

SECTION 1 MEMBERSHIP AUDITS	
Questions answered	<ol style="list-style-type: none"> 1. Does the political party have regular membership audits? 2. If the political party does have membership audits, who conducts the audits? [Not included in the questionnaire sent to political parties] 3. Who certifies the membership audits? 4. Does the party disclose the number of members and if yes, where are these figures published? 5. If there are any reported cases of bogus branches or members, what action does the political party take? [Not included in the questionnaire sent to political parties] 6. Do the membership audits account for the race, gender and age of each member?
Further questions to consider	<ol style="list-style-type: none"> 1. Does the party have membership audit guidelines? 2. If the party does have membership audit guidelines, who drafts these guidelines? 3. If the party does have membership audit guidelines, who affirms the final guidelines?

1. Does the political party have regular membership audits?	
ANC	<p>Are membership audits conducted?</p> <p>According to the ANC’s Constitution, the “functioning of branches” is audited.ⁱ The ANC has responded to media enquiries on membership audits that have been conductedⁱⁱ and the party has also released press statements to alert the public that membership audits have been conducted.ⁱⁱⁱ However, the press statements and responses by the party to the media are not accompanied by any records of the audited outcomes.</p> <p>The Kwa-Zulu Natal High Court judgement on the matter between <i>Dube and Others vs. Zikalala and Others</i> raised the issue that audit guidelines are not stated in the party’s Constitution.^{iv} The prevalence of members taking such matters to Court and the cancellation of provincial conferences as a result of bogus branches, does reflect that membership audits are conducted. However, the credibility of audit guidelines, procedures and outcomes has been disputed. The existence of bogus branches has been raised as an issue on various occasions. In 2018 ANC members in Mpumalanga took the PEC to the Nelspruit Circuit High Court as these members reported that the existence of various bogus branches affected the election outcome of the PEC.^v</p> <p>When must these audits be conducted?</p> <p>The ANC’s Constitution does not state how frequently membership audits take place. An audit is usually conducted six months prior to the ANC’s National Conference which takes place every five years.^{vi}</p>

<p>DA</p>	<p>Are membership audits conducted?</p> <p>According to the DA’s Constitution, the party has annual membership audits.^{vii} Given that it is a policy of the DA not to disclose the number of members in the party, the party would not disclose any records of membership audits. There is no publicly available information indicating if these audits are taking place.</p> <p>When must these audits be conducted?</p> <p>The DA’s Constitution states that audits must be conducted on 31 March of each year, or the Federal Council has the authority to decide..^{viii}</p>
<p>EFF</p>	<p>Are membership audits conducted?</p> <p>There is no indication in the EFF’s Constitution of whether membership audits are conducted. The EFF has responded to the media that membership audits have been conducted, but these responses have not been accompanied by any records of membership audits. According to the June 2014 Guidelines Towards the National People’s Assembly of the Economic Freedom Fighters, audits must be conducted before elective conferences.^{ix}</p> <p>On 4 February 2019, the Pietermaritzburg High Court heard the matter between chairpersons of EFF regional structures in Kwazulu-Natal and the EFF. The chairpersons took the matter to the High Court, asking the Court to nullify the outcome at a Regional People’s Assembly (RPA) in the Ugu District, and by extension the Provincial Command Team, due to the irregularities of bogus branches and delegates.^x Further, one of the complainants (Ward Chair Nkosi Shange) argued that he submitted fake membership forms prior to the RPA to prove that fake membership is prevalent in the EFF.^{xi}</p> <p>When must these audits be conducted?</p> <p>The EFF’s Constitution or “Guidelines Towards the National People’s Assembly of the Economic Freedom Fighters: June 2014” does not specify how regularly membership audits should be conducted. However, the Guidelines does state that Regional Command Teams (RCTs) and Provincial Command Teams (PCTs) must request the branches under their jurisdiction to be audited before these Command Teams host their RPA’s and Provincial People’s Assemblies, respectively, leading up to the election of the Central Command Team (CCT) at the National People’s Assembly (NPA).</p>
<p>IFP</p>	<p>Are membership audits conducted?</p> <p>There is no indication in the IFP’s Constitution of whether membership audits are conducted. The IFP has responded to the media that membership audits have been conducted, but these responses have not been accompanied by any records of membership audits.^{xii} MVC has not been able to source any membership audit guidelines of the party.</p> <p>When must these audits be conducted?</p> <p>There is no publicly available information regarding when audits must be conducted.</p>

2. If the political party does have membership audits, who conducts the audits? [Not included in the questionnaire sent to political parties]	
ANC	The ANC's Constitution states that Provincial Executive Committee (PEC) of the relevant province is tasked with conducting the membership audits. ^{xiii} Separate membership guidelines are distributed to the provinces and branches. For the preparation of the national conference, provinces must submit their audited reports to the National Audit Team.
DA	There is no indication in the DA's Constitution of which entity conducts membership audits.
EFF	The June 2014 "Guidelines Towards the National People's Assembly of the Economic Freedom Fighters" states that audits of branches must be conducted by a "Team from the Central Command Team." ^{xiv}
IFP	There is no indication in the IFP's Constitution of which entity conducts membership audits. MVC has not been able to source any membership audit guidelines of the party.

3. Who certifies membership audits?	
ANC	The provincial secretary of each province must sign off on the membership audits conducted in their province. The Secretary General of the ANC must sign off on the final audited report conducted by the National Audit Team. ^{xv}
DA	The DA's Constitution does not state who signs off on the membership audit or who certifies the membership audit.
EFF	The EFF's Constitution and the June 2014 "Guidelines Towards the National People's Assembly of the Economic Freedom Fighters" does not explicitly state who signs off an audit. However, the National Audit Team of the CCT must be "satisfied" with the outcomes before intra-party elections of the CCT are convened. ^{xvi}
IFP	The IFP's Constitution does not state if membership audits are conducted. MVC has not been able to source any membership audit guidelines of the party.

4. Does the party does disclose the number of members and if yes, where are these figures published?	
ANC	The number of members has been publicly disclosed by members on various occasions. ^{xvii} However, the primary records of the audited findings are not made available by members who report that membership audits are conducted.
DA	It is a policy of the DA not to publicly disclose the number of members in the party. ^{xviii}
EFF	The EFF has responded to the media, mentioning the number of members in the party. However, no primary records of audited findings are available in the public domain.

