



• Young Communist League
of South Africa

Constitution
2013



YOUNG COMMUNIST LEAGUE OF SOUTH AFRICA



CONSTITUTION

**Adopted by the 1st National Congress, Re-establishment
(Vanderbijlpark, 12-14 December 2003);**

Constitutional Amendments

First Constitutional Amendments

(2nd National Congress, Umlazi, 13-18 December 2006)

Second Constitutional Amendments

(3rd National Congress, Mafikeng, 9-12 December 2010)

Third Constitutional Amendments

(3rd National Council, Kimberly, 25-28 July 2013)

Fourth Constitutional Amendments

(5th National Congress, Alice, 09 – 12 December 2018)



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1. 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 is no exploitation of one person or group by another.

The YCLSA recognises the South African Communist Party (SACP) as the political party of socialism in our country and 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.

2. Name

The name of the organisation shall be the Young Communist League of South Africa, hereinafter referred to as the YCLSA or the organisation.

3. Logo, Colours and Flag

3.1. The logo of the YCLSA shall be:

- (a) 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 lifetime", in black. The features are against a red background within gold and black rings.
- (b) The name of the organisation shall straddle the inner gold ring.

3.2. The colours of the YCLSA shall be red, black and gold.

- (a) Red signifies the blood of the working class.
- (b) Black represents the black majority.
- (c) Gold represents the minerals and wealth.
- (d) The flag shall be rectangular. The length shall be 1 (one) by 2 (two) metres in dimension. The logo shall be on the top left of the flag against a red background.

4. Aims and Objectives

The YCLSA shall:

- (a) Serve as a preparatory school of the SACP, and shall rally young people behind the programme and policies of the Party and lead them in the struggle to advance youth development as an integral part of human and societal development.



- (b) Strive to develop itself as a leading political force of the South African youth that derives guidance from Marxism-Leninism under the vanguard leadership of the SACP, and promote the interests of young people in the struggle to advance, deepen, defend, take responsibility for and complete the national democratic revolution which represents the shortest, most direct and suited road to socialism in the specific conditions of our society.
- (c) Strive to be the leading force among young people in the struggle for the achievement of socialism which represents a transitional society towards the realisation of complete political liberation and universal emancipation of both human society and nature under the ultimate goal of a classless communist society.
- (d) Struggle for the elimination of all forms of oppression, discrimination based on arbitrary grounds, and economic exploitation, and shall fight against capitalism, its highest stage imperialism and latest forms of manifestation.
- (e) Strive to develop communist, working class political and moral convictions and imbue the spirit of collectivism in our members in particular and young people in general. The YCLSA aims to achieve this by among others organising, educating and mobilising its members in particular and young people in general in support of its aims and objectives and taking active involvement in the day to day struggles of the working people and the youth.
- (f) Reject and fight against crime, corruption, the abuse of women, children, substances, drugs and alcohol.
- (g) Fight for the equality of all young people, and against racism and patriarchy in all forms of their manifestation.
- (h) Promote social, recreational and cultural activities among young people.
- (i) Promote the understanding among the youth that the working class with a vanguard party is the only class capable of leading the people to socialism and that it is under socialism where for the first time it will be possible to achieve a better life for all.

5. Character

5.1. The YCLSA shall:

- (a) Be an independent and voluntary youth formation of young people from the age of 14 (fourteen) to the age of 35 (thirty-five) that derives its organisational existence from and functions as an autonomous youth wing of the SACP.
- (b) Be a Marxist-Leninist youth formation that derives political and ideological guidance from the SACP, and shall take its own decisions and shape its own policies and programmes which shall not be in conflict with the major policies and programmes of the SACP.
- (c) Be a non-racial and non-sexist youth formation.
- (d) Subscribe to the political and ideological discipline and organisational principle of democratic centralism. The YCLSA's basic principles of democratic centralism are as follows.
 - (i) Democratic centralism involves freedom of discussion, unity of action, and it is a combination of democracy under centralised guidance and centralism on the basis of democracy under the guidance of Marxism-



- Leninism in terms of which the whole organisation constantly strives to achieve unity in thinking and in action.
- (ii) The YCLSA respects the principal position of its members, and constantly seeks to fully expand intra-organisational democracy, safeguard the democratic rights of its members and give play to the initiative and creativity of its structures at all levels as well as its members.
 - (iii) YCLSA members are free to express their views in proper platforms and appropriate structures of the organisation in terms of the principle of freedom of discussion in an orderly manner, and once decisions are made the principle of unity of action applies, the decisions taken shall be binding on all individual members, the decisions made by higher structures shall be binding on all lower structures, all members and structures shall be required to implement, advance and defend everywhere the decisions taken, and shall do so in an orderly manner in line with the principle of collective leadership and individual responsibility based on division of work, duties and responsibilities within the organisation.
 - (iv) The YCLSA is a unitary formation, the National Congress and the National Committee elected by it is its leading body. The leading bodies of the YCLSA at lower levels are congresses and the committees elected by them. YCLSA councils at all levels, and branch general meetings in terms of branches, have the same powers and functions as the congresses at their respective levels except for the limitations made in the YCLSA Constitution and Code of Conduct.
 - (v) The leading committees of the YCLSA function under the principle of accountability and control, are responsible and report on their work to congresses and councils at their respective levels as well as branch general meetings in terms of branches, and should increase transparency in the affairs of the organisation to keep members better informed. Higher and lower structures should exchange information and support and oversee each other.
 - (vi) The YCLSA forbids all forms of factions, factionalism, and personality cult. Individual members are subordinate to the organisation, its structures and committees. The minority, i.e. individual or collective members in structures or committees, their fractions based on any matter under consideration at any given instance, whether agreeing or disagreeing, is subordinate to the majority, and only the YCLSA is the majority. Lower structures and committees are subordinate to higher structures and committees. All structures, committees and members are subordinate to YCLSA Constitution, Code of Conduct, programme, policies, principles, resolutions, and decisions.
 - (vii) Higher structures and leading committees shall pay constant attention to the views of lower structures, leading committees and members, and timeously solve the problems they raise. The basic mechanism to facilitate the exercise of this function is the inclusion of ex-officio members from lower leading committees in the compositions of



immediate higher leading committees where it is relevant, as well as the frequent branch general meetings, congresses and councils at all levels which compositions are mainly made up by the rank-and-file members and delegates from lower leading committees in good standing respectively. Similarly, lower structures and leading committees shall seek guidance from, be responsible and report on their work to immediate higher structures and leading committees and to any higher structure or committee as and when it is required; at the same time, they shall handle and in a responsible manner, matters within their jurisdiction.

