



SACP

The Constitution
of the
South African Communist Party

*As amended at the Thirteenth National Congress
July 2012,
and
As amended at the Fourth Special National Congress
Held in Oupa Phasha District
Gauteng Province, South Africa
December 2019*

Published by the South African Communist Party
(SACP)

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Abbreviations and acronyms:

BEC	Branch Executive Committee
CC	Central Committee
DEC	District Executive Committee
DWC	District Working Committee
LGBTQIA+	Lesbian, Gay, Bisexual, Pansexual, Transgender, Genderqueer, Queer, Intersexed, Agender, Asexual, and Ally community
PB	Political Bureau or Politburo
PEC	Provincial Executive Committee
PWC	Provincial Working Committee
SACP	South African Communist Party
YCLSA	Young Communist League of South Africa

THE CONSTITUTION OF THE SOUTH AFRICAN COMMUNIST PARTY

1. NAME

The name of the organisation is the South African Communist Party (SACP) and it is the successor in title to the Communist Party of South Africa which was founded in July 1921.

2. SYMBOL AND FLAG

The symbol of the SACP is a black star containing a gold hammer and sickle. The flag of the SACP is red with the symbol placed in the top left-hand corner.

3. AIMS

- 3.1. The SACP strives to be the leading political force of the South African working class whose interests it will promote in the struggle to advance, deepen and defend the national democratic revolution and to achieve socialism.
- 3.2. The SACP will pursue this by educating, organising, and mobilising the working class and its allies in support of our Party and its objectives of completing the national democratic revolution and achieving socialism.
- 3.3. The SACP will strive to democratically win acceptance as a vanguard of the working class, in ideological contest with other political parties.
- 3.4. The ultimate aim of the SACP is to build a communist society in which all forms of exploitation of one person by another will end and in which all the products of human endeavour will be distributed according to need. The attainment of such a society will require an interim socialist transition in which reward will be measured by contribution.
- 3.5. The SACP commits itself to a social order that will respect completely the cultural, language and religious rights of all sections of our society and the democratic rights of individuals. The SACP recognises the right to independence of all social organisations and political parties that function within the ambit of South Africa's Constitution. The SACP supports a multi-party-political framework in which there will be regular, open and free elections. Within such a framework, the SACP will primarily dedicate itself to advancing the interests of the working class and its allies in democratic contest with other political forces in all spheres of life.

4. GUIDING PRINCIPLES

- 4.1. In leading the working class towards national and social emancipation, the SACP is guided by those principles of Marxism-Leninism whose universal validity has been proven by historical experience. The foundations of these principles were laid by Karl Marx, Friedrich Engels, and Vladimir Lenin and enriched by other great revolutionaries in many ways, including crucially,

by those recognising the need for women's emancipation and gender equality from a class perspective. In applying the general principles of Marxism-Leninism, the SACP is, in the first place, concerned with their indigenous elaboration and application to the concrete realities of our own developing situation.

4.1.1. More particularly, the SACP will work to:

- 4.1.1.1. End the system of capitalist exploitation in South Africa and establish a socialist society based on the common ownership of, participation in, and control by the producers of the key means of production. Such a society will respect and protect all personal non-exploitative property.
- 4.1.1.2. Organise, educate, and lead the working class in the struggle for socialism and the more immediate objectives of defending and deepening the national democratic revolution and of achieving national and social emancipation. The main aim of the unfolding national democratic revolution is to complete the national liberation of the African people in particular and black people in general, to ensure the destruction of the legacy of white supremacy, and the strengthening of democracy in every sphere of life.
- 4.1.1.3. Eradicate patriarchal relations, and weaken and ultimately destroy the economic, political and social power of the capitalist class through struggle for working class hegemony over society, in particular the ownership and control of the economy and the achievement of a united state of people's power. In this state, working class interests will be dominant and the economic conditions will be created which make it possible to move towards social emancipation and, eventually, the total abolition of the exploitation of one person by another in both public and private spheres of life.
- 4.1.1.4. Organise, educate, and advance women within the working class, the poor and rural communities in pursuit of the aims of the SACP.
- 4.1.1.5. Raise the consciousness of the working class and its allies around the integral and oppressive nature of patriarchal gender relations.
- 4.1.1.6. Strengthen the revolutionary alliance of all classes and strata whose interests are served by the immediate aims of the national democratic revolution.
- 4.1.1.7. Spread the widest possible understanding of our basic ideology and its application to South African conditions, particularly among the working class.
- 4.1.1.8. Unite the different strata of the working class.
- 4.1.1.9. Combat racism, tribalism, sex discrimination, homophobia, regionalism, chauvinism, xenophobia and all forms of narrow nationalism and campaign for the rights of the Lesbian, Gay, Bisexual, Pansexual, Transgender, Genderqueer, Queer, Intersexed, Agender, Asexual, and Ally (LGBTQI+) people.

- 4.1.1.10. Encourage an ongoing national and international dialogue with all organisations committed to peace, transformation of gender relations, non-racialism, democracy, and the preservation of our environment.
- 4.1.1.11. Promote the ideas of proletarian internationalism and the unity of the workers of South Africa, Africa and the world.