IFP	The IFP has responded to the media, mentioning the number of members in the party, and released press statements on the initiation of membership audits. However, no primary records of audited findings are available in the public domain.
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5. If there are any reported cases of bogus branches or members, what action does the political party take? [Not included in the questionnaire sent to political parties]

ANC	<p>The ANC's Constitution</p> <p>The Provincial Executive Committee's (PEC) is responsible for auditing "the functioning of branches and take remedial action."^{xxix} One can therefore interpret this section in the ANC's Constitution as allocating power to the PEC's to dissolve bogus branches and take any "remedial action" against those found responsible for creating bogus branches.</p> <p>Electronic Scanners</p> <p>The ANC has recently introduced the use of electronic scanners to legitimise identity numbers, after the manual system of auditing was evidently ineffective.^{xx} Seeing as this was only recently introduced, the effectiveness of this in mitigating the issue of bogus branches must be proved.</p>
DA	According to the DA's Constitution, a member who attempts to submit or submits a false membership form or any other type of membership fraud, is guilty of misconduct. ^{xxi} If a branch, province, region or constituency fails a membership audit, it will lose its right to fully participate in the Federal Congress. ^{xxii}
EFF	According to the "Guidelines Towards the National People's Assembly," if the audit team is misled on the quorum at an Assembly, such conduct should be constituted as "wrongful lobbying and unacceptable ways of influencing the leadership selection processes." ^{xxiii}
IFP	The IFP has responded to the media, mentioning the number of members in the party, and released press statements on the initiation of membership audits. However, no documentation of membership audit outcomes has been published to legitimise the mentioned numbers.

6. Dos the membership audits account for the race, gender and age of each member?

ANC	There is no indication in the ANC's Constitution of what is accounted for in membership audits. According to the "ANC National Audit Guidelines for Conferences and General Councils," ^{xxiv} the audits account mainly for the number of paid of members and branches in good standing. However, MVC has not been able to access information on whether audited information must account for numbers in relation to race, gender or age.
DA	There is no indication in the DA's Constitution of what is accounted for in membership audits.
EFF	There is no indication in the EFF's Constitution or June 2014 Guidelines Towards the National People's Assembly of what is accounted for in membership audits.

There is no reference to membership audits in the IFP's Constitution. Although the IFP has reported that membership audits are conducted, there is no reference to the auditing of race, gender or age.

References

Section 1

ⁱ Section 19.9.10 of the ANC's Constitution adopted at the 54th National Conference. Available at:

<http://anceasterncape.org.za/about/constitution-of-the-anc/>

ⁱⁱ "ANC audit must not raise suspicion – analysts." Available at: <http://www.polity.org.za/article/anc-audit-must-not-raise-suspicion-alalysts-2012-10-01>; "ANC membership audit raises eyebrows," Setumo Stone. Available at: <https://www.businesslive.co.za/bd/politics/2012-10-19-anc-membership-audit-raises-eyebrows/>.

ⁱⁱⁱ "Membership Audits of 8 provinces completed." Available at: <https://www.politicsweb.co.za/politics/membership-audits-of-8-provinces-completed--anc-ne>

^{iv} <http://www.saflii.org/za/cases/ZAKZPHC/2017/36.html>

^v "No Mpumalanga leader for ANC till national vote," by Mandla Khoza. Available at:

<https://www.sowetanlive.co.za/news/south-africa/2018-10-22-no-mpumalanga-leader-for-anc-till-national-vote/>

^{vi} "The ANC Election is all about the members," by Melanie Verwoerd. Available at:

<https://www.news24.com/Columnists/MelanieVerwoerd/the-anc-election-is-all-about-the-numbers-20170118>

^{vii} Section 3.1.4 of the DA's Constitution adopted by the Federal Congress on 8 April 2018. Available at:

<https://cdn.da.org.za/wp-content/uploads/2018/07/26170657/DA-Constitution-Adopted-by-Fed-Congress-on-8-April-2018.pdf>

^{viii} Section 3.1.4 of the DA's Federal Constitution. Available at: <https://cdn.da.org.za/wp-content/uploads/2018/07/26170657/DA-Constitution-Adopted-by-Fed-Congress-on-8-April-2018.pdf>

^{ix} <https://www.politicsweb.co.za/party/a-stepbystep-guide-to-the-institutionalisation-of->

^x "KZN Court Challenge divides EFF." Available at: <https://www.iol.co.za/news/politics/kzn-court-challenge-divides-eff-18833187>

^{xi} "EFF KZN Members battle in court," Available: <https://www.youtube.com/watch?v=pQKHI7cZh4w>.

^{xixii} "Why I'll be leading the IFP into the elections." Available at:

<https://www.sowetanlive.co.za/opinion/columnists/2019-01-22-why-ill-be-leading-the-ifp-into-the-elections/>

^{xixiii} Section 19.9.10 of the ANC's Constitution.

^{xixiv} Guideline G6 of the "Guidelines towards the National People's Assembly of the Economic Freedom Fighters: June 2014." Available: <https://www.politicsweb.co.za/party/a-stepbystep-guide-to-the-institutionalisation-of->

^{xixv} *Dube and Others v Zikalala and Others (7904/2016P) [2017] ZAKZPHC 36; [2017] 4 All SA 365 (KZP) (12 September 2017)*. Available: <http://www.saflii.org/za/cases/ZAKZPHC/2017/36.html>

^{xixvi} Guideline D4 of the EFF's "Guidelines towards the National People's Assembly."

^{xixvii} "Why EFF membership numbers cannot be trusted," Available: <https://africacheck.org/spot-check/eff-membership-figures-cannot-be-trusted/>.

^{xixviii} "Membership numbers confidential – DA." Available at: <https://www.news24.com/SouthAfrica/News/Membership-numbers-confidential-DA-20121017-3>

^{xixix} Section 19.9.10 of the ANC's Constitution.

^{xx} "Ghostbuster cleans up ANC branches," by Paddy Harper. Available at: <https://mg.co.za/article/2018-11-16-00-ghostbuster-cleans-up-anc-branches>.

^{xxxi} Section 2.5.4.8 of the DA's Constitution.

^{xxxi} Section 3.1.5 of the DA's Constitution.

^{xxxi} Guideline K5 of the "Guidelines towards the National People's Assembly."

^{xxxi} *Dube and Others v Zikalala and Others*. Available: <http://www.saflii.org/za/cases/ZAKZPHC/2017/36.html>

SECTION 2 INTRA-PARTY ELECTIONS

Which party structures are focused on in the following section?

The following section is limited to the central/national structures (se)lected, including the following:

1. The National Executive Committee positions of the African National Congress nominated and/or elected in the lead up to and at the party’s National Conference;
2. The Federal positions elected by all voting delegates present at the Federal Congress;
3. The Central Command Team of the Economic Freedom Fighters nominated and elected in the lead up to the party’s National People’s Assembly; and
4. The positions of the National Council and the National Executive Committee of the Inkatha Freedom Party in the lead up to and at the party’s elective conference.

At a later stage, MVC will expand our research to include information on intra-party elections for structures at the level of branches, provinces, regional and other national structures of the party. The procedures of each party referred to in this analysis are the highest structures of the party where the broadest “selectorate” of each party can participate in determining the leadership in these national structures. The “selectorate” refers to exactly who can participate in the (s)election procedure of intra-party leadership determining procedures.

