

CONSTITUTION OF THE YCLSA

Broader Remarks

- **Constitution amendment process must not be clouded and pre-occupied with political battles of the moment but it must remain a strategic, dynamic, living and visionary document**
- **The principle is for a constitution to reflect on broader principles for common guide to all members, therefore it cannot resolve or manage all political questions but equally it is a living document that must not arrest organization to advance its political mission**
- **It is advisable that the amendments be read holistically with the whole constitution as selective reading of one clause or amendments has potential to make a reader interpret the meaning out of context**
- **On reading this proposals note that notes on the side are thin explanatory comments on suggested amendments but not exhaustive**
- **The rest is the constitution as amended in Mangosuthu YCLSA Congress**
- **The amendments are not numbered deliberately up until they are endorsed, amendment or rejected as their numbering will cause confusion if they are not endorsed**
- **Participation process in formulating the final product is evolving up until adoption by National Congress, therefore it is advisable that all inputs be recorded and processed accordingly**

Preamble

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PREAMBLE

We, the Young Communist League of South Africa founded in 1922, banned in 1950 and re-established in 2003, are a voluntary mass organisation of the youth in South Africa.

We are devoted to the interests of all young people and dedicated to the revolutionary cause of the working class of our country and the globe.

We are committed to and struggle for the transformation of South Africa from a capitalist society to a socialist society in which there will no exploitation of person by another.

The YCLSA recognises the South African Communist Party as the political party of socialism in our country and hence enjoys political and ideological guidance from the SACP.

Young Communists promote the unity of progressive young people of our country with the progressive peoples and youth of all countries.

1. Name

The name of the organisation is the Young Communist League of South Africa hereinafter referred to as the YCLSA.

2. Logo, Colours and Flag

The logo of the YCLSA shall be round with a black star and gold hammer and sickle above an open book that is gold on the hinges. The book shall be written the strategic slogan of the YCLSA; "Socialism in Our Life time" in black. The features are against a red background within gold and black rings. The name of the organisation shall straddle the inner gold ring.

The colour of the YCLSA shall be RED, BLACK and GOLD.

- RED colour signifies the blood of the working class
- Black represents the Black majority
- Gold represents the minerals and wealth

The flag shall be rectangular. The length shall be 1X2 in dimension. The logo shall be on the top left of the flag **3.**

Aims and Objectives

The aims and objectives of the YCLSA shall be the following:

- (a) To develop young cadres into communists
- (b) To strive for the elimination of all forms of oppression and discrimination
- (c) To be a preparatory school for the South African Communist Party (SACP)
- (d) To fight for the creation of a socialist society and ultimately a communist society
- (e) To fight capitalism wherever it exists
- (f) To develop communist, working-class political and moral convictions in our members, and teach them to work and struggle collectively.
- (g) To reject crime, the abuse of women, children, drugs and alcohol.
- (h) To fight for the equality of all young people, against racism, and economic exploitation.
- (i) To promote social, recreational and cultural activities among young people.

(j) To organise and conscientise our members to participate actively in day to day struggles of the working people and youth.

(k) To promote the understanding among youth that the working class is the only class capable of leading the people to socialism.

4. Character of the YCLSA

The character of the YCLSA shall be:

- (a) That of non-racial, and non-sexist youth organisation
- (b) Subscribe to the principle of democratic centralism.
- (c) An autonomous and independent youth organisation that is guided by a Marxist-Leninist ideology.

5. Relationship with the SACP

- (a) The YCLSA is autonomous and derives its existence from the SACP.

6. Membership

6.1. Application for Membership

(a) An application shall be considered by a Branch Executive Committee where such exists or a district if no Branch Executive Committee exists or such interim structures. The National Committee may delegate responsibility to lower structures to decide on applications, which may accept or refuse membership. Such acceptance or refusal shall be subject to review by higher organs of the YCLSA.

(b) Any member who joins the YCLSA will be subject to a membership fee and any levies that may be decided upon by the National Congress of YCLSA.