5. MEMBERSHIP

- 5.1. Every South African over the age of 16 is eligible for membership if he/she/they:
 - 5.1.1. accepts the Constitution, aims, guiding principles, policies and programmes of the SACP;
 - 5.1.2. undertakes to carry out its decisions and to be active in the SACP;
 - 5.1.3. pays whatever dues are decided on; and
 - 5.1.4. serves a year as an interim member in terms of sec 5.3.
- 5.2. The recruiting of members must be primarily through the branch structures, under the supervision of provincial executive committees, provincial councils, district executive committees and district councils. Recruitment may also take place through industrial or work-place units.
- 5.3. A person applying to join the SACP must have been an interim member for at least 1 year. An interim member must:
 - 5.3.1. become familiar with the SACP Constitution and policies; and
 - 5.3.2. participate in SACP structures, programmes, campaigns and other activities;
 - 5.3.3. not vote or be elected to any executive structure of the SACP; and
 - 5.3.4. be conferred membership by the Branch Executive Committee, or in the case of a new branch, the District Executive Committee (DEC) or Provincial Executive Committee (PEC) as provided for in section 22.5.
- 5.4. After consultation with PECs, the Central Committee (CC) must provide guidelines to give effect to the provisions in this Constitution on interim membership.
- 5.5. A person who is not a South African citizen or permanent resident may be accepted as an associate member if their application is accepted by the Central Committee. An associate member has full constitutional rights and obligations but may not stand for election as a member of the executive at any level of the SACP.
- 5.6. Any applicant refused admission to membership by a branch including an interim member having served a year in the branch has the right to appeal against such a decision to the District Council. Should the appeal fail, the applicant has the right to refer such appeal progressively up to the higher structures of the SACP.

- 5.7. All members must renew their membership annually to remain members of the SACP, and must remain active in the work of the SACP.
- 5.8. All new members of the SACP must undergo comprehensive induction training under the direction of the Branch, District and Provincial structures.
- 5.9. Every member has the duty to:
 - 5.9.1. Regularly participate in the activities of the SACP and conscientiously implement the policies, decisions and directives of the Party.
 - 5.9.2. Study Marxism-Leninism, inclusive of the struggle for gender equality, and endeavour to raise their level of understanding.
 - 5.9.3. Read, engage with, and popularise SACP publications.
 - 5.9.4. Serve the masses, strengthen ties with them, learn from them, convey their aspirations to the SACP and work in mass organisations within the framework of SACP policies and programmes.
 - 5.9.5. Place the interests of the workers and the poor above he/she/their personal interests.
 - 5.9.6. Practice criticism and self-criticism with a view to helping each other and improving individual and collective work.
 - 5.9.7. Cultivate comradesly relations towards one another and constantly develop a fraternal spirit within the SACP.
 - 5.9.8. Act in a manner that is frank, honest, and truthful to the SACP and not to betray the interests of the Party.
 - 5.9.9. Safeguard the unity and solidarity of the SACP and vigorously defend the interests of the workers and poor against their opponents.
 - 5.9.10. Act in the interests of proletarian internationalism.
 - 5.9.11. Act, in their personal conduct, in a manner which will bring credit to the SACP and serve as a standard bearer of the highest communist ethic and morality.
 - 5.9.12. Observe the SACP Constitution and Party discipline.
- 5.10. All SACP members who earn above a certain amount, as determined by the CC, must pay a levy to be determined by the CC from time to time.
- 5.11. Every person who joins the SACP must pledge as follows:

“I accept the aims and objectives of the SACP and agree to abide by its Constitution and loyally to carry out the decisions of the Party.

I will strive to live up to the ideals of Communism and will selflessly serve the workers and the poor and the country, always placing the interests of the Party and the workers and the poor above personal interests.”
- 5.12. A member in good standing is one who is paid-up and fulfils the basic requirements set out in this section. The number of years a member has

been in good standing does not include the year served as interim member, where applicable.

6. BASIC ORGANISATIONAL PRINCIPLES

- 6.1. The Party must function according to the conventional principles of democratic centralism that Communist Parties have traditionally adhered to.
- 6.2. To secure the unity and cohesion of the SACP, members are obliged to defend the SACP and to carry out its decisions. All decisions taken by higher structures are binding on all lower structures and individual members. Members have the right to pursue their views internally in the lead up to conferences or congresses with powers under this constitution to determine or reverse SACP policies. No groupings with their own ideology, theory and discipline are permitted.
- 6.3. All higher structures are accountable to lower structures and to the membership in the formulation and implementation of policies and, for this purpose, must wherever possible ensure regular and effective consultation with lower structures and the membership prior to the finalisation and implementation of major policies.
- 6.4. All elected office bearers of the SACP and all structures with the power to formulate and direct SACP policies at any level must be elected by secret ballot, except as provided for in this constitution. An exception may only be made if a minimum of 75% of the delegates decide otherwise.
- 6.5. Members active in fraternal organisations or in any sector of the mass movement have a duty to set an example of loyalty, hard work and zeal in the performance of their duties and are bound by the discipline and decisions of such organisations and the movement. They must not create or participate in SACP caucuses within such organisations and the mass movement to influence either elections or policies. The advocacy of SACP policy on any question relating to the internal affairs of any such organisations or the movement must be by open public statements or at joint meetings between representatives of the SACP and such organisations or the movement.
- 6.6. Members who are elected to positions at a higher level may not stand for election to positions at a lower level in the SACP. They may serve as ex-officio members of immediate lower structures.
- 6.7. It is the duty of delegates to convey to congress and policy-making conferences fairly and effectively the mandate of the constituency that elected them. However, delegates attending such congresses and conferences must not be rigidly bound by these mandates and may discuss, and vote based on the debates at such congresses and conferences.
- 6.8. Employees of the SACP may not serve as elected members of constitutional structures at the same level at which they are employed, but they may serve in an advisory capacity. They may serve on and be elected to SACP structures at lower levels. If an employee of the SACP is elected to a

position in the executive of the SACP at the same level, he/she/they must relinquish his/her/their original position as an employee of the SACP within a month of being elected.