6. Membership

6.1. Basic administrative procedure

- (a) Any South African from the age of 14 (fourteen) to the age of 35 (thirty-five) who accepts the Constitution, Policies and Programmes of the YCLSA and is willing to work actively in the organisation and carry out its decisions may apply for membership.
- (b) An application shall be considered by a Branch Committee where such exists or a district if no Branch Committee exists or such interim structures as put in place by the YCLSA. The Branch Committee must receive a comprehensively completed membership application form and applicable dues. The application forms and the dues or their proof of payment into a recognised YCLSA bank account must be handed over to the District Committee. The District Committee shall hand over the same to the Provincial Committee and the Provincial Committee to the National Committee, each committee must keep its own duplicates for reference.
- (c) A new YCLSA member shall sign the following declaration: It is my voluntary will to join the Young Communist League of South Africa, uphold the YCLSA programme, observe the provisions of the YCLSA constitution, fulfil 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.
- (d) All new members must undergo induction.
- (e) 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 leading committees or structures of the YCLSA.
- (f) Any member who joins the YCLSA will be subject to a membership fee and any levies that may be decided upon by the National Committee.
- (g) A member who fails to renew membership within three months after lapsing ceases to be a member, and in the event that s/he holds a position of leadership s/he shall relinquish the position concerned.
- (h) The National Congress may bestow honorary or associate membership on any person not meeting the membership requirements, such a member may not be required to pay subscriptions and will not be entitled to vote or stand for election in the organisation.



- (i) Every YCLSA member, irrespective of position, must be organised into a branch, cell or other specific unit of the YCLSA, and must participate in regular activities of the YCLSA and accept supervision by relevant structures and leading committees.
- (j) A member is free to withdraw from the YCLSA, and such withdrawal must first be communicated at the branch of the member, then to higher structures and leading committees of the organisation.

6.2. Duties and responsibilities of members

6.2.1. Members of the YCLSA shall:

- (a) Strive to be the vanguard fighters of the South African youth and in particular the working class, and to be imbued in Communist consciousness.
- (b) Must serve wholeheartedly, dedicate their lives to the realisation of communism and be ready to make sacrifices, they shall at all times be ordinary members of the South African society, and shall not seek any personal gain or privilege.
- (c) Conscientiously study Marxism-Leninism, YCLSA and SACP constitutions, programmes, principles, policies and decisions, and 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 in general and the youth in particular.
- (d) Implement the principles, programmes and policies of the YCLSA, show the way in socialist activism, encourage the people and the youth to work for socialism, and play an exemplary role in production, work, study and social activities.
- (e) Adhere to the principle that the interests of the organisation stand above everything else. Subordinate their personal interests to the interests of the organisation, and work to make more contribution in the work and commitments of the organisation.
- (f) Conscientiously abide by the YCLSA Code of Conduct, execute the YCLSA decisions and actively fulfil any task assigned to them by the YCLSA.
- (g) Uphold the YCLSA solidarity and unity, be loyal to and honest with the YCLSA, match words with deeds, firmly oppose all factions, cliques and scheming of any kind and associated activities.
- (h) Earnestly engage in criticism and self-criticism, boldly expose and correct shortcomings and mistakes and resolutely combat corruption and other malpractices everywhere.
- (i) Maintain close ties with the masses of young people, disseminate the views of the YCLSA and SACP among them, and consult with them when problems arise, keep the YCLSA informed of their views and demands and defend and revolutionise their legitimate interests.
- (j) Promote socialist ways and values and advocate communist ethics, and volunteer services for the reconstruction and development of the country in the process of eliminating the colonial and apartheid legacy.
- (k) Act consciously to reverse the damaging effects of colonialism and foster positive and exemplary racial, ethnic and gender relations, oppose all forms of discrimination based on arbitrary grounds such as but not limited to



disability and sexual orientation and promote hygiene and health status and be sensitive and compassionate to people experiencing hardships, infected or affected by among others incurable diseases and social distress.

6.3. Responsibilities towards effective organisation

6.3.1. YCLSA members shall:

- (a) Attend relevant YCLSA meetings, read YCLSA documents, and benefit from the education and training programmes of and organised by the YCLSA.
- (b) Participate in the discussion of questions concerning YCLSA policies at YCLSA meetings and in YCLSA publications.
- (c) Make suggestions and proposals regarding the work of the YCLSA.
- (d) Make well-grounded and constructive criticism of any YCLSA structure or member at YCLSA meetings, and in a responsible way present information or charges for consideration against any YCLSA structure or member concerning a violation of discipline and if necessary call for disciplinary measures against such a member.
- (e) Participate in elections and voting and stand for election if necessary provided it is in accordance with applicable procedures or guidelines approved by the YCLSA.
- (f) Attend, with the right of self-defence, discussions held by a structure of the YCLSA to decide on disciplinary measures to be taken against them 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 decision or policy of the YCLSA, make reservations in an orderly manner and present their views to the appropriate YCLSA structure or leading committee at a higher level up to the National Committee, provided that they resolutely carry out the decision or policy while it is in force.
- (h) Put forward any request, appeal or complaint to higher YCLSA structures even up to the National Committee and ask for a responsible reply.