(c) A member who fails to renew his/her membership within three months after elapses ceases to be a member. In the event that such a person holds a position of leadership s/he relinquishes such a position.

(d) Any South African who is between the ages of 14 and 35 and who accepts the YCLSA's Policies, Programmes, Constitution and willing to work actively in one of its structures, carry out its decisions may apply for membership.

All persons who accept adherence to policies, programs, constitution and willing to work actively in one of YCLSA structures, carry out its decisions and are residents of South Africa may apply for membership

(e) The National Congress may bestow honorary membership on any person not meeting the membership requirements as outlined above. Such a member may not be required to pay subscriptions and will not be entitled to vote or stand for election.

Dual or multiple membership by individuals shall be accepted provided that the policies and programs of the said organization, to which a member belongs to or may wish to belong to be not hostile to those of the organization

(f) Members of the Young Communist League of South Africa strive to be vanguard fighters of the South African working-class, imbued with communist consciousness.

(g) Members of the YCLSA must serve wholeheartedly, dedicate their lives to the realisation of communism and be ready to make sacrifices. They are at all times ordinary members of South African society. They must not seek personal gain or privileges.

(h) YCLSA members must fulfill the following duties:

i. To conscientiously study Marxism-Leninism and other contributions to Marxism, study the YCLSA and SACP Programme, principles, policies and decisions, acquire essential knowledge concerning the YCLSA and SACP, obtain general, scientific and professional knowledge and work diligently to enhance their ability to serve the people and the youth in particular.

ii. To implement the YCLSA's Programme, principles and policies, show the way in socialist activism, encourage the people and youth to work for socialism, and play an exemplary role in production, work, study and social activities.

iii. To adhere to the principle that the interests of the collective stand above everything else, subordinating their personal interests to the interests of the collective, and working to contribute more.

iv. To conscientiously abide by the YCLSA Disciplinary Code, execute the YCLSA's decisions and actively fulfill any task assigned them by the YCLSA.

v. To uphold the YCLSA's solidarity and unity, be loyal to and honest with the YCLSA, match words with deeds, firmly oppose all factions, clique activities, and scheming of any kind.

vi. To earnestly engage in criticism and self-criticism, boldly expose and correct shortcomings and mistakes and resolutely combat corruption and other malpractices.

vii. To maintain close ties with the young masses, disseminate the views of the YCLSA and SACP among them, consult with them when problems arise, keep the YCLSA informed of their views and demands and defend their legitimate interests.

viii. To promote socialist ways and values and advocate communist ethics. To volunteer services for the reconstruction and development of the country and in the process of addressing the apartheid legacy.

ix. To act consciously to reverse the damaging effects of apartheid colonialism, to foster positive and exemplary racial, ethnic and gender relations, and to oppose all forms of discrimination including on grounds of disability, sexual orientation, hygiene and health status and to be sensitive and compassionate to people experiencing hardships, infected or affected by especially incurable diseases and in social distress.

6.2. Duties and Responsibilities of Members

The duties and responsibilities of members shall be:

a. To attend relevant YCLSA meetings, read relevant YCLSA documents, and benefit from education and training programmes of and organised by the YCLSA.

b. To participate in the discussion of questions concerning the YCLSA's policies at the YCLSA's meetings and in the YCLSA's newspapers and journals.

c. To make suggestions and proposals regarding the work of the YCLSA.

d. To make well-grounded criticism of any YCLSA organ or member at YCLSA meetings, to present information or charges against any YCLSA organ or member concerning violations of discipline or the law

of the country in a responsible way, to demand disciplinary measures against such a member, or call for dismissal or replacement of such incompetent cadre.

e. To participate in voting and elections and to stand for election.

f. To attend, with the right of self-defense, discussions held by YCLSA organs to decide on disciplinary measures to be taken against themselves or to appraise their work and behaviour; other YCLSA members may bear witness or argue on their behalf.

g. In case of disagreement with a YCLSA decision or policy, to make reservations and present their views to YCLSA organs at higher levels even up to the National Committee, provided that they resolutely carry out the decision or policy while it is in force.

h. To put forward any request, appeal or complaint to higher YCLSA organs even up to the National Committee and ask the organs concerned for a responsible reply.