Questions answered

1. Which national level party positions are elected by members?
2. Describe the process of elections to the positions referred to above. Are there stages and procedures leading up to and during the election process which are institutionalised in the party? How does the election process unfold?.
3. How often must these elections take place?
4. Are there term limits for these elected positions?
5. Is voting conducted via secret ballot?
6. Who tallies the votes in a party’s election [Adapted from “Are these elections carried out by an electoral commission?”]
7. Are any party office bearer positions, which are not necessarily public representative positions, at national level appointed and if yes, which positions are these? [Any appointments to disciplinary committees are addressed on in the Discipline section].
8. What measures are in place to ensure that party leadership is representative of its membership’s diversity in terms of gender, race, age and geographical spread (quotas)?
9. Are members granted the right to contest an electoral outcome and if they are, what dispute resolution mechanisms are in place and who adjudicates?

Further questions to consider	<ol style="list-style-type: none"> 1. What is the process of appointment and are there any criteria for appointment (E.g. must the appointee be a member of the party, if the appointee is a member should she/he have been a member for a minimum period of time, must the member have a particular qualification for particular appointments)? 2. Do any appointed positions carry party public policy-making authority (I.e. Do any appointed positions have authority on the party's role in public policy-making)? 3. Do any appointed positions carry party public policy-making authority (I.e. Do any appointed positions have authority on the party's role in public policy-making)? 4. If the answer to the above question is 'yes,' please identify which appointed positions these are that have a bearing on the party's role in public-policy making? 5. Can any member of the party contest an appointment of a party's national office bearer, and if yes on what basis is this allowed and how is such contestation facilitated?
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1.	Which national level party positions are elected by members?
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ANC	<p>Note that the link for the guidelines for the Nasrec elections (previously available at https://ramaphosa.org) is no longer working. MVC made extensive use of this document in answering this section.</p> <p>The National Executive Committee (NEC):</p> <p>The National Conference elects the “top six” of the party’s National Executive Committee (NEC) and 80 additional members:</p> <p>The “top six” of the NEC:</p> <ol style="list-style-type: none"> 1) The President; 2) Deputy President; 3) National Chairperson; 4) Secretary General; 5) Deputy Secretary General; and 6) Treasurer General.ⁱ <p>Ex-officio members elected in provinces and leagues:</p> <p>The Secretary and Chairperson of each ANC Provincial Executive Committee (PEC), the President and Secretary General of the ANC Women’s League, the President and Secretary General of the ANC Youth League and the President and Secretary General of the ANC Veteran’s League, are “<i>ex-officio</i>” members of the NEC.ⁱⁱ Although these positions assume a role at the NEC, they are elected.ⁱⁱⁱ</p> <p>The National Working Committee:</p> <p>After the National Conference, the new NEC must elect a National Working Committee (NWC). The NWC is constituted of the “top six” of the NEC and “additional elected</p>
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	<p>members” of an amount which “shall not exceed one-quarter of the composition of directly elected members.”^{iv} Take note that MVC will focus on the election of the NEC in the following answers.</p>
<p>DA</p>	<p>The Federal Congress elects the party’s:</p> <ul style="list-style-type: none"> ● Federal Leader; ● Federal Chairperson; and ● Deputy Federal Chairpersons <p>In addition, at the Federal Congress, the Federal Council elects the Council’s:</p> <ul style="list-style-type: none"> ● Chairperson; ● Two Deputy Chairpersons; and ● A Federal Chairperson of Finance
<p>EFF</p>	<p>The Central Command Team:</p> <p>The National People’s Assembly (NPA) elects the Central Command Team (CCT), the central national leadership of the EFF. The “top six” and “35 additional commissars” are elected to the CCT. The “top six positions” include:</p> <ul style="list-style-type: none"> ● President; ● Deputy President; ● Secretary General; ● Deputy Secretary General; ● National Chairperson; and ● Treasurer General <p>War Council:</p> <p>At the first sitting of the CCT after the NPA elects the CCT, the CCT will elect the party’s War Council. The War Council is constituted of nine elected members from the CCT as well as the “top six.” Take note that MVC will focus on the election of the CCT.</p>
<p>IFP</p>	<p>National Council and the National Executive Committee:</p> <p>The National Council (NC) is the supreme decision-making body between general conferences and constitutes the National Executive Committee (NEC). According to the IFP’s Constitution, the Executive Committee of the NC is the NEC.^v When the NC is not in session, the NEC must make “policy decisions.”^{vi}</p> <p>76 of 100 members of the party’s National Council are elected. Of the 76 elected positions, 40 are elected “at an elective General Conference” and the other 36 are elected at events other than the General Conference.^{vii} At the “elective General Conference” where 40 members are elected to the National Council, six National Office Bearers are elected and 34 committee members.^{viii} The six National Office Bearers are:</p> <ol style="list-style-type: none"> 1) President of the Party; 2) Deputy President of the Party; 3) National Chairperson;

- 4) Deputy National Chairperson;
- 5) Secretary General; and
- 6) Deputy Secretary General

The 36 remaining elected positions in the National Council, elected outside of the General Conference includes:^{ix}

- 18 members including a Chairperson and Secretary from each of the nine province's Provincial Executive Committees;
- Nine members of the National Executive Committee of the Women's Brigade, whereby each is presumably from a different province; and
- Nine members of the National Executive Committee of the Youth Brigade, whereby each is presumably from a different province.

2. Describe the process of elections to the positions referred to above. Are there stages and procedures leading up to and during the election process which are institutionalised in the party? How does the election process unfold?.

ANC

National Executive Committee:

Those elected to the National Executive Committee (NEC) of the ANC includes the "top six" and 80 additional members. The nomination process starts with the branches and the outcome of the branch nominations determines which nominations will be on the ballots at the National Conference.

The role of branches:

Nominations for the National Executive Committee's (NEC) starts at the branch-level of the party. In order to qualify to participate, a branch must be in "good standing," meaning it must be constituted of at least 100 paid-up members as confirmed by branch audits. A branch nomination meeting held at a Branch General Meetings (BGM) will nominate a candidate for each position in the "top six" and up to **20 additional members**. A quorum of at least 50% + 1 members of the branches total members is needed for a branch to convene the BGM where nominations are made. A branch must nominate one candidate for each of the top six positions. If only one person is nominated for a position, the nominator must motivate the nomination and branch members are allowed to debate the nomination. In order for the single nominee to be placed on the branch's final nomination list, branch members will vote via show of hands and the nominee must receive at least 50% + 1 vote.

If there is more than one nomination for one position in the "top six," branch members are allowed to vote via secret ballot for their preferred candidates. Prior to the 2017 election process of the NEC, branches were not granted the opportunity to use the secret ballot at any stage. However, this was changed as a result of members reporting interference and intimidation based on who they nominate.

All voters must queue inside the voting venue and once a member has cast a vote, the voter must stand opposite the queue until voting by all in the queue is completed. The votes are counted in front of the members. A nominee must receive at least 50% + 1 vote in order to be nominated. If no nominee receives 50% + 1 votes, then a series of elections

will continue until the last round where members must nominate one of two candidates. At each round, candidates with the least votes are removed.