7. Organisational Structure

The YCLSA shall have the following structure:

- (a) National Level
 - (i) National Congress.
 - (ii) National Council.
 - (iii) National Committee.
 - (iv) Standing Political Commission of the National Committee hereinafter referred to as the Political Commission.
- (b) Provincial Level
 - (i) Provincial Congress.
 - (ii) Provincial Council.
 - (iii) Provincial Committee.
 - (iv) Provincial Working Committee.



- (c) District Level
 - (i) District Congress.
 - (ii) District Council.
 - (iii) District Committee.
 - (iv) District Working Committee.
 - (v) Sub-District, Sub-District Committee, Biennial Sub-District Council.

- (d) Branch Level
 - (i) Branch Congress.
 - (ii) Branch General Meeting.
 - (iii) Branch Committee.

7.1. National Congress

- (a) The National Congress shall convene once every four years.
- (b) The National Congress shall be the supreme authority of the organisation.
- (c) The National Congress shall be attended by National Committee members, delegates from provincial committees in good standing, delegates from the district committees in good standing, and branch delegates in good standing who shall be allocated by the National Committee in proportion to the membership in good standing within provinces, reflecting a proportional spread of all districts that have branches in good standing. The National Committee may adopt guidelines on the process of the selection of branch delegates which shall include guidelines on instances where not every branch in good standing may be covered in terms of branch delegates.
- (d) The National Congress shall decide and determine YCLSA policies and programmes and may adopt such other resolutions as it finds necessary and shall have the powers to amend the constitution or any other documents of the YCLSA.
- (e) The National Congress shall elect the National Committee.
- (f) The National Congress shall receive and consider the reports of the National Committee which shall include the Political Report, Organisational Report, and Financial Report.
- (g) The National Congress shall have powers to review, ratify and amend any decision taken by any of the organisational structures or leading committees.
- (h) The National Congress shall have the powers to appoint or elect any commission or committee and assign specific tasks and duties to such commission or committee.

7.2. National Council

- (a) The National Council shall be convened in between the National Congresses preferably mid-term.
- (b) The National Council shall have the same powers as the National Congress, except for the election of the National Committee.
- (c) The National Council shall have powers to fill in vacancies including of a National Office Bearer.
- (d) The composition of the National Council shall be similar to the composition of the National Congress.



7.3. National Committee

- (a) The National Committee shall consist of not more than thirty members of whom twenty-six inclusive of six National Office Bearers shall be directly elected by the National Congress and not more than four may be directly elected by the National Committee by way of co-options should the National Committee find it necessary taking into consideration the broad character of the South African youth and the tasks facing the National Committee and the YCLSA. Provincial Secretaries and Chairpersons shall form part of the National Committee as ex-officio members.
- (b) The National Committee shall meet at least once every three months.
- (c) The National Committee shall decide who shall be full time from among its members to complement the National Secretary who is full-time at the head office.
- (d) The National Committee shall exercise the following power and functions:
 - (i) May review, ratify, and amend any decision taken by any lower structures and leading committees of the organisation; shall function as the highest decision-making body on any matter in between national congresses and councils; and may consider appeals on any aspect relating to the affairs of the organisation.
 - (ii) Consider the National Committee reports comprising of but not limited to the Political Report, Organisational Report, Financial Report, and approve such reports to the National Congress and National Council and any other documents it commissioned and considered.
 - (iii) Shall elect the Political Commission, reshuffle or dissolve it as and when it is necessary and replace it by re-electing a new Political Commission.
 - (iv) Shall be the only structure of the YCLSA in between national congresses with the power to expel a member.
 - (v) May suspend a National Committee member or any member of the organisation pending an investigation or the outcome of a disciplinary inquiry or both.
 - (vi) Shall officiate over Provincial Congresses, recognise or not recognise any congress or council held at any lower level of organisation.
 - (vii) May dissolve any lower structure or leading committee or may bring a lower structure or leading committee under its direct administration.
 - (viii) May appoint an Interim Leadership Core to replace a disbanded or dissolved committee at an appropriate level or cause it to be appointed, and may appoint an Interim Leadership Core in the absence of an existing committee or may do so to set up a new committee.
 - (ix) May consider extensions of the term of office of provincial committees whose term of office has expired or any lower structure of the YCLSA in a similar condition, provided no extension shall exceed a period of six months from the expiry of the term of office, should such a period be exceeded or should extension be denied the respective committee shall be deemed to have automatically dissolved.
 - (x) May order that an early congress be convened at any level of the organisation or may convene such a congress if necessary.
 - (xi) Shall be the only structure and leading committee in between national congresses and councils vested with the power to set policy, rules,



- procedures, and guidelines for the YCLSA on any aspect of the processes, proceedings and the work of the organisation or its engagements.
- (xii) May establish National Committee commissions, sub-committees and policy units, monitor and review their mandates and work.
 - (xiii) May conduct discipline inspection, enforce discipline and adherence to the Constitution, policies, resolutions, positions and decisions of the YCLSA, and may devolve powers or delegate authority to the Political Commission.
 - (xiv) May augment its plenary session with additional delegates from lower structures.
 - (xv). Shall fill any vacancies that may arise in the National Committee except vacancies that may arise in the National Office Bearers.
 - (xv) Shall be responsible for and serve as the ultimate authority on matters relating to the employment of YCLSA staff, human resource and labour relations within the organisation, and shall exercise this function in relation to lower levels in consultation with the respective committees.
- (e) Members of the National Committee shall be ex-officio members of lower structures of the YCLSA in accordance with their branches, districts, provinces and deployments.
 - (f) The powers and functions of the National Committee except the powers and functions that are reserved to the National Committee in the Constitution and Code of Conduct of the YCLSA shall apply *mutatis mutandis* to lower leading committees of the organisation.

