other act calculated to undermine the effectiveness of the organisation.
 - (h) Conviction in a court of law and sentenced to a term of imprisonment without the option of a fine, for any serious non-political offence.
- 2.2.2 Sexual assault, sexual harassment whether verbal or physical or the physical abuse of women or children or in any other way seriously offending the dignity of all members;
- 2.2.3 Infiltrate the organisation, acting on behalf of or in collaboration with:
- (a) Other organisations, parties or groups hostile to our policy and principles;

- (b) Any person or group who wishes to destroy the organisation or prevent it from fulfilling its set aims and objectives central to which is the transformation of South Africa.
 - (c) intelligence or the security services of other countries.
 - (d) counter-revolutionary forces.
- 2.2.4 Being already a member of the ANC Youth League, establishes or maintains contact with any of the above bodies.

2.3 *Exceptions, Defence and Mitigating Circumstances*

- 2.3.1 Paragraph 2.2.3 shall, not apply to any person who maintained such contact with the knowledge of responsible organs of the ANCYL with a view to securing the interest of the organisation.
- 2.3.2 It shall be a defence for anyone mentioned in paragraph 2.2.4 to prove that s/he took the first opportunity to reveal the contact to the appropriate organs of the ANCYL and reduce any possible damage that may have been caused;

2.3.3 It shall be a mitigating factor, to be considered when weighing the appropriate penalty, for any accused to prove that s/he has taken steps in collaboration with such organisation to reduce the damage caused by his/her collaboration with such organisation or individuals and demonstrated his/her patriotism even at a later stage

3. Serious Offences

3.1 Definition

Any violation of the principles of the organisation and standards of behaviour expected of members, which seriously threatens the safety, property or good name of the organisation, or which substantially impedes its good functioning. or which creates or is calculated to create disunity and demoralisation amongst members, shall be considered a serious offence.

3.2 Offences

A person/s shall be charged with a Serious Offence against the organisation if s/he:

3.2.1 Acts in a way that exposes members to serious physical harm or death;

3.2.2 Deliberately destroy or behave dishonestly in relation to the property

- of the organisation, recklessly exposing it to danger or stealing from the organisation or members;
- 3.2.3 Carelessly pass on information that might be of substantial use to opponents of the organisation;
 - 3.2.4 Behaving corruptly in seeking or accepting any kind of bribes for performing or not performing any task on behalf of the organisation;
 - 3.2.5 Engage in abuse of office to obtain any other undue advantage from members or others;
 - 3.2.6 Dealing and/or abusing drugs or other illegal and illegal substances;
 - 3.2.7 Persistently sowing racism, sexism, regionalism or tribalism in the organisation;
 - 3.2.8 Behaving in such a way as to provoke serious divisions and a breakdown of unity in the organisation.
 - 3.2.9 Persistently and without cause undermining the respect for or impeding the functioning of the structures of the organisation;
 - 3.2.10 Engaging in organised factional activity that goes outside the recognised

norms of free debate inside the organisation and therefore threaten its unity;

- 3.2.11 Without good cause, acts against a decision of the constitutional structures of the movement.

4. Violations of Discipline

4.1 Definition

Any person who acts in an uncomradely way and breaches the standard of conduct normally expected of members, and whose behaviour is not so serious as to constitute a grave or serious offence, shall be guilty of a violation of discipline.

4.2 Offences

In addition to all the forms of misconduct mentioned in this Code of Conduct and other official documents of the organisation, a person/s shall be charged with Violation of Discipline for:

- (a) Rowdy and aggressive behaviour and drinking during meetings, whilst on duty or during activities of the organisation, unless of a social nature;
- (b) Abusive and disrespectful behaviour towards other comrades;

- (c) Gossiping maliciously so as to set comrade against comrade;
- (d) Carelessness in relation to property of the organisation, including reckless or careless use of the organisation's transport and unauthorized use of the organisations property for personal use;
- (e) Disrupting meetings and interfering with the orderly functioning of the organisation;
- (f) Sexual harassment.
- (g) Any persistent negligent behaviour that harms or threatens to harm the organisation and or its members;

5. Abuse of Organisational Rules

5.1 *Abuse leading to Disciplinary Proceedings*

The following acts will be regarded as an abuse of organisational rules, whether committed by individuals or groups and will be considered as behaviour likely to invoke disciplinary proceedings:

- 5.1.1 The offer of reduced rate membership to those known by the individual or group making the offer to be ineligible for that category of membership;

- 5.1.2 The 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.
- 5.1.3 Any member who supports a political organisation or party other than an organisation in alliance with the ANCYL in a manner contrary to the aims, objectives and policy of the ANC shall be liable for disciplinary action.

5.2 Abuses leading to Expulsion

The following acts will be regarded as an abuse of organisational rules, whether committed by individuals or groups and will be considered as behaviour likely to invoke expulsion:

- 5.2.1 Any member of the ANCYL who stands in an election for local government, provincial or national government elections or acts as the election agent or canvasser of a person standing for such election in opposition to a candidate duly endorsed by the ANCYL shall be ineligible to be or remain a member.

5.3 *Lapse of Membership*

- 5.3.1 Members who fail to pay their subscriptions for six months and having being reminded – in accordance with section G (4) of the Constitution – shall not be in good standing and their member ship shall lapse until they pay their arrears.
- 5.3.2 A member of the Executive at any level of the organisation who fail to attend two consecutive meetings of that committee without a due apology. Her/his membership of such committee shall lapse after due process by the relevant structure – in accordance with rule 3.2.1 (c) of the Constitution, which applies mutatis mutandis to all lower structures.