6.3. Admission to the YCLSA

All YCLSA members shall be admitted as follows:

(a) New YCLSA members must be admitted through a branch, which shall receive their comprehensively completed application form and applicable dues and pass these to the next higher organ. The branch must also take responsibility for the induction of the new member.

(b) A new member shall sign the following declaration: It is my will to join the Young Communist League of South Africa, uphold the YCLSA Programme, observe the provisions of the YCLSA Constitution, fulfill a YCLSA member's duties, carry out the YCLSA's decisions, strictly observe the YCLSA's disciplinary code, guard YCLSA confidentiality, be loyal to the YCLSA, work hard, fight for socialism, be ready at all times to sacrifice for the YCLSA, and never betray the YCLSA.

(c) Every YCLSA member, irrespective of position, must be organised into a branch, cell or other specific unit of the YCLSA to participate in regular activities of the YCLSA and accept supervision by the masses inside and outside the YCLSA organ.

(d) YCLSA members are free to withdraw from the YCLSA. Such withdrawal must be made public, first communicated at the branch of the member, then to higher organs of the YCLSA.

7. Organisational Structure

The YCLSA shall have the following structures:

National Level

7.1. National Congress

7.2. National Council

7.3. National Committee

7.3.1. Duties of National Office Bearers

7.4. National Working Committee

Provincial Level

7.5. Provincial Congress

7.6. Provincial Council

7.7. Provincial Executive Committee

7.8. Provincial Working Committee

District Level

7.9. District Congress

7.10. District Council

7.11. District Executive Committee

7.12. District Working Committee

Sub- District Committes

Branch Level

7.13. Branch Congress

7.14. Branch Executive Committee

7.15. Branch General Meeting

7.1. National Congress

i. The National Congress shall be the highest decision making body of YCLSA with National Council and National Committee being highest decision making bodies in between National Congresses or National Council. The National Congress shall be attended by delegates from branches, delegates from the District Executive Committee, delegates from the Provincial Executive Committee and all National Committee members. ii. The National Congress shall decide and determine national policy, programme and shall have the powers to amend the constitution.

iii. The National Congress shall convene once every four years.

National Congress shall be attended by delegates whom are elected democratically by and from branches in good standing in proportion to their membership, the National Committee shall determined the amount of delegates and proportion of delegates.

The National Congress shall elect members of the National Committee.

Only a person who has been a member in good standing in the YCLSA for two years or more shall be eligible for election to the National Committee.

v. Shall receive and discuss reports of the National Committee which shall include the political, organisational and financial reports.

vi. Shall have powers to review, ratify and amend any decision taken by any of the organisational structures.

vii. Shall have the powers to appoint or elect any commission or committee and assigns specific tasks and duties to such commission and committees.

7.2. National Council

i. The National Council shall be convened in between the National Congresses.

ii. It shall have all the powers of the National Congress, except the election of the National Committee.

7.3. National Committee

Composotion

The National Committee shall consist of National Office Bearers and twenty directly elected members.

Provincial Chairpersons and Provincial Secretaries shall attend in an ex-offio capacity.

Any member shall, upon his/her election to the NC in his/her own right, relinquish his/her position in lower constitutional structures, the same shall be true in all structures of YCLSA

One shall cease to be a member of the NC upon absenting oneself from three successive NEC meetings without a valid reason, the same shall be true in all structures of YCLSA.

Should a vacancy occur in the NC for any reason, the NC shall have the power to co-opt a replacement, provided such co-option is supported by simple majority of the members of the NC.

The NC 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.

National Committee shall be permitted to augment any of its plenary sessions and determine its attendees drawn from within or outside its structures.

Duties

The N.C shall:

Subject to National Congress and National Council be the highest decision making body in between National Congress or National Council

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

Supervise and direct the work of the YCLSA

Manage and control all national property and funds of the YCLSA

Stimulate and provide a flow of education in Marxist theory and its application to our conditions for all YCLSA members, and promote cadre development.