7.3.1. Duties of the National Office Bearers

7.3.1.1 The National Office Bearers shall be the National Secretary, National Chairperson, National Treasurer, 1st Deputy National Secretary, 2nd Deputy National Secretary and Deputy National Chairperson, and their duties shall be as follows:

- (a) The National Secretary shall:
 - (i) Shall be a full time Office Bearer along with other full time National Committee members.
 - (ii) Keep, or cause to keep, the minutes of all plenary sessions of the National Committee and the Political Commission and such other books, records and archives as may be required.
 - (iii) Attend to the correspondences of the National Committee and the Political Commission, maintain regular personal and written contact with all National Committee members and lower structures and keep the membership informed on the work of the National Committee and the Political Commission, and ensure effective coordination of the work of the National Committee, Political Commission and the National Office Bearers.
 - (iv) Ensure that members of the National Committee are kept informed of the work of the Political Commission 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 the Political Commission.
- (vi) Be an ex-officio member of the Central Committee and the Politburo of the SACP.
- (vii) Be the custodian of all YCLSA policies and decisions.
- (viii) Present, or cause to present, to the National Committee, National Council, and National Congress the Political Report, the Organisational Report, and any report as decided by the Political Commission or the National Committee or both.
- (ix) Make pronouncements, or cause such to be made, for and on behalf of the YCLSA, the National Congress, National Council, National Committee, and the Political Commission, outlining and explaining the policies and decisions of the YCLSA on any matter.
- (x) Execute his/her tasks under the overall supervision of the National Committee and the Political Commission and direct and implement the work of the YCLSA.

(b) The National Chairperson shall:

- (i) Preside over meetings of the National Committee and the Political Commission in conformity with the constitution and other rules and procedures adopted by these bodies, the National Congress, and the National Council.
- (ii) Be an ex-officio member of the Central Committee of the SACP.
- (iii) Be the second office bearer after the National Secretary.
- (iv) Temporarily assume the duties of the National Secretary pending his/her replacement in the event s/he is permanently absent or permanently unable to perform his/her duties. This duty shall apply *mutatis mutandis* to the National Treasurer, 1st and 2nd Deputy National Secretary and Deputy National Chairperson with reference to the duties of the National Secretary and in a similar manner with reference to their respective duties in accordance with their order of succession.

(c) The National Treasurer shall:

- (i) Be the third office bearer after the National Chairperson.
- (ii) Dispose of such funds as the National Committee or the Political Commission authorises by a general or a particular mandate, and present periodic reports to the National Committee and the Political Commission on the state of YCLSA finances.
- (iii) Be responsible for the safe keeping and administration of the assets and finances of the YCLSA.
- (iv) Keep such books and accounts as shall clearly record and reflect the financial position of the YCLSA, and submit statements of income and expenditure to the National Committee and the Political Commission at intervals to be determined by the National Committee or the Political Commission.



- (v) Under the direction of the National Committee, present to the National Congress, and the National Council, the Financial Report, inclusive of, but not limited to, audited financial statements, and show income and expenditure accounts and the balance sheet of the period under review.
 - (vi) Be the convener of a Finance Committee appointed by the National Committee.
- (d) 1st Deputy National Secretary shall:
- (i) The 1st Deputy National Secretary shall assist the National Secretary, deputise for the National Secretary on all functions and carry out such other functions as shall be entrusted by the National Secretary, the Political Commission, the National Committee, National Council, and the National Congress.
 - (ii) Shall be the fourth office bearer after the National Treasurer.
- (e) 2nd Deputy National Secretary shall:
- (i) The 2nd Deputy National Secretary shall assist the National Secretary, deputise for the National Secretary on all functions and carry out such other functions as shall be entrusted by the National Secretary, the Political Commission, the National Committee, National Council, and the National Congress.
 - (ii) Shall mainly focus on Campaigns and International Work of the organisation.
 - (iii) Shall be the fifth office bearer after the First Deputy National Secretary.
- (f) The Deputy National Chairperson shall:
- (i) The Deputy National Chairperson shall assist the National chairperson, deputise for the National Chairperson on all functions and carry out such other functions as shall be entrusted by the National chairperson, the Political Commission, the National Committee, National Council, and the National Congress.
 - (ii) Be the sixth office bearer after the 2nd Deputy National Chairperson.
- (g) The duties of the National Office Bearers shall apply *mutatis mutandis* to the office bearers of the YCLSA at lower levels except those of only National Office Bearers.

7.4. The Political Commission

- (a) The National Committee shall in its first plenary session elect not more than six from among its directly elected members who together with the National Office Bearers shall serve as the Political Commission.
- (b) The Political Commission shall exercise the powers and functions of the National Committee in between the plenary sessions of the National Committee, and the work of the Political Commission shall be reported to the National Committee.
- (c) The Political Commission shall meet at least once every two-months.

7.5. Provincial Congress

- (a) Functioning under the overall and immediate oversight direction of the National Committee the Provincial Congress shall be the highest decision making body of the YCLSA in a province.
- (b) The Provincial Congress shall be attended by the Provincial Committee, delegates from district committees that are in good standing, and delegates from

branches in good standing allocated proportionally in terms of the membership in good standing in their respective branches.

- (c) The Provincial Congress shall convene once every three years.
- (d) The Provincial Congress shall elect the Provincial Committee.



- (e) The Provincial Congress shall receive and consider Provincial Committee reports which shall include the Political Report, Organisational Report, and Financial Report, and any other document commissioned and considered by the Provincial Committee.
- (f) Shall have powers to review, ratify and amend any decision taken by any lower structures or leading committees.

7.6. Provincial Council

- (a) The Provincial Council shall function under the same principles and have the powers equivalent to the powers of the Provincial Congress except for the election of the Provincial Committee, but shall have the powers to fill any vacancy that may arise in the Provincial Office Bearers.
- (b) The composition of the Provincial Council shall be similar to the composition of the Provincial Congress, and shall convene at least once every year.