- 6.9. All structures of the SACP must encourage the practice of debate, constructive criticism, and self-criticism in party structures.
- 6.10. In all work and at every level, party structures and members must ensure that the struggle against patriarchy and for the transformation of gender relations is given due importance, including by the creation of appropriate structures empowered to perform this task. At least one third of all executives of the SACP from branch level to the Central Committee must be women.
- 6.11. Executive structures of the SACP must have the right to co-opt SACP veterans, who must have a non-voting status. Veterans are those who have served the party with distinction for 40 years and more.
- 6.12. Ex-officio members of SACP structures must not exercise a vote in those structures.

7. YOUNG COMMUNIST LEAGUE OF SOUTH AFRICA

- 7.1. There is a Young Communist League of South Africa (YCLSA) which comprises people from 14 to 35 years old who support the Constitution, aims, guiding principles, goals, policies and programmes of the SACP.
- 7.2. The YCLSA is the autonomous youth organisation of the SACP.
- 7.3. While the YCLSA takes its own decisions and shapes its own policies and programmes, these must not be in conflict with the major policies and programmes of the SACP. If necessary, the CC must, after consultation with the YCLSA, adopt guidelines to give practical effect to this clause.

8. NATIONAL CONGRESS

- 8.1. The highest authority of the SACP is the National Congress which must be called every 5 years. The CC may convene other Special National Congresses which have the same power as the main National Congress except for the provisions relating to the election of office bearers and members of the CC. Such a Special National Congress may, however, decide on elections by a 75% majority. A Special National Congress must be convened by the CC if directed to do so by a decision of more than $\frac{2}{3}$ of the provinces.
- 8.2. The National Congress must be constituted by elected delegates from the branches and directly elected and co-opted CC members. All SACP provinces must be represented in proportion to their membership in branches. The CC must prior to each National Congress determine the total number of elected delegates and allocate a quota to each province in proportion to its membership as organized in branches. The provinces must then allocate a quota of delegates from the Provincial Executive Committee

(PEC) and for branches in proportion to their membership. The CC must decide the number of voting delegates that the YCL is entitled to. The CC has the authority to invite non-voting delegates made up of veterans and similar categories. With the permission of the National Congress such delegates may attend and participate in all closed sessions. A Special National Congress must be constituted on similar lines as a National Congress.

- 8.3. The National Congress must discuss the reports of the CC, receive and discuss an audited financial statement and the report of the National Treasurer, examine and decide the policies of the SACP, and is, save for the exception provided for in clause 8.1, the only authority with the power to elect the General Secretary, National Chairperson, National Treasurer, 2 Deputy General Secretaries, Deputy National Chairperson, and members of the CC. The Central Committee must ensure that all major draft documents for the consideration of the National Congress are circulated to all structures at least 2 months prior to the Congress. All comments, resolutions and proposals on such documents must be tabled at the National Congress.
- 8.4. Unless otherwise decided by the National Congress, its plenary proceedings must be in open session. Unless otherwise provided for in this constitution, all decisions of the National Congress must be by a simple majority through a show of hands.

9. THE CENTRAL COMMITTEE

- 9.1. Unless otherwise provided for in this constitution, the Central Committee has the power, subject to clause 9.2, to:
 - 9.1.1. direct the work of the SACP;
 - 9.1.2. determine all questions of policy; and
 - 9.1.3. issue binding instructions and directives to all levels of the SACP.
- 9.2. Any departure from major policy decisions of the National Congress demanded by changing conditions must only be made after full consultation with the membership.
- 9.3. The CC must function in terms of the following requirements:
 - 9.3.1. Consist of a minimum of 35 and a maximum of 44 ordinary members as determined by a National Congress and elected at it, the General Secretary, National Chairperson, National Treasurer, First Deputy General Secretary, Deputy National Chairperson, and Second Deputy General Secretary and, in addition to those directly elected, the Secretaries and Chairpersons of all the provinces, who, together with the national secretary and national chairperson of the YCL, must be ex-officio members.
 - 9.3.2. The General Secretary and the 2 Deputy General Secretaries must constitute the Secretariat, led by the General Secretary.
 - 9.3.3. Any Provincial Secretary or Chairperson elected to the CC in his/her/their own right forfeits his/her/their position on the PEC.