Represent the YCLSA nationally in its relations with other political parties and organisations.

Have the right by a two-thirds majority (excluding the comrade affected) to remove or suspend any of its members from serving on the NC for any serious misconduct detrimental to the YCLSA. Any such actions shall be reported to the membership.

Appoint from among its members the conveners of commissions.

All NC members shall be obliged to attend all NC meetings or tender written apologies. Elected NC members shall be obliged to work within a Commission of the YCLSA as deployed by the NC. Failure to participate in the work of the Commission shall be reported to the NC by the Convener of Commission.

NC shall decide who will be the full-time members of the NC.

The National Committee shall consist of five National Office Bearers and twenty directly elected members.

7.3.1. Duties of National Office Bearers

(a) The National Secretary shall:

- i. Be a full time official of the YCLSA;
- ii. Keep (or cause to keep) the minutes of all National Committee and National Working Committee meetings and such other books, records and archives as may be required;
- iii. Attend to the correspondence of the National Committee and National Working Committee. Maintain regular personal and written contact with all the provinces and keep the membership informed on the work of the National Committee and National Working Committee.
- iv. Ensure that members of the National Committee are kept informed of the work of the National Working Committee in between meetings.
- v. Draw up (or cause to draw up) all reports and documents as may be decided upon by the National Committee or National Working Committee.
- vi. Shall be an ex-officio member of the Central Committee of the SACP.
- vii. Shall be the custodian of all YCLSA policies and decisions.
- viii. Shall present to the National Committee and National Congress a political and organization reports of the YCLSA.
- ix. Shall make pronouncements for and on behalf of the National Committee outlining and explaining policy or decisions of the YCLSA on any matter.
- . Shall execute his/her tasks under the overall supervision of the National Committee and direct and implement the work of the YCLSA.

(b) National Chairperson

- i. Be an ex officio member of all YCLSA structures.
- ii. Preside at all meetings of the National Committee and National Working Committee in conformity with the constitution and other rules and procedures adopted by these bodies.
- iii. Shall be an ex-officio member of the Central Committee of the SACP.
- iv. Shall be the second in command after the National Secretary.

(c) Deputy National Secretary

The Deputy National Secretary shall assist the National Secretary, deputize for the National Secretary where necessary and carry out the functions entrusted by the National Congress or the National Committee

(d) Deputy National Chairperson

The Deputy National Chairperson shall assist the National Chairperson, deputize for the National Chairperson where necessary and carry out the functions entrusted by the National Congress or the National Committee.

(e) The National Treasurer

The National Treasurer shall:

- i. Dispose of such funds as the National Committee authorises by general or specific mandate.
- ii. Be responsible for the safe keeping and administration of all property and monies of the YCLSA
- iii. Keep such books and accounts as will clearly record and reflect the financial position of the YCLSA and submit statements of income and expenditure to the NC at intervals to be determined by it.
- iv. Under the direction of the National Committee, present audited financial statements and written financial reports to the Congress.
- v. Be the convener of a Finance Committee appointed by the National Committee.
- vi. Submit periodic reports to the National Working Committee and the National Committee.
- vii. Submit to the National Congress reports showing income and expenditure accounts and balance sheet of the YCLSA for the period since the National Congress.

7.4. National Working Committee

- i. The National Committee shall elect a National Working Committee in its first plenary session.
- ii. The National Working Committee shall comprise of the National Office Bearers and not more than six directly elected National Committee members.
- iii. The National Working Committee shall exercise the powers and execute duties of the National Committee in between the plenary sessions of the National Committee.

7.5. Provincial Congress

- i. The Provincial Congress shall be the highest decision making body in between the Provincial Councils and Provincial Executive Committee meetings.
- ii. The Provincial Congress shall be attended by delegates from branches and delegates from the District Executive Committee, and members of the Provincial Executive Committee members.
- iii. The Provincial Congress shall convene once every three years.
- iv. The Provincial Congress shall elect members of the Provincial Executive Committee which shall comprise five Provincial Office Bearers and fifteen directly elected members.
- v. Shall receive and discuss reports of the Provincial Executive Committee which shall include the political, organisational and financial reports.
- vi. Shall have powers to review, ratify and amend any decision taken by any of the lower structures.