7.7. Provincial Committee

- (a) The Provincial Committee shall consist of not more than twenty-three members of who twenty inclusive of five Provincial Office Bearers shall be directly elected by the Provincial Congress and not more than three may be directly elected by the Provincial Committee by way of co-options should the Provincial Committee find it necessary taking into consideration the broad character of the youth in the province and the tasks facing the YCLSA. District Secretaries and Chairpersons shall form part of the Provincial Committee as ex-officio members.
- (b) The Provincial Office Bearers shall be the Provincial Secretary, Provincial Chairperson, Provincial Treasurer, Deputy Provincial Secretary, and Deputy Provincial Chairperson.
- (c) The Provincial Committee shall elect the Provincial Working Committee, reshuffle or dissolve it as and when it is necessary and re-elect a new Provincial Working Committee.
- (d) The Provincial Committee shall meet at least once every two months.
- (e) The Provincial Committee shall fill any vacancy that may arise in the Provincial Committee except for the vacancies of the Provincial Office Bearers.

7.8. Provincial Working Committee

- (a) The Provincial Committee shall in its first plenary session elect not more than five from among its directly elected members who together with the Provincial Office Bearers shall serve as the Provincial Working Committee.
- (b) The Provincial Working Committee shall meet at least once every month, and shall provide support to the Provincial Secretariat and carry out such other functions as may be necessary in respect to the implementation and overall coordination of the work of the Provincial Committee.
- (c) The work of the Provincial Working Committee shall be reported to the Provincial Committee.

**7.9. District Congress**

- (a) Functioning under the overall direction of the National Committee which may be cascaded by the immediate oversight direction of the Provincial Committee the District Congress shall be the highest decision making body of the YCLSA in a district.
- (b) The District Congress shall be attended by the District Committee and delegates from branches allocated proportionally in terms of the membership in good standing in their respective branches.
- (c) The District Congress shall elect the District Committee.
- (d) The District Congress shall convene once every two years.
- (e) The District Congress shall receive and consider the reports of the District Committee which shall include the Political Report, Organisational Report, and Financial Report.

7.10. District Council

- (a) The District Council shall function under the same principles and have the powers equivalent to the powers of the District Congress except for the election of the District Committee, but shall have the powers to fill any vacancy that may arise in the District Office Bearers.
- (b) The District Council shall convene at least once every three months.

7.11. District Committee

- (a) The District Committee shall consist of twenty members inclusive of five District Office Bearers, who shall all be directly elected by the District Congress.
- (b) The District Office Bearers shall be the District Secretary, District Chairperson, District Treasurer, Deputy District Secretary, and Deputy District Chairperson.
- (c) The District Committee shall elect the District Working Committee, and shall meet at least once every month.
- (d) The District Committee shall fill any vacancy that may arise in the District Committee except for vacancies of District Office Bearers.

7.12. District Working Committee

- (a) The District Working Committee shall consist of District Office Bearers and three directly elected members of the District Committee.
- (b) The District Working Committee shall meet at least once every month, and shall provide support to the District Secretariat and carry out such other functions as may be necessary in respect to the implementation and overall coordination of the work of the District Committee.
- (c) The work of the District Working Committee shall be reported to the District Committee.



7.13. Sub-Districts

- (a) The YCLSA may establish sub-districts for purposes of organisational coordination.
- (b) Sub-districts shall function under the direction of the District Committee which shall exercise oversight over the meetings and work of the sub-districts under the overall direction of the National Committee which may be cascaded by the Provincial Committee.
- (c) A Sub-District Committee shall consist of secretaries and chairpersons from branches of the YCLSA in good standing as standing branch delegates, and shall in a Sub-District Biennial Council elect from amongst themselves a Sub-District Convenor, and a Sub-District Coordinator.
- (d) The Sub-District Convenor shall be responsible for presiding functions, the Sub-District Coordinator shall be responsible for secretarial functions, and both shall function under the direction of the District Committee in which they shall serve as ex-officio members without voting rights.
- (e) The Sub-District Biennial Council shall take place as soon as possible after a District Congress and be convened by the District Committee; and the term of office of the Sub-District Convenor, and Sub-District Coordinator, shall as such be interlocked with the term of office of the District Committee.
- (f) Sub-District Committee meetings may be convened at least once every three months by the District Committee.
- (g) The District Committee may increase the number of branch delegates to a Sub-District Committee meeting, and to the Sub-District Biennial Council without any alteration in terms of the election of the Sub-District Convenor and the Sub-District Coordinator.
- (h) A Sub-District Committee may fill the vacancies of the Sub-District Convenor and Sub-District Coordinator should such arise.

7.14. Branch Congress

- (a) Functioning under the overall direction of the National Committee which may be cascaded by the Provincial Committee and carried through under the immediate oversight direction of the District Committee the Branch Congress shall have powers to decide on any matters relating to the branch.
- (b) The Branch Congress shall convene once every twelve months.
- (c) The Branch Congress shall be attended by the Branch Committee and members in the branch who are in good standing.
- (d) The Branch Congress shall elect the Branch Committee.
- (e) The Branch Congress shall receive and consider Branch Committee reports, including but not limited to the Political Report, Organisational Report, and Financial Report.

7.15. Branch General Meeting

- (a) The Branch General Meeting shall have the same powers as the Branch Congress except for the election of a Branch Committee, but shall fill any vacancies that may arise in the Branch Committee, and shall meet at least once every two months.



7.16. Branch Committee

- (a) The Branch Committee shall consist of ten members inclusive of five Branch Office Bearers who shall be the Branch Secretary, Branch Chairperson, Branch Treasurer, Deputy Branch Secretary, and Deputy Branch Chairperson.
- (b) The Branch Committee shall meet at least once every month, and handle matters relating to the branch.