- 9.3.4. The CC has the right to co-opt 5 members, apart from veterans.
- 9.3.5. The CC must include at least $\frac{1}{3}$ women in its make-up, including after co-option. All nominations for the elected members of the CC must be submitted by provinces to the CC not later than 2 weeks before the National Congress.
- 9.3.6. Nominations from the floor of the Congress must be accepted if seconded by a minimum of 40% of Congress delegates.
- 9.3.7. Only a person who has been a member in good standing in the SACP for more than 10 years and has been a SACP or YCLSA PEC member for at least 6 years is eligible for election to the CC.
- 9.3.8. If the Provincial Secretary confirms in writing that he/she/they are unable to attend a CC meeting the First Deputy Provincial Secretary must attend. If the First Deputy Provincial Secretary confirms in writing that he/she/they are also unavailable, the Second Deputy Provincial Secretary must attend a CC meeting. If the Provincial Chairperson confirms in writing that he/she/they are unavailable to attend a CC meeting the Deputy Provincial Chairperson must attend.
- 9.3.9. Meet at least every 4 months in plenary session. Any major draft political reports to be considered by the plenary session must be timeously circulated to the membership for comments and criticisms.
- 9.3.10. Decide on the specific portfolios of the First and Second Deputy General Secretaries, provided these portfolios include policy, organisation-building, campaigns and administration.
- 9.3.11. Decide who will be the full-time members of the CC, provided that at least one member of the Secretariat serves full-time.
- 9.3.12. Ensure that all elected office bearers, CC members, provincial committees, other party structures and members carry out their duties effectively.
- 9.3.13. Control and supervise all national SACP media and set up the necessary structures for their effective functioning.
- 9.3.14. Stimulate and provide a flow of education in Marxist-Leninist theory and its application to our conditions for all SACP members, and promote cadre development.
- 9.3.15. Inform and guide the membership on current political developments and also provide regular information on SACP organisational activities.
- 9.3.16. Represent the SACP nationally and internationally in its relations with other political parties and organisations.
- 9.3.17. Manage and control all SACP property and funds.
- 9.3.18. Have the right by a $\frac{2}{3}$ majority (excluding the comrade affected) to remove or suspend any of its members from serving on the CC for any serious misconduct detrimental to the SACP. Any such actions must be reported to the membership and National Congress or Special National Congress
- 9.3.19. Appoint from among its members the heads of Commissions.

- 9.3.20. Elected CC members must work within a Commission of the SACP as deployed by the CC. Failure to participate in the work of the Commission must be reported to the CC by the Head of Commission.
- 9.3.21. Consider the removal of CC members who fail to attend 3 consecutive CC meetings, without tendering acceptable apologies or providing reasonable explanations for their absence.

10. POLITICAL BUREAU

- 10.1. The CC must meet immediately after the Congress and through the consensus of at least 60% of the CC appoint from its ranks 11 members, who together with the elected office bearers, constitute the Political Bureau (PB).
- 10.2. If there is not majority agreement on the appointments, the CC must elect the 11 additional members of the Politburo through a secret ballot.
- 10.3. At least 7 of the additional PB members must be appointed to specific portfolios, including organising, fund-raising, political education, and international relations.
- 10.4. The National Secretary of the YCLSA is an ex-officio member of the PB.
- 10.5. The PB must conduct the current work of the SACP and exercise all the powers and functions of the CC between meetings of the CC, except those powers and functions which this constitution specifically reserves for plenary sessions of the CC.
- 10.6. The PB must meet at least once every 2 months. It must establish whatever administrative structures it deems necessary to facilitate the carrying out of its decisions between meetings of the PB.
- 10.7. The CC must constantly assess and evaluate the work of the PB, and where necessary, recall members of the PB.
- 10.8. Any member of the CC may, by invitation of the PB, attend any of its meetings.
- 10.9. The PB must have the right by a $\frac{2}{3}$ majority (excluding the comrade affected) to suspend any member from the PB for any serious misconduct detrimental to the SACP. Such a decision must be enforced until the next plenary session of the CC which must either confirm or reverse the PB decision.

11. DUTIES OF THE GENERAL SECRETARY

- 11.1. The General Secretary is the leading National Office Bearer of the SACP according to conditions determined by the CC.
- 11.2. The General Secretary is an ex-officio member of all party structures and must:

- 11.2.1. Keep, or cause to be kept, the minutes of all CC and PB meetings and such other books, records and archives as may be required.
- 11.2.2. Attend to the correspondence of the CC and PB.
- 11.2.3. Maintain regular personal and written contact with all the provinces and keep the membership informed of the work of the CC and PB.
- 11.2.4. Ensure that members of the CC are kept informed of the work of the PB in between meetings of the CC.
- 11.2.5. Draw up, or cause to be drawn up, all reports and documents as may be decided upon by the CC or PB.
- 11.2.6. The Deputy General Secretaries must, as directed by the CC, taking into account their respective portfolios, deputise for the General Secretary in respect of all the functions set out above.

12. DUTIES OF THE NATIONAL CHAIRPERSON

- 12.1. The National Chairperson ranks after the General Secretary as a national office bearer of the SACP and is an ex-officio member of all party structures.
- 12.2. The National Chairperson:
 - 12.2.1. Presides at all meetings of the CC and PB in conformity with the constitution and other rules and procedures adopted by these bodies; and
 - 12.2.2. Has a deliberative vote only.
- 12.3. The Deputy National Chairperson must, as directed by the CC, deputise for the National Chairperson in respect of all the functions set out above.