In addition to the “top six,” branch members may also elect up to **20 additional nominees** for the 80 additional members of the NEC. An electoral officer will request nominations and “seconders” of the nominations. The nominator must motivate the nomination and then branch members vote via show of hands. Each nomination must receive at least 50% plus 1 vote in order to be successful. Once the list of names nominated are listed, the preparation for the final list of the particular branch must ensure that 50% of the nominees are women. If there are more men who have more votes than women, then male candidates with the least votes will be removed so that 50% of the candidates are women.

The branches must also elect the **delegates** who will represent the branch at the National Conference. The number of delegates per branch is determined proportionally by the number of paid up members the branch has. If a branch has 100 members it can send one delegate and for a second delegate it would need an additional 250 members.^x The particular formula that determines how many delegates represents each branch is determined by the incumbent NEC.

Branches must send their final list for the “top six” and additional nominations to the “electoral officer” at the Provincial General Council (PGC) *and* to the National Electoral Commission. In order to become a candidate on the ballot at the National Conference, a nominee must receive at least 15% of the nominations from all branches. If a nominee does not gain 15%, a “last resort” option allows one to be nominated at the National Conference if 25% of the attendants (or delegates) support the nomination.^{xi}

The role of provinces:

In the lead up to the 54th National Conference, Gwede Mantashe announced that the role of the provinces would be limited in comparison to their role in the lead up to previous National Conferences. The limitation was set as a result of complaints of PGC’s tampering with branch nominations before the nomination lists were sent to the party’s National Electoral Commission. Traditionally, the branches would not submit their nominations to the party’s National Electoral Commission, but it would first be sent directly to the Provincial General Council’s. A Provincial Conference would be held to finalise the nominations of all branches as a provincial bloc.

According to the ANC’s *NEC Nominations Process* document including nomination guidelines for the election process leading up to the 54th National Conference, “provincial nominations” include the nominations for the **additional members** to the NEC. The PGC’s must read the nominations from branches at their Provincial Conference in front of all delegates present to determine the top candidates for the **additional nominations**. The Electoral Commission and the agency hired to oversee the elections, must count the branches votes and the provincial nominations to consolidate a list of the “additional nominations.”

National Conference:

The National Conference is the congregation and event where the NEC is elected. At least 70% of branches in good standing must submit their nominations in order for the

National Conference to be convened. 90% of the voting delegates includes branch nominated delegates, and the other 10% includes members from the incumbent NEC and PEC's as well as members from the ANC Women's, Youth and Veteran's League. Each candidate for the

"top six" is elected separately. Each "top six" position is elected separately at the National Conference. Instead of having to receive 50% + 1 of the votes at the National Conference, the first-past-the-post system is used whereby the nominees with the most votes are successfully elected.

The candidates for the "top six" are listed on one ballot. Up until the 53rd National Conference, the ballot papers for the additional members included the names of all the candidates. At the 54th Conference, voters had to write their preferred candidates down. Delegates vote via secret ballot and in this case, the secret ballot can undermine the participation of branches. Each branch's delegate(s) should vote in favour of the candidates that the majority of its branch members elected as the preferred candidate at a branch's BGM. However, the secret ballot afforded to delegates at the Conference, allows a delegate to vote for a candidate that did not receive the most support from its branch.^{xii}

DA

Federal Congress:

The Federal Congress is the congregation and event where members of the DA meet to elect the Federal Chairperson, the Federal Deputy Federal Chairperson, and the Deputy Federal Chairpersons. At the Federal Congress, the Federal Council elects the Council's Chairperson; two Deputy Chairpersons; and a Federal Chairperson of Finance.

Rules and procedures:

The Federal Council set standards for elections at the Federal Congress.^{xiii} The Federal Congress can either be summoned by a two-thirds majority vote of the Federal Executive, a two-thirds majority of the Federal Council or on request by a petition of at least five thousand members of the Party^{xiv}. The Federal Executive makes decisions on anything relevant to the organisation of the Federal Congress, including the date, venue and agenda.

The "Regulations for the Nomination of Candidates," has comprehensive rules which apply to the nomination and election of DA public representatives in the state's National Assembly, National Council of Provinces, as well as for mayor premiers and mayors. Only in the annexure of these guidelines are references made to the voting formula which applies to "office-bearers, committees, Electoral Colleges or delegates to any congress, council or other similar body."^{xv} However, the call for nominations of party office bearers eventually elected at the Federal Congress is not made in the same way as is the call for nominations of members to the National Assembly.

For public representatives, an announcement was made on the party's website, inviting applications from the public.^{xvi} At the last round of nominations in the lead up to the Federal Congress, the nominees were listed. Therefore, it is not clear whether Electoral Colleges and Selection Panels of the party rigorously partake in the nomination process in

the lead up to the Federal Congress in the same way as they do for the list of candidates for the National Assembly.

The DA's Constitution states that a proportional voting system must be used if there is an election "of more than two people to an office."^{xvii} The adopted proportional voting system must be approved by the Federal Council. The DA's "Regulations for the Nomination of Candidates" states that if there are only two nominees for a position, then each voter is

allowed one vote. If there are more than two candidates, voters must rank each candidate. If there are more than twice the number of candidates than there are vacancies, then the number of candidates a voter must rank will be determined by the "province or region" and "In consultation with the FCEC."^{xviii}

In the Regulations, the specified proportional voting system is the Single Transferable Voting (STV) system. The STV system allows a voter to rank more than one candidate and to rank the choice in order of preference. The first step of tallying is to calculate the total number of first preference votes each candidate has obtained. If a candidate reaches the required quota, then the surplus votes of that candidate are transferred to the other candidates. If no candidate reaches the required quota, then the candidate with the least first preference votes is eliminated (See "Section 3: Public Office Holders" where the election process for public office holders is elaborated on).

Although the DA's Constitution states who the voting delegates are comprised of, the Federal Council or Federal Executive decides how many delegates will be present at the Federal Congress (See list of delegates below). According to the DA's Constitution, the list of delegates with voting rights includes:

- The Federal Leader; the Federal Chairperson; the three Deputy Federal Chairpersons, the Chairperson and two Deputy Chairpersons of the Federal Council;
- The Federal Chairperson of Finance;
- Co-opted members of the Federal Executive;
- The Provincial Leader, one Deputy Provincial Leader, the Provincial Chairperson, if any, per province;
- All Members of Parliament;
- All Members of Provincial Legislatures;
- Local government councillors equal to five times the number of Members of Parliament and the Provincial Legislatures in the country;
- Non-public representative delegates allocated to branches and elected by a proportional voting system approved by the Federal Council or Federal Executive, which shall not comprise less than 45% of the total Congress delegates;
- The Federal Leader of the Democratic Alliance Youth;
- The Federal Chairperson of the Democratic Alliance Youth;
- The Provincial Chairpersons of the Democratic Alliance Youth;
- The Federal Leader of the Democratic Alliance Women's Network;
- The Chairperson of the Association of Democratic Alliance Councillors, or his or her nominee;
- The Provincial Chairperson of the Association of Democratic Alliance Councillors in each province, if not already a delegate in another capacity; the DA Abroad Leader, or his or her nominee;