8. Eligibility for election, voting rights, and for serving in a leading committee of the YCLSA

- (a) Only members of the YCLSA in good standing and who comply with the YCLSA Constitution and Code of Conduct shall be eligible for nomination, election, election by co-option, and voting rights at YCLSA congresses, councils and meetings.
- (b) For a member of the YCLSA to be eligible to vote at a branch congress or branch general meeting such a member must have been in good standing for at least six months, except for a totally new branch in its first branch congress and all the general meetings before it is six months old in existence in terms of which all members in good standing shall have voting rights.
- (c) Only YCLSA branches that have existed for at least six months in good standing prior to the cut-off date for auditing may have voting rights at the congresses and councils of the YCLSA taking place at district, provincial and national levels.
- (d) Should a congress of the YCLSA be convened after the lapse of the term of office of a leading committee, unless approved otherwise by the National Committee, only branches that have existed for at least six months prior to the lapse of the term of office may have voting rights at such a congress where a new leading committee shall be elected.
- (e) Only members of the YCLSA with three unbroken years of service in good standing shall be eligible to be nominated or elected into the National Committee, and the Provincial Committee.
- (f) Only members of the YCLSA with two unbroken years of service in good standing shall be eligible to be nominated or elected into a District Committee, and into the positions of Sub-District Convener and Sub-District Coordinator at a Sub-District level.
- (g) Only members of the YCLSA with six months unbroken service as members of the YCLSA in good standing shall be eligible to be nominated and elected into a Branch Committee with the exception of a totally new branch in terms of which any member of the branch in good standing shall be eligible to be nominated and elected into a Branch Committee.
- (h) Only members of the YCLSA with twelve unbroken months of service in good standing shall be eligible to vote at a district, provincial and national congress and council.
- (i) A member who is serving in a higher leading committee is not eligible for nomination and election in a lower leading committee.



- (j) Should a member who is serving in a leading committee of the YCLSA become older than the age of 35 (thirty-five) s/he shall continue to serve in that capacity until the logical conclusion of the respective term of office.
- (k) A member of the YCLSA who is eligible for election at a congress or a council where it may be exercising the powers to fill a vacancy shall in order to stand require a threshold of 1/3 (one-third) of branches in good standing for the district level, 1/3 (one-third) of districts in good standing for the provincial level and 1/3 (one-third) of provinces in good standing for national congress, all of which shall be preceded by branch nominations. Any nomination from the floor at a congress or such a council shall in order to stand require a threshold of 40% (forty per cent) of voting delegates.

9. Basic principles governing vacancies

The following basic principles shall govern vacancies in the YCLSA; if necessary, the National Committee may adopt additional principles and codify them in the form of guidelines.

- (a) A member who is elected in a higher leading committee while serving in a lower leading committee shall serve in both positions subject to being replaced in the lower leading committee within six months, otherwise s/he shall at the completion of the sixth month since elected in a higher leading committee be deemed to have relinquished the position in the lower leading committee.
- (b) A member shall automatically cease to be a member of the National Committee upon being absent from two successive meetings without a valid reason, at lower levels a member shall cease to be a member of a leading committee upon being absent from three successive meetings without a valid reason.
- (c) A member shall be removed from a leading committee as a consequence of an implementation of a relevant disciplinary measure/s or termination of membership from the YCLSA.
- (d) A member shall be replaced from a leading committee if s/he resigned.
- (e) A member shall be replaced from a leading committee if s/he has passed away.
- (f) The filling of vacancies that may arise in a leading committee shall not exceed 50%. Otherwise an early congress shall be convened to elect a new leading committee.

10. Induction and newly elected committees

- (a) All newly elected leading committees of the YCLSA shall undergo compulsory induction.
- (b) All newly elected members of YCLSA leading committees shall undergo compulsory induction.

11. Demarcations

11.1. Provinces

- (a) The YCLSA shall comprise of Provinces demarcated in line with government delimitations.



- (b) The Provinces shall comprise of districts and branches and where necessary Sub-Districts.

11.2. Districts and Sub-Districts

- (a) The YCLSA shall comprise of Districts and Sub-Districts demarcated by the Provincial Committee under the direction of the National Committee; if necessary the National Committee may set guidelines for the demarcation of YCLSA Districts and Sub-Districts, taking into account the provisions of SACP constitution relating to the boundaries or demarcations of Party Districts and Sub-Districts.
- (b) A District shall comprise of at least fifteen branches or four hundred and fifty (450) members in good standing who shall not come from less than eight branches in good standing.

11.3. Branches and units

- (a) The base structure of the YCLSA is the branch, to be formed at a residential area or in an institution of learning or industrial area, and every member of the YCLSA shall be obliged to belong to a branch. The branch of the YCLSA shall be Ward –based, per campus or workplace.
- (b) The YCLSA branch shall comprise of not less than thirty members in good standing, and shall ensure that it acts as a basic unit of activity for members by translating YCLSA policies, resolutions, decisions and campaigns into action, and by assisting members to fulfil their duties and responsibilities.
- (c) A District Committee may form a unit of the YCLSA consisting of a minimum of six members as the first step towards the establishment of a branch, provided such a unit may not be allowed to exist and function for more than six months without meeting the basic requirements of and being launched into a fully-fledged branch unless authorised by the District Committee or Provincial Committee where a District Committee does not exist or is not functional. Such a unit shall be represented by one member in good standing on the nearest Branch Committee. All members of such a unit shall have all the duties and responsibilities of YCLSA members except for voting rights at branch meetings and at sub-district or district or any meetings of the YCLSA to which a delegation from them may be invited. All other provisions of the SACP constitution relating to Party units shall apply *mutatis mutandis* to similar YCLSA units.

12. Quorum

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

13. Organisational Principles on Gender

- (a) The YCLSA subscribes to the principle of equality.
- (b) YCLSA leading committees shall at least comprise of a minimum of 40% gender representation.



- (c) All congresses, councils and conferences of the YCLSA shall at least comprise of a minimum of 40% gender representation.