7.6. Provincial Council

- i. The Provincial Council shall have the powers equivalent to the powers of the Provincial Congress.
- ii. The Provincial Council shall not have powers to elect the Provincial Executive Committee.
- iii. The Provincial Council shall convene at least once in every three months.

7.7. Provincial Executive Committee

- i. The Provincial Executive Committee shall comprise of the five Provincial Office Bearers and fifteen directly elected members.
- ii. The Provincial Executive Committee shall have powers similar to the National Committee, but limited to the province.
- iii. The Provincial Executive Committee shall meet at least once every month.

7.8. Provincial Working Committee

- i. The Provincial Working Committee shall comprise of the five Provincial Office Bearers and an additional five members of the Provincial Executive Committee.
- ii. The Provincial Working Committee shall meet at least once every three weeks.

7.9. District Congress

- i. The District Congress shall be the highest decision making body in the district.
- ii. The District Congress shall be attended by delegates from branches in the district and such units and cells of the YCLSA in the district.
- iii. The District Congress shall also be attended by members of the District Executive Committee and such invited guests.
- iv. The District Congress shall elect the District Executive Committee.
- v. The District Congress shall convene every two years.

7.10. District Council

- i. The District Council shall have the powers equal to that of the District Congress.
- ii. The District Council shall have the powers equal to that of the District Congress, except elections of the District Executive Committee.
- iii. The District Council shall convene every three months.

7.11. District Executive Committee

- i. The District Executive Committee shall comprise of the District Office Bears namely; the District Secretary, District Chairperson, Deputy Secretary, Deputy Chairperson, Treasurer and fifteen members elected directly by the District Congress.
- ii. The District Executive Committee shall meet at least once every month.

7.12. District Working Committee

- (i)The District Working Committee shall comprise the District Office Bears, and three directly elected members of the District Executive Committee.
- ii. The District Working Committee shall meet at least once in every three months.

Sub - District

- i. The Sub - District Congress shall be the consultative body in the sub - district.
- ii. The Sub - District Congress shall be attended by delegates from branches in the sub - district and such units and cells of the YCLSA in the district.
- iii. The Sub- District Congress shall also be attended by members of the Sub - District Committee and such invited guests.
- iv. The Sub - District Congress shall elect the Sub- District Committee.
- v. The Sub - District Congress shall convene yearly .

7.10. Sub - District Council

- i. The Sub - District Council shall be consultative meeting within branches in that sub - district
- ii. The Sub - District Council shall convene every three months.

7.11. Sub - District Committee

- i. The Sub - District Committee shall comprise namely of ; the District Secretary, District Chairperson, Deputy Secretary, Deputy Chairperson, Treasurer and five additional members elected directly by the District Congress.
- ii. The Sub - District Committee shall meet at least once every month.

7.13. Branch Congress

- i. The Branch Congress shall convene once every twelve months.
- ii. The Branch Congress shall be attended by members of the branch and Branch Executive Committee.
- iii. The Branch Congress shall elect the Branch Office Bearers namely, Secretary, Chairperson, Deputy Secretary, Deputy Chairperson, Treasurer and five other members.
- iv. The Branch Congress shall receive reports that shall be presented by the branch secretary and the treasurer on behalf of the Branch Executive Committee.
- v. The Branch Congress shall have powers to decide on any matters relating to the branch.

7.14. Branch Executive Committee

- i. The Branch Executive Committee shall comprise of the Branch Office Bearers and directly elected members.
- ii. The Branch Executive Committee shall meet every month.
- iii. The Branch Executive Committee members shall process all matters relating to the branch.

7.5. Branch General Meeting

- i. The Branch General Meeting shall have the same powers as the Branch Congress except the election of a Branch Executive Committee.