	<ul style="list-style-type: none"> • Nine other delegates from DA Abroad, allocated according to a formula approved by the Federal Council; • And any members of the Federal Council who are not otherwise delegates. • The CEO is also a delegate, but without voting rights.^{xix}
EFF	<p>The Central Command Team is elected by the EFF's National People's Assembly (NPA). The NPA is the congregation and event where the CCT is elected. The NPA adopts rules and guidelines of the NPA. A Steering Committee of the NPA is responsible for the "smooth running of the Assembly." The NPA adopts the "credentials, program, rules, procedures and guidelines of the assembly."^{xx}</p> <p>90 percent of the delegates at the NPA election conference are from the branches of the EFF. Only "branches in good standing" can participate, meaning the branch needs at least 100 members. Further, a "branch in good standing" is referred to as one that "has gone to a Branch People's Assembly with a quorum of 50% + 1 of the membership."^{xxi} The NPA is constituted of two voting delegates per branch, five voting delegates per region and 20 voting delegates from the Provincial Command Teams.</p> <p>If there is more than one nomination for a position, then the Electoral Commission must prepare a ballot with the names of all nominees for the respective positions. In order for any nomination to successfully appear on a ballot paper, "30% of the voting delegates in a regional, provincial or central people's assembly should support the name/individual nominated[...]."^{xxii}</p> <p>Votes are tallied manually by the Electoral Commission and/or an Independent Electoral Entity. The Commission must announce the results.</p>
IFP	<p>The National Council and the National Executive Committee (NEC):</p> <p>Of the National Council's 100 members, 76 must be elected. 40 of the 76 elected positions are elected at the elective Annual General Conference. Of the 40 elected at the elective Annual General Conference, six are National Office Bearers and form part of the party's National Executive Committee. The other 34 are from Committees. The National Council must determine the formula that elects the Committee members to the National Council. The six elected national office bearers include the President of the Party, the Deputy President of the Party, the National Chairperson, the Deputy National Chairperson, the Secretary General and the Deputy-Secretary General. Take note that after this electoral procedure is outlined and the "National Office" elected to the National Council are listed, a separate section states that the Treasurer-General is elected by the National Council. It is not clear why the section on the "Election of the Treasurer-General" is not included.</p> <p>The remaining 36 positions are elected at elective conferences outside of the Annual General Conference. These positions include a Chairperson and Secretary of the nine Provincial Executive Committees (18 members), the National Executive Committee of the Women's Brigade (9 members) and Youth Brigade (9 members).</p> <p>The nomination process starts at the branch level. Branches in good standing nominate separate candidates for the IFP's NEC. The branches forward their nominations to the relevant Constituency Council and the Council can add nominees. Through a process of "voting and elimination," the Constituency Councils eventually finalise the nominations.</p>

The Constituency Councils must forward their nominations to the District Council, the District Council forwards nominations to the Regional Councils and the Regional Council forwards nominations to the Provincial Councils and finally the Provincial Councils forward the nominations to the National Council. The same “voting and elimination” procedure at the Constituency Council is practiced at the District, Regional, Provincial and National Councils. Once the National Council has finalised the nominations, it is presented at the elective Annual General Conference. “Duly appointed delegates,” cast their votes on a secret ballot.

Delegates at the National General Conference, must be IFP members, including:

- “[...] two delegates from each branch;
- [...] the Executive Committee of each Constituency;
- [...] the Executive Committee of each District
- [...] the Executive Committee of each Province;
- [...] all members of the National Council;
- [...] the National Executive Committee of the Youth Brigade
- [...] the National Executive Committee of the Women’s Brigade; and
- [...] all Party Caucus office bearers in all three spheres of government.”^{xxiii}

3. How often must these elections take place?	
ANC	Every five years.
DA	Every three years.
EFF	Every five years
IFP	According to the IFP’s constitution, the party’s National Executive Committee has a five-year term and the National Council has a three-year term. However, the IFP has delayed the elective conferences and has not abided to the time frame mentioned in their own constitution. In the Kwa-Zulu Natal High Court matter between <i>Mcoyi vs IFP</i> , the applicant raised the matter that the IFP has delayed their intra-party elections and in response, the IFP argued that according to their party’s constitution, intra-party elections are not compulsory. ^{xxiv} The judgement was not delivered in the applicant’s favour, but without prescribing a date the judge concluded that further delaying an elective conference would not be legally expedient for the party as an inordinate delay could allow for the applicant to bring the matter to court again.

4. Are there term limits for these elected positions?	
ANC	The ANC’s Constitution makes no mention of term limits for intra-party office bearers.
DA	There are no term limits for elected Federal positions. The DA’s “constitutional review committee” agreed that term limits are “short-sighted” if it limits the term of a party office bearer who may add value to the party. ^{xxv}
EFF	The EFF’s Constitution makes no mention of term limits for intra-party office bearers.
IFP	The IFP’s Constitution makes no mention of term limits for intra-party office bearers.

5. Is voting conducted via secret ballot or by show of hands?	
ANC	<p>Branches:</p> <p>Prior to the 2017 election process, branch members made nominations for the “top six” by show of hands. In 2017, the new election guidelines allowed members to vote via secret ballot if there was more than one nomination for one position in the “top six” at a Branch General Meeting. The “additional nominations” of up to 20 members are made via show of hands.^{xxvi}</p> <p>National Conference</p> <p>Delegates at the National Conference elect the NEC via secret ballot^{xxvii}</p>
DA	All voting for all bodies of the DA is by show of hands. ^{xxviii} However, an exception can be made for “the person presiding or by one-tenth of the members present.” ^{xxix} It is not stated on what grounds these exceptions can be requested or approved.
EFF	The June 2014 “Guidelines Towards the National People’s Assembly of the Economic Freedom Fighters” states that voting delegates cast their votes via secret ballot. ^{xxx}
IFP	According to the IFP’s Constitution, voting at elective conferences is via secret ballot. ^{xxxi}

6. Who tallies the votes in a party’s election [Adapted from “Are these elections carried out by an electoral commission?”]	
ANC	<p>The ANC does have an internal “Electoral Commission,” which together with an independent entity, manages the tallying of votes at the National Conference.^{xxxii} The Electoral Commission must have officers who monitor the independent entity’s responsible for tallying the votes. However, the Electoral Commission is allocated with many responsibilities in managing the voting process.</p> <p>According to the ANC’s Constitution, the Electoral Commission is comprised of not more than three members, appointed by the National Executive Committee (NEC). The Commission is responsible for establishing voting procedures, determining disputes raised, determining how tied votes should be resolved, preparing the ballot papers, making provisions for the ballot boxes or alternative methods for secret voting, preparing machinery for vote counting, supervising the counting of votes, announcing the winning candidates and the number of votes of each candidate.</p> <p>Although other examples of independent agencies hired by the ANC have been referred to, every agency hired is not referred to in the report. One example of an independent entity hired by the ANC is the “EleXions Agency,” contracted to facilitate and manage the 2007, 2012 and 2017 intra-party elections at the National Conference.^{xxxiii} The Electoral Commission oversees any independent entities vote tallying. More clarity is needed on how the roles between the Electoral Commission and the independent agency differentiate.^{xxxiv} In addition, there should be clarity on what scenarios or instances would allow for the Electoral Commission to intervene in the relevant independent agency’s vote tallying.</p>