13. DUTIES OF THE NATIONAL TREASURER

- 13.1. The National Treasurer must:
 - 13.1.1. Under the direction of the CC and PB take all necessary measures to ensure that the SACP raises sufficient resources to carry out its political and organisational tasks.
 - 13.1.2. Dispose of such funds as the CC authorises by general or specific mandate.
 - 13.1.3. Ensure the safe-keeping and administration of all properties, monies, and other resources of the SACP.
 - 13.1.4. Keep such books and accounts as will clearly record and reflect the financial position of the SACP and submit statements of income and expenditure to the CC and PB at intervals to be determined by the CC and PB.
 - 13.1.5. Under the direction of the CC present audited financial statements and written financial reports to the Congress.
 - 13.1.6. Be the convenor of a Finance Committee appointed by the CC.

14. SUB-NATIONAL STRUCTURES

- 14.1. The SACP has 9 provincial structures whose boundaries coincide with the boundaries of the 9 provinces of the country.
- 14.2. In each province, there must be the following structures:
 - 14.2.1. Provincial Congresses, Councils and a Provincial Executive Committee (PEC).
 - 14.2.2. District Congresses, Councils and District Executive Committees (DECs).
 - 14.2.3. Branches and Branch Executive Committees (BECs).
 - 14.2.4. Where appropriate, Sub-Districts may be established.

15. PROVINCIAL CONGRESS

- 15.1. Subject to the other provisions of this Constitution, the Provincial Congress is the highest structure of the SACP in each province.
- 15.2. The Provincial Congress must:
 - 15.2.1. Be held every 4 years.
 - 15.2.2. Be attended by elected branch delegates in proportion to their paid-up branch membership. All members of the PEC, and the District Secretary and Chairperson of each DEC must be delegates. The PEC must, subject to any directives that may be provided by the CC, decide on the number of voting delegates at the Provincial Congress to which the YCLSA in the province must be entitled. One non-voting delegate from each Unit may attend.
 - 15.2.3. Receive and consider reports from the PEC and, subject to the other provisions of the constitution, make whatever decisions it considers necessary to advance SACP campaigns, programmes and policies in its province.
 - 15.2.4. Elect the Provincial Secretary, Provincial Chairperson, Provincial Treasurer, Deputy Provincial Chairperson, First Deputy Provincial Secretary, Second Deputy Provincial Secretary, and a minimum of 15 and maximum of 25 ordinary members of the PEC as determined by a Provincial Congress. The Provincial Secretary and the Second Deputy Provincial Secretaries constitute the Provincial Secretariat, led by the Provincial Secretary. At least $\frac{1}{3}$ of the members of the PEC must be allocated to specific portfolios including campaigns, organising, and political education and cadre development
 - 15.2.5. Only a person who has been in the SACP as a member in good standing for more than 7 years and has served in a SACP or YCLSA DEC for at least 4 years is eligible for election to a PEC.

16. THE PROVINCIAL COUNCIL

- 16.1. Between Provincial Congresses, the Provincial Council is the highest decision-making body in the province.
- 16.2. It must:
 - 16.2.1. Consist of all members of the PEC, the chairpersons and secretaries of each DEC, and delegates representing branches in proportion to their membership.
 - 16.2.2. Subject to any directives that may be provided by the CC, decide on the number of voting delegates at the Provincial Council to which the YCLSA in the province is entitled. One non-voting delegate from each Unit may attend.
 - 16.2.3. Meet at least once a year.
 - 16.2.4. Fill any vacant PEC positions provided that these do not exceed a third of the PEC.

17. PROVINCIAL EXECUTIVE COMMITTEE

- 17.1. The Provincial Executive Committee (PEC) consists of those elected in terms clause of 15.2.4, co-opted in terms of clause 17.2.10, and the Secretary and the Chairperson of each DEC as ex-officio members. The provincial secretary and provincial chairperson of the YCLSA are ex-officio members of the PEC. The PEC is responsible for carrying out all decisions of the Provincial Congress and the Provincial Council.
- 17.2. The PEC must:
 - 17.2.1. Decide who will be full-time members of the PEC, provided at least one of the members of the Provincial Secretariat is full-time.
 - 17.2.2. Meet immediately after its election to appoint a Provincial Working Committee (PWC) through the consensus of at least 60% of PEC members present at a quorate meeting. The PWC must consist of all the Provincial Office Bearers and not less than 3 additional members of the PEC. The provincial secretary of the YCLSA is an ex-officio member of the PWC. The PWC must meet at least once every fortnight and implement all the decisions of the PEC.
 - 17.2.3. Decide on the specific portfolios of the Deputy Provincial Secretaries, provided that these portfolios include organisation-building, campaigns and administration. The majority of the additional members of the PWC will be appointed to specific portfolios. The PEC must decide on the portfolios. A minority of PWC members may be appointed without portfolios.
 - 17.2.4. If there is not majority agreement on the portfolios or who should be appointed to them, an election by secret ballot must be held for the additional PWC members.
 - 17.2.5. Meet at least once every 2 months.
 - 17.2.6. Submit reports to the CC, the Provincial Congress and the Provincial Council as often as is required.