14. Amendments and interpretation

- (a) The YCLSA constitution may be amended by two thirds of the delegates at a National Congress or National Council provided the proposed constitutional amendments to be considered have been circulated within the organisation at least three months prior to the respective National Congress or National Council.
- (b) The National Committee shall, in between National Congresses and Councils, be the supreme body and ultimate authority vested with the powers to settle any dispute relating to the interpretation and application of the YCLSA Constitution and its addendums.
- (c) All interpretations of the YCLSA Constitution shall be reported to the National Congress as part of the Organisational Report as well as to the National Council if such convenes first before the National Congress.
- (d) Referrals of appeals on interpretation and application of the YCLSA Constitution from the branch level up shall only be considered if they are done in an orderly manner and in the order of succession in relation to YCLSA leading committees.
- (e) As a voluntary organisation the YCLSA reserves all the rights and ultimate say over internal organisational, political and ideological matters, and any member who may decide to approach a court over such matters shall be deemed to have automatically separated from the YCLSA and shall accordingly lose all the rights, duties and responsibilities of YCLSA members.

15. Dissolution

- (a) The YCLSA has been re-established in terms of a resolution of the SACP, and in the event the necessity of possible dissolution arises either or both of the following shall apply:
- (i) The SACP may initiate a discussion, consult with the YCLSA, and take the final decision.
 - (ii) The YCLSA shall entertain such a motion at a National Congress provided the motion and associated motivation have been circulated within the organisation for at least twelve months and the recommendations of the National Congress after considering the motion shall be presented to the SACP which shall have the final say.
- (b) In the event the YCLSA is dissolved the SACP shall take responsibility and assume control of all the assets of the YCLSA.
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YCLSA CONSTITUTION: ADDENDUM NO 1, YCLSA CODE OF CONDUCT

YOUNG COMMUNIST LEAGUE OF SOUTH AFRICA



CODE OF CONDUCT

1. Discipline

- (a) The National Committee shall be responsible for setting any further guidelines on discipline as it may deem it necessary. Such guidelines must strictly adhere to the broader principles of YCLSA Constitution and Code of Conduct, and shall be subject to review by the National Congress or National Council. Such guidelines shall be circulated in a notice to lower structures for adherence.
- (b) 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 with immediate effect.
- (c) The member so expelled, shall have a right to appeal to the relevant higher structure or leading committee in accordance with the provisions stipulated in this Code of Conduct.
- (d) All YCLSA members who are suspended or expelled by the SACP after the completion of a disciplinary process shall automatically be suspended or expelled by the YCLSA.

2. Rules and regulations

- (a) YCLSA members shall act according to the rules and regulations of the YCLSA; act in a manner that is frank, honest and faithful to the YCLSA and does not betray the interests of the organisation; and shall, in his/her personal conduct, act in a manner which will bring credit to the YCLSA and strive to serve as a standard bearer of the highest communist ethic and morality.
- (b) Respect each and every member of the organisation.
- (c) Defend and protect the name and the statue of the organisation, its structures and committees from any disrepute.
- (d) Discipline shall be the overall responsibility and the prerogative of the National Committee which guidance shall directly cascade at all levels of the organisation.
- (e) All members of YCLSA shall abide by the Code of Conduct of the YCLSA and the SACP.



- (f) 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 a quarrel or dispute within the YCLSA.
- (g) The Disciplinary Committee may be formed at any level of the organisation by a leading committee of the YCLSA from among its members led by an office bearer/s.
- (h) A member may be suspended pending the outcome of an investigation or disciplinary hearing in which event s/he shall be notified in writing and shall remain suspended until the case has been heard and or concluded by the Disciplinary Committee which shall present its report to the relevant leading committee or structure of the YCLSA for due consideration.

3. Offences

3.1. A member of the YCLSA may be disciplined and or expelled if s/he:

- (a) Contravenes any part of the YCLSA Constitution or Code of Conduct or Principle or Policy or Resolution or Decision in a manner that results in the disruption of the running of the organisation.
- (b) Acts against the interests of the organisation.
- (c) Fails to pay membership fee/levies in accordance with the YCLSA Constitution or decision/s of the National Committee.
- (d) Brings the name of the organisation into disrepute.
- (e) Brings about chaos in the day to day running and functioning of the organisation.

3.2. A member of the YCLSA shall be charged with a serious offense or offences against the organisation if s/he:

- (a) Violates the guiding documents, rules, guidelines, policies or principles of the YCLSA.
- (b) Acts in a manner that exposes members to serious physical harm or death.
- (e) Deliberately destroys or behaves dishonestly in relation to the property of the organisation, recklessly exposing it to danger or stealing from the organisation or members.
- (f) Carelessly passes on information that might be of substantial use to the opponents or enemies of the organisation.
- (g) Behaves corruptly or accepts any kind of bribes for performing or not performing any task on behalf of the organisation.
- (h) Engages in abuse of office or behaves in a manner as to obtain any other undue advantage from members or others.
- (i) Deals in illegal or abuses drugs or alcohol or other illegal or legal substances.
- (j) Sows factionalism or racism or sexism or tribalism or any other arbitrary behaviour in the organisation.
- (k) Behaves in such a way as to provoke serious divisions and a breakdown of unity in the organisation.
- (l) Undermines the respect for or impedes the functioning of a structure or committee of the organisation as well as its work and activities.
- (m) Violates or acts against a decision of constitutional structures or committees of the organisation.



- (n) Behaves in an ill-disciplined and aggressive manner and consumes alcohol during meetings or whilst on duty or during the activities of the organisation, unless of a social nature and in terms of which the behaviour shall be a responsible behaviour.
- (o) Behaves in an abusive and disrespectful manner towards other comrades.
- (p) Gossips, maliciously so as to set comrade against comrade, or becomes a wedge driver.
- (q) Acts carelessly in relation to the property of the organisation, including reckless or careless and unauthorised use of the organisations¶¶ property for personal gain.
- (r) Disrupts meetings and interferes with the orderly functioning of the organisation.
- (s) Commits an act of sexual harassment.
- (t) Behaves in a negligent manner that harms or threatens to harm the organisation and or its members.