DA	<p>It can be interpreted that the votes at an intra-party election are not tallied by an independent entity as the DA’s Constitution states that ballots for party office bearers are kept by the Party for 30 days, presumably after an election.^{xxxv} If an outcome is appealed, the Party has grounds to keep the ballots until the appeal process ends. Further, the Federal Executive has the power to appoint presiding officers, who have to preside over internal elections of the party.^{xxxvi} These presiding officers are also allowed to be voting members.^{xxxvii}</p>
EFF	<p>The “Guidelines towards the National People’s Assembly,” refers to an “Independent Electoral Body” and an “Electoral Commission.” The “Independent Electoral Body” is responsible for ensuring free and fair elections. It is not clear if these are two separate entities. The Electoral Commission is responsible for:</p> <ul style="list-style-type: none"> ● “Preparing the ballot papers; ● The Chairperson of the Commission must verify all candidates’ names on the ballot paper to ensure candidates’ names are accurately captured, before signing off and printing the ballot paper; ● Preparing for votes to be conducted via secret ballot; ● Preparing ballot boxes and ballot papers; and ● Counting votes and announcing results “of all ballots.”^{xxxviii}
IFP	<p>There is no indication in the IFP’s Constitution of who manages the vote tallying at the party’s internal elections. In 2010, an applicant in a Kwa-Zulu Natal High Court matter between <i>Mcoyi & Others vs Inkatha-Freedom Party</i>, the Court compelled the IFP to allow an “independent and credible company” to run the party’s elections.” However, the Court did not order the IFP to employ an independent entity for future elective conferences.</p>

<p>7. Are any party office bearer positions, which are not necessarily public representative positions, at national level appointed and if yes, which positions are these?</p> <p>[Any appointments to disciplinary committees are addressed in question 2 in section 4 on Discipline].</p>	
ANC	<p>The National Executive Committee appoints:</p> <ul style="list-style-type: none"> ● An annual National List Committee, comprised of not less than five and not more than nine persons;^{xxxix} ● The National Chaplaincy;^{xl} ● Replacements to the NEC, if any vacancy in the NEC arises;^{xli} ● The ANC Veteran’s League, the ANC Women’s League and the ANC Youth League can each appoint one representative to serve on the National Working Committee; and^{xlii} ● A National Finance Committee.^{xliii} <p>Appointments due to death, resignation or incapacity of a member:</p> <ul style="list-style-type: none"> ● In the event that the President or Deputy President dies or is permanently incapacitated, then the NEC will have the power to appoint an Acting President who will serve until the National Conference is reconvened.^{xliv}

DA	<p>The Federal Executive appoints:</p> <p>The Chief Executive Officer (CEO) of the Party.^{xlv}</p> <p>The Federal Leader can appoint:</p> <ul style="list-style-type: none"> • An acting Federal Leader, in the case that the Federal Chairperson is not available or if the Federal Leader is temporarily absent or incapacitated.^{xlvi} <p>Appointments due to death, resignation or incapacity of a member:</p> <ul style="list-style-type: none"> • In the case that an office bearer resigns, dies or becomes incapacitated, she or he can be replaced by an appointment by the relevant executive body if there is no deputy to succeed.^{xlvii}
EFF	<p>The Central Command Team (CCT) can appoint:</p> <ul style="list-style-type: none"> • Three additional members to the CCT; and • In addition to the three members who can be co-opted, the CCT can “invite anyone” who has the relevant expertise or professional advice needed.^{xlviii} <p>Appointments due to death, resignation or incapacity of a member:</p> <ul style="list-style-type: none"> • There is no provision in the EFF’s Constitution or in the “Guidelines Towards the National People’s Assembly of the Economic Freedom Fighters” which states what course must be taken when a position in the party’s is vacant due to death or incapacity. The Guidelines only states that the Provincial Command Team (PCT) or the Regional Command Team (RCT) has the option to fill vacancies if a member resigns.^{xlix}
IFP	<p>The National Council appoints:</p> <ul style="list-style-type: none"> • Seven Members to the National Finance Committee;ⁱ • The Administrative Secretary of the Party;ⁱⁱ • The National Organiser; and • The National Deployment Committee. <p>The President appoints:</p> <ul style="list-style-type: none"> • Three persons to the National Executive Committee; • 24 members to the National Council;ⁱⁱⁱ and • An ad/hoc or standing committee on any matter.^{liii} <p>Appointments due to death, resignation or incapacity of a member:</p> <p>If a member of the National Council, with the exception of the President, resigns, dies, no longer has the capacity to hold office or is unable to hold office for any other reason, the National Council must appoint a replacement. If such a vacancy opens in the National Council, but is held by a member from a provincial structure, the Provincial Council must make the appointment or the National Council can make a temporary appointment until the relevant Provincial Council convenes to fill the vacancy.^{liv} In the case of the President, the Deputy President of the party must fill the vacancy for the remaining term.</p>

8.	<p>What measures are in place to ensure that party leadership is representative of its membership's diversity in terms of gender, race, age and geographical spread (quotas)?</p>
	<p><i>MVC tried to identify if parties have explicit measures (e.g. quotas) to ensure that there is no gender, race or age imbalances in terms of the party's membership. Various IPD proponents refer to minority groups as commonly standing out as the economically and/or socially disadvantaged portion of the population who are more likely to be automatically excluded from being represented in government. Therefore, IPD proponents may suggest measures to ensure such groups will be represented.</i></p> <p><i>In the case of South Africa, the marginalised and economically disadvantaged group makes up the majority of the population who are predominantly black. Considering South Africa's history and exclusion of the black majority, one cannot propose that a party adopts quotas to ensure representation of a generally privileged white minority. However, if a party has a significant amount of members who are black, then its leadership must not be skewed by predominantly containing white leaders. Further, there may be certain parties that present a particular demographic and therefore, all parties cannot adopt race quotas if certain racial groups are absent in a parties membership.</i></p>
ANC	<p>Gender:</p> <p>The ANC has a quota system which applies to the nomination list branches submit and the final outcome of the NEC's 80 additional members, excluding the "top six" positions. 50% of the branch nominations for the "additional members" must be women and the final outcome of the 80 elected additional members to the NEC must be women.</p> <p>Race:</p> <p>There is no reference to any explicit measure used on race in the party's Constitution or in the intra-party election guidelines.</p> <p>Age:</p> <p>Although the party does have a Youth League, this report is concerned with the overarching and highest executive structure of the ANC which is the NEC. The only written measure to include youth in the party's constitution is limited to the Chairperson and Deputy Chairperson of the Youth League, who are ex-officio members of the NEC.^{iv} At the 2017 Nasrec National Conference, a resolution on a youth quota was adopted so that at least 25 – 40% of young people could be elected to all structures of the party. However, as referred to in the next section on the nomination for candidates for the National Assembly, the ANC's definition of youth has a higher categorical threshold (including anyone under 40 years of age) than the general threshold of 35 years of age.</p>
DA	<p>Firstly, it is important to note that after a "diversity clause" was debated at the 2018 Federal Congress, members rejected the clause in fear of it leading to the adoption of quotas.^{lv} The principles of the DA's Constitution explicitly rejects formal measures, indicating that party rejects "unfair discrimination on any grounds and the redress of past discrimination, without recourse to rigid formulae or quotas;[...]"^{lvii}</p>