- 17.2.7. Appoint provincial organisers and other staff in consultation with the CC.
- 17.2.8. Organise, establish and service districts and/or branches in its province.
- 17.2.9. Establish appropriate provincial structures consistent with national guidelines to carry out political, organisational, financial and campaign tasks.
- 17.2.10. If necessary, co-opt up to 3 members into the PEC.

18. DISTRICT CONGRESS

- 18.1. The PEC may form a District consisting of not less than 10 branches. After consulting with the PECs, the CC must draw up a policy framework to determine the boundaries of districts. This policy framework must take into account the boundaries and size of municipalities.
- 18.2. Subject to the provisions of this constitution, the District Congress is the highest structure of the SACP in each district.
- 18.3. The District Congress must:
 - 18.3.1. Be held at least once every 3 years.
 - 18.3.2. Be attended by delegates elected by branches in proportion to their membership. All members of the District Executive Committee (DEC) must be delegates to the District Congress. The DEC must, subject to any directives that may be provided by the CC and PEC, decide on the number of voting delegates at the District Congress to which the YCLSA in the District is entitled. One non-voting delegate from each unit may attend.
 - 18.3.3. Receive and consider reports from the DEC and, subject to the provisions of the constitution, take all decisions to implement the policies and programmes of the SACP in the district.
 - 18.3.4. Elect the District Secretary, Chairperson, Treasurer, Deputy Secretary, Deputy Chairperson and a minimum of 8 and a maximum of 25 District Executive members as determined by a District Congress.
 - 18.3.5. At least $\frac{1}{3}$ of the members of the DEC must be allocated to specific portfolios including campaigns, organising, and political education and cadre development. The District Secretary and District Chairperson of the YCLSA are ex-officio members of the DEC.
 - 18.3.6. The DEC must appoint a District Working Committee (DWC) immediately after the District Congress through the agreement of at least 60% of the DEC members present at a quorate meeting. The DWC must consist of the District Office Bearers and not less than 3 additional members of the DEC. The majority of the additional DWC members must be appointed to specific portfolios. The portfolios must be consistent with the portfolios established at provincial level. The District Secretary of the YCLSA is an ex-officio member of the DWC. The DWC must meet at least once every fortnight, and implement all decisions of the DEC and higher structures where relevant.

18.4. Only a person who has been in the SACP for more than 5 years as a member in good standing and has served in a SACP or YCLSA BEC for at least 3 years is eligible for election to the DEC.

18.4.1. The DEC may co-opt up to 3 additional members into the DEC.

19. THE DISTRICT COUNCIL

19.1. Between District Congresses, the District Council is the highest decision-making body in the District. It must consist of all members of the DEC and delegates in proportion to their branch membership. The DEC must, subject to any directives that may be provided by the CC and PEC, decide on the number of voting delegates at the District Council to which the YCLSA in the District is entitled. One non-voting delegate from each unit may attend.

19.2. The District Council must:

19.2.1. Meet at least once every 3 months.

19.2.2. Fill vacancies in the DEC provided they do not exceed $\frac{1}{3}$ of its members.

20. DISTRICT EXECUTIVE COMMITTEE

20.1. The District Executive Committee (DEC) must carry out the decisions of the District Congress and District Council and higher structures of the SACP.

20.2. The DEC must:

20.2.1. Meet at least once every 2 months.

20.2.2. Supervise and ensure the collection of subscriptions.

20.2.3. Submit reports to the PEC, the District Congress and District Council on the state of organisation and the finances of the District.

20.2.4. In consultation with the PEC, appoint a District organiser and staff where possible.

20.2.5. Organise, establish and service branches.

20.3. In consultation with the District Council, the DEC must also:

20.3.1.1. elaborate strategic, tactical and organisational tasks;

20.3.1.2. ensure full participation of SACP branches in SACP activities and in the national democratic and socialist struggles;

20.3.1.3. initiate, co-ordinate and support campaigns at local level;

20.3.1.4. spearhead and support programmes for socialist education; and

20.3.1.5. develop working class leadership on the ground.

21. SUB-DISTRICTS

- 21.1. DEC may approve the establishment of Sub-Districts in Districts that cover large geographical areas and have a minimum of 10 branches. The Sub-Districts must comprise a minimum of 5 adjoining branches.
- 21.2. The CC, after consulting with the PECs, must develop policy guidelines on the role and composition of Sub-District, which must include the following:
 - 21.2.1. A Sub-District Council comprising representatives of at least 3 branches in proportion to their membership, must elect a Sub-District Executive Committee.
 - 21.2.2. Only a person who has been in the SACP for more than 4 years as a member in good standing and has served in a SACP or YCLSA BEC for at least 2 years must be eligible for election to the Sub-District Executive Committee.
 - 21.2.3. The Secretary and Chairperson of each branch within the Sub-District must be ex-officio members of the Sub-District Executive Committee.
 - 21.2.4. The Secretary of each YCLSA branch in the Sub-District must be ex-officio members of the Sub-District Executive Committee.
 - 21.2.5. The Secretary and Chairperson of each Sub-District must be ex-officio members of the DEC.