8. Demarcations

8.1. Provinces

- i. The YCLSA shall comprise of nine Provinces demarcated in line with government delimitations.
- ii. The Provinces shall comprise of districts, Sub - Districts and branches.

8.2. District

- i. The YCLSA shall comprise of districts demarcated by the Provincial Executive Committee.
- ii. A District shall comprise at least ten branches or three hundred members.

Sub – Districts

- i. The YCLSA shall comprise of sub – districts demarcated by the Provincial Executive Committee.
- ii. A District shall comprise at least five branches or one- hundred and fifty members.

8.3. Branch

- i. The YCLSA branch shall comprise of not less than thirty paid up members.
- ii. Each branch shall be demarcated according to voting districts

9. Quorum

- i. The quorum for all YCLSA of all meetings of structures and committees shall be fifty percent plus one (50% + 1)

10. Organisational Principles on Gender

- i. The YCLSA subscribes to the principles of equality.
- ii. YCLSA committees shall be constituted by no less 30% of female comrades
- iii. All conferences, councils and congresses of the YCLSA shall be attended by at least 30% female members of the YCLSA.

f11. Amendments

The Constitution shall be amended by two thirds of the delegates at a National Congress or Council.

12. DISSOLUTION

- i. The YCLSA has been re-established in terms of a resolution of the SACP. In the event that the necessity arises for discussion on its possible dissolution, the YCLSA shall entertain such a motion and reach finality after consultation with the SACP.

ADDENDUM

THE CODE OF CONDUCT OF THE YOUNG COMUNIST LEAGUE (YCLSA).

1. DISCIPLINE

- i. Any member of the YCLSA who defies the decision taken by the National Congress or any structure of the YCLSA after due process shall be expelled immediately.
- ii. The member so expelled, shall have a right to appeal to the higher structure.
- iii. All YCLSA members who are suspended or expelled by the SACP shall automatically be suspended or expelled from the YCLSA.

2. RULES AND REGULATIONS

Any member shall act according to the rules and regulations of the Young Communist League of South Africa.

- a) Respect each and every members of the organisation.
- b) Defend and protect the name and the statue of the committee from any disrepute.
- c) Discipline shall be the responsibility and the prerogative of the National Committee.
- d) All members of YCLSA shall abide by the Code of Conduct.
- e) A Disciplinary Committee and or Conflict Resolution Committee may be formed to deal with any specific case that may arise as a result of misconduct or conflict or any form of quarrel within the YCLSA structures. The Disciplinary Committee may be formed by members of the YCLSA led by official(s) at any particular level of the YCLSA.
- f) The National Committee or National Congress may discipline or expel a member for:
 - i. Acting against the interests of the organisation;
 - ii. Failing to pay membership and/or levy fees according to this constitution.
 - iii. Contravening any part of this constitution in any way.
 - iv. Bring the name of the organisation into disrepute.
 - v. Bringing about chaos in the day to day running of the organisation.
- g) The member shall be notified in writing and shall remain suspended until the case has been heard and concluded by the Disciplinary Committee.

3. Offenses

- a) A person/s shall be charged with a Serious Offense against the organisation if s/he: -
- b) Contravenes any part of this constitution that results in the disruption of the running of the organization.
- c) Acts in a way that exposes members to serious physical harm or death;
- d) 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;
- e) Carelessly pass on information that might be of substantial use to opponents of the
- f) organisation;
- g) Behaving corruptly in seeking or accepting any kind of bribes for performing or not performing any task on behalf of the organisation;
- h) Engage in abuse of office to obtain any other undue advantage from members or others;
- i) Dealing and/or abusing drugs or other illegal and illegal substances;
- j) Persistently sowing factionalism, racism, sexism or tribalism in the organisation;
- k) Behaving in such a way as to provoke serious divisions and a breakdown of unity in the organisation.
- l) Persistently and without cause undermining the respect for or impeding the functioning of the structures of the organisation;
- m) Violate or acts against a decision of constitutional structures of the movement.
- n) Ill-disciplined and aggressive behavior and drinking during meetings, whilst on duty or during activities of the organisation, unless of a social nature;
- o) Abusive and disrespectful behavior towards other comrades;
- p) Gossiping maliciously so as to set comrade against comrade
- q) Carelessness in relation to property of the organisation, including reckless or careless and unauthorized use of the organisations property for personal use.
- r) Disrupting meetings and interfering with the orderly functioning of the organisation;
- s) Sexual harassment.