	<p>Gender:</p> <p>The Federal Executive includes the Federal Leader of the Democratic Alliance Women’s Network,^{lviii} however this is not a measure which addresses any imbalances of gender representation. The DA attracted public scrutiny for the leadership outcomes at the Federal Congress, because out of the nine top Federal positions which came out of the Federal Congress, only one female, Deputy Federal Chairperson Refiloe Ntsekhe, was elected.</p> <p>Race:</p> <p>There are no measures to ensure that the party’s most senior positions elected at the Federal Congress is fairly representative of the racial diversity in the party. The DA has attracted criticism due to the large number of black members which is not mirrored in the outcome of elected positions at the Federal Congress.</p> <p>Age:</p> <p>The Federal Executive includes each Federal Leader of the Democratic Student Organisation (DASO) and the Democratic Alliance Youth. However, this is not an explicit measure which addresses an imbalance of less youth representation.</p>
EFF	<p>Gender:</p> <p>Overall, at least 50% of the Central Command Team (CCT) must be women.^{lix} However, this measure does not necessarily apply to the “top six” of the EFF. According to the EFF’s 2014 “Guidelines to the National People’s Assembly [...],” each branch will have two voting delegates to represent the branch at the “Central People’s Assembly [or National People’s Assembly.” One of the two delegates must be female.^{lx}</p> <p>Race:</p> <p>There is no reference to any explicit measure used on race in the party’s Constitution.</p> <p>Age:</p> <p>There is no reference to any explicit measure used on age in the party’s Constitution.</p>
IFP	<p>Regional Spread:</p> <p>The IFP’s Constitution makes reference to a formula that the National Council adopts to elect the “thirty four (34) committee members” to the National Council, must be based on a formula that “geographical spread across provinces [...]” However, the number of candidates per province are also weighted according to the number of members in each province.^{lxi}</p> <p>Gender:</p> <p>With the exception of the Women’s Brigade, all “structures of the party” must nominate at least a third of women for the election of office bearers at the national level. However, this measure does not explicitly apply to the outcome of elected officials.^{lxii}</p>

	<p>Race:</p> <p>There is no reference to any explicit measure used on race in the party’s Constitution.</p> <p>Age:</p> <p>There is no reference to any explicit measure used on age in the party’s Constitution.</p>
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9. Are members granted the right to contest an electoral outcome and if they are, what dispute resolution mechanisms are in place and who adjudicates?	
ANC	Members are granted the right to contest an electoral outcome to the party’s Electoral Commission. This Commission must adjudicate and “determine any” intra-party election disputes. ^{lxiii} The National Dispute Resolution Committee (NDRC) deals with disputes regarding the failure or refusal to recognise a member elected as a delegate at any Conference of the party.” ^{lxiv}
DA	A member can lodge an objection to the outcome of an office bearer’s election and this must be done within 48 hours of the announcement results. ^{lxv} The party keeps the ballots for at least 30 days, but if an appeal is lodged then the ballots are kept “until the appeal is disposed of.”
EFF	Any dispute raised on matters related to the election of the Command Teams, must be lodged to and dealt with by the party’s Electoral Commission. ^{lxvi}
IFP	There is no explicit reference in the IFP’s Constitution to contesting an electoral outcome. However, according to the IFP’s Constitution there are Disciplinary and Appeal Committees in the branch, district, regional and provincial Councils as well in the National Council. A complaint relating to any “organisational, administrative or political matter” related to the Party can be sent to the President. The President can assign the complaint to a member, who must report back to the President, or it can be assigned to any relevant structure of the party. ^{lxvii}

References

Section 2

ⁱ Section 12.7.1 & 12.3.2 80 of the ANC’s Constitution.

ⁱⁱ Section 12.3.3 of the ANC’s Constitution.

ⁱⁱⁱ Section 17.3 of the ANC’s Constitution.

^{iv} Section 13.2 of the ANC’s Constitution

^v Section IV(6) of the IFP’s Constitution. Available: <http://www.ifp.org.za/wp-content/uploads/2015/03/Our-Constitution.pdf>.

^{vi} Section IV(8) of the IFP’s Constitution.

^{vii} Section IV(1) of the IFP’s Constitution.

^{viii} Section IV(2) of the IFP’s Constitution.

^{ix} Section IV(3) of the IFP’s Constitution.