22. BRANCHES

- 22.1. The basic structure of the SACP is the branch, to be formed at a residential area or workplace, and every member must belong to a branch.
- 22.2. After consultation with the PECs, the CC must draw up a policy framework for the determination of the boundaries of branches. This policy framework must take into account the ward and voting district boundaries within a municipality.
- 22.3. The branch must:
 - 22.3.1. Consist of a minimum of 25 members.
 - 22.3.2. Ensure that its members are given every opportunity to exercise their basic democratic right to discuss and formulate policies.
- 22.4. The branch must elect a BEC at a Branch General Congress every 2 years consisting of a Secretary, Chairperson, Treasurer, Deputy Secretary and Deputy Chairperson and not more than 5 additional committee members. At least $\frac{1}{3}$ of BEC members must be allocated specific portfolios including campaigns, organising, and political education and cadre development.
- 22.5. Only a person who has been a member in good standing for more than 3 years is eligible for election to the BEC, except in the case of a totally new branch, in which case those who have been conferred membership by the DEC or PEC, having served a year as interim members, may stand for election to the BEC.

- 22.6. Where a vacancy arises among the office bearers of the branch, the next Branch General meeting must elect an interim office bearer, who must serve for the remainder of the period until the next AGM.
- 22.7. The BEC must submit regular reports to the DEC.
- 22.8. A branch must only send a voting delegate/s to a SACP Congress, Conference, or Council at National, Provincial, District or Sub-District levels, if that branch has been in existence and functioning for at least 6 months.
- 22.9. The branch must ensure that it acts as a basic unit of activity for members by:
 - 22.9.1. elaborating strategic, tactical and organisational tasks for the branch;
 - 22.9.2. fully participating in the national democratic and socialist struggles, which includes the struggle for gender equality from a class perspective;
 - 22.9.3. initiating and co-ordinating campaigns;
 - 22.9.4. conducting programmes on socialist education;
 - 22.9.5. developing working class leadership on the ground;
 - 22.9.6. assisting members to fulfil their duties as defined in 5.11 above;
 - 22.9.7. ensuring interim members meet the requirements for membership set out in 5.3 above; and
 - 22.9.8. meeting at least once a month.

23. UNITS

- 23.1. A unit of the SACP, consisting of a minimum of 4 members may be formed in circumstances where a branch cannot be formed.
- 23.2. This unit must be represented by a member of the nearest BEC.
- 23.3. The members of such a unit have all the responsibilities and duties of SACP members but do not have voting rights at Branch meetings or Sub-District or District or Provincial Councils and Congresses.
- 23.4. Such a unit is allowed to exist and function for no more than a year without launching as a full branch, unless otherwise authorised by the DEC or PEC where a DEC does not exist or is not functional.
- 23.5. A unit of the SACP consisting of a minimum of 4 members may also be formed in workplaces, with the approval of the DEC or PEC where a DEC does not exist or is not functional.
- 23.6. A unit of the SACP consisting of a minimum of 4 members may also be formed to facilitate and encourage participation in SACP activities in a branch which covers a wide geographical area. The formation of such a unit within a branch must be approved at a branch general meeting.
- 23.7. A sectoral unit of the SACP consisting of a minimum of 4 members may also be formed to advance SACP goals within different spheres of society.

The formation and role of these units must be determined by the CC or PEC, as appropriate.

- 23.8. Consistent with these provisions on Party units, the CC may provide guidelines on Party units.

24. QUORUMS

- 24.1. The launch of new branches, branch AGMs and branch general meetings: more than 50% of the members.
- 24.2. Units: more than 50% of the members.
- 24.3. District Congress, District Council, Sub-District Council: more than 50% of the branches.
- 24.4. Provincial Congress and Provincial Council: more than 50% of the branches.
- 24.5. National Congress: more than 50% of the branches.
- 24.6. BEC, Sub-District Executive, DEC, PEC, PWC, CC, PB: more than 50% of the elected members on each of these structures.
- 24.7. If after one hour, the relevant constitutional structure has not attained a quorum, the meeting is regarded as non-quorate.
- 24.8. Meetings that do not attain a quorum must re-convene between 2 and 14 days later. All those who may attend have to be notified of a re-convened meeting. Delegates present at the said meeting form a quorum.
- 24.9. Interim members do not constitute part of any quorum.

25. Political Education and Cadre Development Committee

- 25.1. There must be a Political Education and Cadre Development Committee at all levels of SACP structures to ensure the political education and cadre development of members.
- 25.2. The CC must develop guidelines on the role of the Political Education and Cadre Development Committee.

26. Deployment and Accountability Committee

- 26.1. There must be a Deployment and Accountability Committee at all levels of SACP structures to ensure the appropriate deployment and effective accountability of SACP members to SACP structures.
- 26.2. The CC must develop guidelines on the role of the Deployment and Accountability Committee.

27. Revolutionary Morality Committee

- 27.1. There must be a Revolutionary Morality Committee that strives to ensure that SACP members understand and abide by a Marxist-Leninist revolutionary morality.
- 27.2. The Revolutionary Morality Committee must comprise a minimum of 5 and a maximum of 7 members and must not include members of the Standing Disciplinary Committee.
- 27.3. The CC must draw up guidelines on the role of the Revolutionary Morality Committee.