6. Disciplinary Procedures

6.1 *Guiding Principles*

The disciplinary procedures at all levels of the organisation shall be guided by the following principles:

- 6.1.1 Discipline should not be used as a means of stifling debate, of denying members their basic democratic rights;

- 6.1.2 It should not be used as a means of solving private problems or as 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.
- 6.1.3 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 defence.
- 6.1.4 All disciplinary proceedings shall be attended to as speedily as possible.

7. Disciplinary Structures, Rules and Procedures

7.1 *Disciplinary structures*

- 7.1.1 Disciplinary proceedings shall normally be conducted at the level where the alleged violation or offence took place, namely the branch, region, province or national, and may be heard by the relevant structure;
- 7.1.2 The NEC and NWC may direct that

the disciplinary proceedings should be heard at a higher level from where the alleged violation or offence took place.

7.1.3 The NEC, PECs, RECs, and BECs shall appoint their Disciplinary Committees from amongst their ranks and from other members or former members of the ANC Youth League.

7.1.4 Disciplinary committees shall be appointed at provincial, regional and branch levels by the PEC. REC and BEC as and when the need arises.

7.2 ***Rules of Procedure***

7.2.1 The National Disciplinary Committee (NDC) shall draw up guidelines for the interpretation of the Code of Conduct and the rules of procedure including time limits to be followed before, during and after a hearing which shall be binding on disciplinary structures at all levels of the organisation.

7.3 ***Notice of Disciplinary Hearing***

7.3.1 A written notice referred to in 6.1.3 must be given at least 14 working days before the date of a hearing.

7.3.2 Recipient of the notice must sign

an acknowledgement receipt; if he/she refuses it must be given in the presence of at least two witnesses.

7.4 *Conducting a Disciplinary Hearing*

7.4.1 A disciplinary hearing must be held within 21 working days after notification, unless the disciplinary committee is granted, upon request, an extension by its executive committee.

7.4.2 If necessary an interpreter's services might be utilized.

7.4.3 If a member fails to attend a hearing without any valid explanation given, the disciplinary committee may continue with the hearing in the member's absence.

7.3.4 Decision of the disciplinary committee must be communicated to the affected person within 21 working days after the conclusion of the hearing.

8. The Right to Appeal

8.1 Any person found guilty in a disciplinary proceeding, the complainant has the right, within 21 working days, to appeal against the conviction or sentence to the next higher body of the ANCYL.

- 8.2 The appeal must be concluded within 60 working days.

9. Schedules of Penalties

Should one be found guilty of a grave or serious offence, a violation of discipline or an abuse of organisational rules, one shall be liable to:

- 9.1 Reprimand
- 9.2 An act of compensation, performance of useful tasks or community service re-deployment
- 9.3 Demotion
- 9.4 Imposition of corrective measures
- 9.5 Temporary forfeitures of membership rights
- 9.6 Temporary suspension; or
- 9.7 Expulsion.

10. Definitions of Penalties

- 10.1 **Reprimand:** A reprimand can be in a meeting of the structure to which the member belongs or the disciplinary committee may call in the person. The objective of the reprimand is not to humiliate the person concerned, but to remind him/her and the whole membership of the Standards expected of members, and to reinforce the sense of unity and shared values in the organisation.

- 10.2 **An act of compensation, performance of useful tasks or community service:** A member may be required to perform an act of compensation such as an apology to a victim, a fine or any act so prescribed or be required to perform useful organisational or community tasks, for a stipulated period.
- 10.3 **Re-deployment:** A member shall be redeployed if, in the opinion of the disciplinary body, his/her misconduct is related to his/her responsibility or position. Re-deployment shall not always imply or mean demotion.
- 10.4 **Demotion:** A member who holds a position of responsibility in the organisation will be demoted if his/her continued holding of the position is indefensible, inexplicable or embarrassing as a result of a particular transgression/s.
- 10.5 **Imposition of corrective measures:** Corrective measures shall refer to any measure imposed mainly on humanitarian grounds or grounds occasioned by special circumstances of the offender. Such measures shall of course mainly be aimed at assisting the member to live by the expected norms of the organisation.
- 10.6 **Temporary forfeitures of membership rights:** The penalty of the temporary forfeiture

of membership rights shall be imposed if in the opinion of the adjudicating body, such measurers shall achieve corrective results in the event of the commission for serious offence or violation of discipline.

- 10.7 **Suspension:** When a member is suspended, the organ suspending her/him shall state the period and conditions of such suspension. In respect of serious offences the period of suspension shall not exceed 6 months.
- 10.8 **Expulsion:** A recommendation for expulsion for an offence classified as grave lies within the powers of the PEC and REC and the power of expulsion rests with the NEC. A respondent shall be called upon to appear in person with an advisor, if any before the PEC or REC on a date to be fixed, to show cause, if any, why s/he shall not be expelled from the organisation with forfeiture of membership rights.

11. Articulation with ANC Code of Discipline

- 11.1 A disciplinary proceeding of the ANC Youth League may not interfere with a person's rights and duties as a member of the ANC, unless such rights or duties are exercised in an ex-officio capacity on behalf of the Youth League.

11.2 A person, who has been found guilty by an ANC disciplinary proceeding resulting in the imposition of the penalties of suspension, temporary forfeiture of membership rights or expulsion, such penalties shall have the same application in all structures of the ANC Youth League.