4. Disciplinary procedures

4.1. 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, or of denying members their basic democratic rights to debate.
- (b) Discipline should not be used as a means of solving individual problems or as interference into 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) Due written notice stating the nature of the allegations, the date, time and venue of the disciplinary hearing and the name of the chairperson of the Disciplinary Committee.
 - (ii) Reasonable opportunity to make his or her defence.
- (d) All disciplinary proceedings shall be attended to as speedily as possible.

5. Disciplinary structures, rules of 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 nationally, and may be heard by the relevant committee or structure.
- (b) The National Committee and Political Commission may direct that disciplinary proceedings should be heard at a higher level from where the alleged violation or offense took place.
- (c) The National Committee shall appoint a National Disciplinary Committee from amongst its ranks. Lower disciplinary committees shall be appointed at branch, district and provincial levels respectively by the Branch Committee, District Committee and Provincial Committee, and shall function under the same principles as the National Disciplinary Committee.
- (d) A Disciplinary Committee shall comprise of not less than five members in good standing.



- (e) The Chairperson shall represent the relevant leading committee and shall preside over the proceedings of the Disciplinary Committee, shall be responsible for, or shall cause, reporting on all the proceedings of the Disciplinary Committee to the relevant leading committee. If the Chairperson is conflicted in a specific case the relevant leading committee shall appoint a replacement from among the office bearers.

5.2. Rules of procedure

- (a) The National Committee or National Congress shall be the custodian of the Code of Conduct and where interpretation is sought.
- (b) A decision to subject a member to disciplinary proceedings shall be taken by a leading committee or structure of the YCLSA at the relevant level.
- (c) The case against a member facing disciplinary action shall proceed even if that member resigns or refuses to appear before a Disciplinary Committee.
- (d) In any disciplinary proceedings, any member who faces a charge/s shall only be represented by a member of the YCLSA who has been in good standing for a period of at least twelve months preceding the institution of the disciplinary proceedings.
- (e) No outside legal representation in disciplinary proceedings before the YCLSA is permitted.
- (f) Branches are permitted to suspend a member pending disciplinary inquiry and to conduct such an inquiry in line with the relevant provisions of the YCLSA Constitution and Code of Conduct, but a decision to suspend a member as a penalty shall be referred to the District Committee as a recommendation.
- (g) All disciplinary decisions taken at lower levels shall be reported to the National Committee which shall report to the National Council and National Congress.

5.3. Notice of disciplinary hearing

- (a) A written notice must be given at least fourteen working days before the date of a hearing.
- (b) The recipient of the notice must sign an acknowledgement receipt. If s/he refuses the notice shall be given in the presence of at least two witnesses who are YCLSA members in good standing.

5.4. Conducting a Disciplinary Hearing

- (a) A disciplinary hearing must be held within twenty-one working days after notification, unless the disciplinary committee entrusted by the relevant leading committee or structure requests for an extension from the relevant leading committee.
- (b) The Disciplinary Committee may call for the services of an interpreter or call for witnesses in order to reach an informed conclusion.
- (c) If a member fails to attend a hearing without any valid explanation given the disciplinary committee may continue with the hearing in member's absence.
- (d) A decision or decisions of the Disciplinary Committee must be communicated to the affected person within twenty-one working days after the conclusion of



the hearing and the consideration of the Disciplinary Committee report by the relevant leading committee.

5.5. The right to appeal

- (a) Any member found guilty in a disciplinary proceeding at a lower level has the right, within twenty-one working days, to appeal against the finding/s or conviction or sentence, to the next level and if that level is not the level of National Committee, its outcomes may similarly be appealed to the level of National Committee. The outcome of an appeal handled at the level of the National Committee by the relevant committee shall be final and binding and no further appeal shall be made or entertained anywhere except for expulsion and which appeal shall only be made to or entertained by the relevant YCLSA committee or structure.
- (b) A member who is expelled by the National Committee may appeal to the next National Congress only, provided the appeal is received within twenty-one working days by the National Secretary who shall report it to the National Committee for noting and due processing. The outcome of the National Congress shall be final and binding and no further appeal shall be made or entertained anywhere.
- (c) Appeals shall be lodged in writing and shall provide the basis or a ground/s for appealing in a reasonable detail.
- (d) Any leading committee that receives an appeal on the outcome of a disciplinary proceeding held at the lower level of the organisation shall refer it to a Disciplinary Committee at its level which shall report back.
- (e) There shall be a National Disciplinary Committee of Appeals to handle appeals against the outcomes of a case that was handled by the National Disciplinary Committee, provided such a case was either initiated at:
 - (i) The national level or relates to alleged misconduct that occurred at the national level.
 - (ii) A lower level but the National Committee or the Political Commission decided that the matter must be handled at the National Committee level by the National Disciplinary Committee.
- (f) An appeal must be concluded within sixty working days unless an extension has been granted by the leading committee at the respective level or unless it is an appeal on expulsion destined for the National Congress.
- (a) The following shall apply when an appeal is being handled:
 - (i) Only the information, testimony and evidence presented during the disciplinary hearing shall be considered, and unless ruled otherwise, neither the complainant/s on behalf of the organisation nor the appealing member shall be given opportunity to submit any additional evidence.
 - (ii) No new charge/s may be brought at an appeal hearing, unless such is or are referred to an appropriate leading committee to consider.
 - (iii) The appeal outcome may either confirm, or rescind, or amend the initial finding, or penalty, or ruling.



- (b) A member who is expelled by the National Congress or by the National Committee implementing a decision of the National Congress to expel such a member shall be deemed to have appealed unsuccessfully.

6. Schedule of penalties or corrective measures

- (a) Should a member be found guilty of an offense s/he shall be liable to either or a combination of the following.
- (i) Censure or warning.
 - (ii) Imposition of corrective measures (e.g. but not limited to community work for a defined period, compulsory political education and ideological training sessions for a defined period).
 - (iii) A fine.
 - (iv) A temporary forfeiture of membership rights.
 - (v) A temporary suspension.
 - (vi) Expulsion, which may only be imposed by the National Committee or National Congress, lower structures may only recommend if they believe expulsion is the appropriate penalty.