28. DISCIPLINE

- 28.1. A member or interim member who through an investigation is found to have breached any provision of this constitution or to have participated in any other conduct detrimental to the SACP must be subjected to SACP disciplinary proceedings, and must remain subject to the discipline of the SACP throughout the disciplinary process and any sanction, unless expelled from the SACP.
- 28.2. The CC may adopt a list of offences in terms of which a member may be charged for a breach of SACP discipline.
- 28.3. Disciplinary proceedings must normally be conducted at the level where the alleged violation or offence took place, namely the branch, district, province or national.
- 28.4. All structures of the SACP must establish a Standing Disciplinary Committee of not less than 3 and not more than 5 persons to hear disciplinary cases. This committee must only function when the relevant structure refers a matter for investigation and possible disciplinary action to the chair of the committee. The Standing Disciplinary Committees of the SACP must not include officer bearers of the relevant level structure, and should include SACP member/s who are not members of the relevant level structure.
- 28.5. The CC must appoint a National Appeals Committee composed of members of the SACP who are not members of the CC to hear appeals.
- 28.6. A higher structure or the relevant level structure of the SACP may direct that the disciplinary proceedings should be heard at a higher level than where the alleged violation took place.
- 28.7. The relevant level structure must undertake a preliminary engagement with any comrade against whom allegations are made, and where relevant must forward any allegations against the comrade to the Standing Disciplinary Committee at the relevant level for investigation, and for implementation of the findings of investigation report as per the disciplinary procedures of the SACP.
- 28.8. The CC must draw up rules of procedure to be followed during a hearing process.

- 28.9. Any person facing disciplinary proceedings must receive at least one week's notice of any hearing, as well as the basic allegations and charges against him/her/them and be afforded a reasonable opportunity to make their defence.
- 28.10. The disciplinary proceedings must be completed within 90 days of the member receiving the notice of hearing.
- 28.11. No member must be judged or disciplined without a proper hearing. This does not mean that sections 9.3.18 and 28.19 may not be effected.
- 28.12. No member of the SACP should be suspended from membership of the SACP as a precautionary step pending an investigation.
- 28.13. A member may be released from responsibilities of office and the right to participate in SACP activities pending an investigation for serious offence/s or while undergoing a disciplinary process.
- 28.14. A member who has been investigated and/or disciplined and found not guilty must immediately be allowed to resume full responsibilities and participation activities.
- 28.15. Refusal to participate in a disciplinary hearing or to accept the authority of the relevant SACP structure to impose disciplinary action constitutes a serious offence, requiring immediate suspension for a period of at least 60 days. At the end of this period, the disciplinary hearing must be restarted, and should the member repeat such refusal, the member must be expelled from the SACP by the CC.
- 28.16. The case against a member facing disciplinary action must proceed even if that member resigns or refuses to appear before the Standing Disciplinary Committee. Should a member resign from the SACP while facing investigation or disciplinary charges the case must be completed should the member re-apply for membership of the SACP.
- 28.17. Penalties for violations in terms of subsection 28.2 must include a reprimand, payment of compensation, performance of useful tasks, suspension, or expulsion.
- 28.18. The penalties imposed by a branch or district disciplinary committee must be immediately reported to the PEC for approval before they come into effect.
- 28.19. The PEC has the power to suspend members or impose lesser forms of punishment, which must come into effect without prior approval of the CC, but such a measure must be immediately reported to the CC, which has the power to amend or reverse them.
- 28.20. Expulsion must be imposed only by the CC acting either on its own initiative or after receiving a fully documented recommendation from a PEC.
- 28.21. A suspended member is not allowed to attend meetings of any SACP structure during the period of suspension except by special invitation.

- 28.22. Any person found guilty in a disciplinary proceeding has the right to appeal to the National Appeals Committee. All appeals must be submitted through the Provincial Council concerned or in the case of a matter heard by the Standing Disciplinary Committee, through the CC, within 30 days of the person being notified of the decision. The Provincial Council or CC must forward the appeal together with all other relevant documentation to the National Appeals Committee.
- 28.23. The lodging of an appeal does not postpone the operation of the penalty.
- 28.24. Any member of the SACP whose appeal has been rejected by the National Appeals Committee has the right to appeal against such a decision in writing to the next Congress. The written appeal must be submitted to the PB within 3 months of the date the member is informed of the National Appeals Committee's decision.
- 28.25. The CC-approved report on disciplinary action taken against a SACP member who is also a YCLSA member must be referred to the National Secretary of the YCLSA by the General Secretary for the attention of the YCLSA National Committee if the SACP member is also a YCLSA member. The YCLSA must take the same action against the member as the SACP.
- 28.26. The YCLSA National Committee-approved report on disciplinary action against a YCLSA member who is also a SACP member must be referred to the SACP General Secretary. The General Secretary must refer the report to the SACP Standing Disciplinary Committee for its recommendation to the CC on what action, if any, should be taken against the YCLSA member.

29. AMENDMENTS TO THE SACP CONSTITUTION

- 29.1. This constitution can be amended by a majority vote at National Congresses.
- 29.2. All proposed amendments to the constitution must be submitted in writing to the CC not less than 2 months prior to a National Congress.
- 29.3. The CC must ensure that provinces, districts and other structures receive such amendments, or any other amendments proposed by the CC not less than 6 weeks prior to the National Congress and all comments received must be tabled at the National Congress. Amendments that do not meet these deadlines must be considered by a National Congress, provided a $\frac{2}{3}$ majority of the delegates agree that they may be considered.