t) Any persistent negligent behavior that harms or threatens to harm the organisation and or its members;

4. DISCIPLINARY PROCEDURES

4.1 Guiding Principles

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

- a) Discipline should not be used as a means of stifling debate, of denying members their basic democratic rights to debate.
- b) It should not be used as a means of solving individual problems or as interfering in the private lives, unless such conduct itself constitutes a violation or an offense affecting the organisation.
- c) Any person faced with disciplinary proceedings shall receive:
 - i. a due written notice stating the nature of the allegations,
 - ii. the date, time and venue of the disciplinary hearing and the name of the chairperson of the Disciplinary Committee,
 - iii. a reasonable opportunity to make his or her defense,
- d) All disciplinary proceedings shall be attended to as speedily as possible.

5. DISCIPLINARY STRUCTURES, RULES AND PROCEDURES

5.1 Disciplinary structures

- a) Disciplinary proceedings shall normally be conducted at the level where the alleged violation or offense took place, namely the branch, region, province or national, and may be heard by the relevant structure;
- b) The NC and NWC may direct that the disciplinary proceedings should be heard at a higher level from where the alleged violation or offense took place.
- c) The NC shall appoint a National Disciplinary Committee from amongst its ranks.
- d) Disciplinary Committees shall be appointed at provincial, district and branch levels by the PEC. DEC and BEC as and when the need arises.
- e) The Disciplinary Committee shall comprise of not less than five (5) people.
- f) The Chairperson shall represent the executive committee and shall chair the Disciplinary Committee and report back to the collective structure of all the proceedings.

A National Appeals Committee whose composition shall include members of the YCLSA who are not members of the NC to hear appeals

5.2. Rules of Procedure

- a) The National Disciplinary Committee (NDC) or the National Committee or National Congress shall be the custodian of the Code of Conduct, where interpretation is sought; the National Committee or National Congress shall have the final say on the interpretation and application of the Code of Conduct.

NC shall be responsible to develop guidelines for conducting of D.C for all structures of the YCLSA

No member shall be judged or disciplined without a proper hearing

The case against a member facing disciplinary action shall proceed even if that member resigns or refuses to appear before the Standing Disciplinary Committee

Expulsion shall only be imposed only by the NC acting either on its own initiative or after receiving a fully documented recommendation from disciplinary committee of the structure concerned, after allowing the respondent to make representations before the NC

5.3. Notice of Disciplinary Hearing

- a) A written notice must be given at least 14 working days before the date of a hearing.
- b) 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.

5.4. Conducting a Disciplinary Hearing

- a) A disciplinary hearing must be held within 21 working days after notification, unless the disciplinary committee request for an extension from its executive committee.
- b) The Disciplinary Committee may call for the services of an interpreter or call for witnesses in order to make reach its conclusion on the matter.
- c) 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.
- d) Decision of the disciplinary committee must be communicated to the affected person within 21 working days after the conclusion of the hearing.

6. THE RIGHT TO APPEAL

- a) Any person found guilty in a disciplinary proceeding, has the right, within 21 working days, to appeal against the conviction or sentence, to the next higher structure, then to the National Appeals Committee of the YCLSA up to the National Congress.
- b) The appeal must be concluded within 60 working days.
- c) The decision of the highest structure (National Congress) of the organization is final and no further appeals may be entertained once a matter has been taken to National Congress and a decision has been taken on the appeal.

7. SCHEDULE OF PENALTIES OR CORRECTIVE MEASURES

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

- a) A warning
- b) imposition of corrective measures
- c) a temporary forfeiture of membership rights.
- d) a temporary suspension; or
- e) Expulsion from the organization. Expulsion may only be imposed by the National Committee, lower structures may only recommend.