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- ^x “ANC conference: Who pays, where they stay and who counts the votes.” Available: <https://www.news24.com/Analysis/ancvotes-who-pays-where-they-stay-and-who-counts-the-votes-20171211>.
- ^{xi} “The road to the 54th ANC Elective Conference – our hope to unite and rebuild the ANC and South Africa.” Available: <https://www.dailymaverick.co.za/opinionista/2017-11-20-the-road-to-the-54th-anc-elective-conference-our-hope-to-unite-and-rebuild-the-anc-and-south-africa/>.
- ^{xii} “54th National Conference NEC Nomination Process.” Available at: http://ramaphosa.org.za/wp-content/uploads/2017/09/nomination_spread.pdf; <http://www.702.co.za/articles/284677/inside-the-anc-election-process>; “The road to the 54th ANC elective conference..” [Link in previous reference]; “Inside the election process,” Available: <https://ewn.co.za/2017/12/14/inside-the-anc-election-process>; “ANC delegates, not provinces, count.” Available: <https://citizen.co.za/news/opinion/opinion-columns/1749932/anc-delegates-not-provinces-count/>.
- ^{xiii} Section 2.3.3 of the DA’s Constitution.
- ^{xiv} Section 6.1 of the DA’s Constitution.
- ^{xv} Rule no.1 of Annexure A of the DA’s “Regulations: Nomination of Candidates 2019.”
- ^{xvi} “Become a candidate for the DA in the 2019 elections,” Available at: <https://www.da.org.za/become-candidate-da-2019-elections>.
- ^{xvii} Section 2.3.3 of the DA’s Constitution.
- ^{xviii} Annexure A of the DA’s “Regulations: Nomination of Candidates 2019.”
- ^{xix} Section 6.1.3 of the DA’s Constitution.
- ^{xx} Section 12(4) of the Economic Freedom Fighter’s Constitution. Available at: <https://effwc.org.za/eff-constitution/> OR https://docs.wixstatic.com/ugd/35f96d_3829645aeddf4faf8a6765964a5da15e.pdf.
- ^{xxi} Guideline B5 of the EFF’s “Guidelines Towards the National People’s Assembly of the Economic Freedom Fighters: June 2014.” Available at: <https://www.politicsweb.co.za/party/a-stepbystep-guide-to-the-institutionalisation-of->.
- ^{xxii} Guideline I(3) of EFF’s “Guidelines Towards the National People’s Assembly of the Economic Freedom Fighters: June 2014.” <https://www.politicsweb.co.za/party/a-stepbystep-guide-to-the-institutionalisation-of->.
- ^{xxiii} Section VIII (7) of the IFP’s Constitution.
- ^{xxiv} Section 21 of *Mcoyi vs IFP*. Available: <http://www.saflii.org/za/cases/ZAKZPHC/2011/1.html>
- ^{xxv} “No term limits for DA Leader,” Available: <https://mg.co.za/article/2015-04-29-no-term-limits-for-da-leader>
- ^{xxvi} “54th National Conference NEC Nomination Process” [See link to source in first reference to these guidelines].
- ^{xxvii} Section 12.3 of the ANC’s Constitution.
- ^{xxviii} Section 2.3.1 of the DA’s Constitution.
- ^{xxix} Ibid
- ^{xxx} Guideline D(7) of the EFF’s “Guidelines Towards the National People’s Assembly[...].” [See link made available in previous reference to these guidelines].
- ^{xxxi} Section 5(20) of the IFP’s Constitution.
- ^{xxxii} Section 14.1 of the ANC Constitution
- ^{xxxiii} “Inside the ANC election process,” Available at: <https://ewn.co.za/2017/12/14/inside-the-anc-election-process>; “ANC leadership race: what goes on behind the scenes – breathalyser tests and confiscated cellphones,” Available at: <https://www.dailymaverick.co.za/article/2017-12-12-anc-leadership-race-what-goes-on-behind-the-scenes-breathalyser-tests-and-confiscated-cellphones/>.
- ^{xxxiv} Section 14.1 of the ANC Constitution.
- ^{xxxv} Section 2.3.3 of the DA’s Constitution.
- ^{xxxvi} Section 13.5 of the DA’s Constitution
- ^{xxxvii} Section 2.3.2.2 of the DA’s Constitution
- ^{xxxviii} Guideline J of the EFF’s “Guidelines towards the National People’s Assembly of the Economic Freedom Fighters: June 2014,” Available: <https://www.politicsweb.co.za/party/a-stepbystep-guide-to-the-institutionalisation-of->
- ^{xxxix} Section 12.2.11 of the ANC’s Constitution
- ^{xl} Section 12.2.8 of the ANC’s Constitution
- ^{xli} Section 12.4. of the ANC’s Constitution
- ^{xlii} Section 13.2. of the ANC’s Constitution
- ^{xliiii} Section 14.2. of the ANC’s Constitution
- ^{xliv} Section 16.3 of the ANC’s Constitution
- ^{xliv} Section 6.3.3.3 of the DA’s Constitution

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- ^{xlvi} Section 7.1.5 of the DA's Constitution
- ^{xlvii} Section 7.7.1 of the DA's Constitution
- ^{xlviii} Section 13 of the EFF's Constitution
- ^{xliv} Guideline B10 of the EFF's "Guidelines Towards the National People's Assembly" [See link made available in the first reference to these guidelines].
- ⁱ Section III(10) of the IFP's Constitution.
- ⁱⁱ Section IV(39) of the IFP's Constitution.
- ⁱⁱⁱ Section IV(4) of the IFP's Constitution.
- ⁱⁱⁱⁱ Section IV(32) of the IFP's Constitution.
- ^{lv} Section IV (26) of the IFP's Constitution.
- ^{vi} Section 12.3.5 of the ANC's Constitution.
- ^{vii} "DA adopts diversity clause, but rejects Maimane's version," Available at: <https://mg.co.za/article/2018-04-07-da-adopts-diversity-clause-but-rejects-maimanes-version>.
- ^{viii} Section 1.3.2 of the DA's Constitution.
- ^{ix} Section 6.3.1.12 of the DA's Constitution.
- ^x Guideline F(5) of the EFF's "Guidelines Towards the National People's Assembly[...]" [See link made available in previous reference to these guidelines].
- ^{xi} Guideline C(18) of the EFF's "Guidelines Towards the National People's Assembly[...]" [See link made available in previous reference to these guidelines].
- ^{xii} Section IV(2g) of the IFP's Constitution.
- ^{xiii} Section IV(18) of the IFP's Constitution.
- ^{xiiii} Section 14.1 of the ANC's Constitution.
- ^{xv} Section 2.2.1.2 of the ANC's Constitution.
- ^{xvi} Section 2.3.3.1 and 2.3.3.2 of the DA's Constitution
- ^{xvii} Guideline J(3) of the EFF's "Guidelines Towards the National People's Assembly[...]" [See link made available in previous reference to these guidelines].
- ^{xviii} Section 4(32) of the IFP's Constitution.

SECTION 3 PUBLIC REPRESENTATIVES	
Questions answered	<ol style="list-style-type: none"> 1. Describe the nomination process for party members to be selected as Members of Parliament in the National Assembly? 2. Are any National Assembly representatives of the party appointed and if yes, which positions are these? 3. How are the selection panels/committees or any other relevant entity of the political party who plays a role in managing and (s)electing candidates for the National Assembly constituted? 4. Does the party set term limits for its representatives in the National Assembly? 5. Is voting conducted via secret ballot or by show of hands? 6. What are the criteria for nomination? 7. Is there an independent entity that tallies votes or are votes tallied by members or staff members of the party? 8. What mechanisms are in place to ensure that the party's public office holders are representative of its membership's diversity in terms of gender, race and age? Or are there none?
Further questions to consider	<ol style="list-style-type: none"> 1. Does the party have membership audit guidelines? 2. If the party does have membership audit guidelines, who drafts these guidelines? 3. If the party does have membership audit guidelines, who signs-off or affirms the final guidelines?

1.	Describe the nomination process for party members to be selected as Members of Parliament in the National Assembly?
ANC	<p>Before the nomination process is convened, guidelines for the nomination must be drafted. For the nomination process of public office positions to the National Assembly, the final outcome is the two lists of candidates, including a province-to-national list and a national-to-national list (or "National List").ⁱ</p> <p>Branch Nominations:</p> <p>The nomination of candidates starts at the branch level at a Branch General Meeting (BGM). Branches in good standing are allowed to nominate candidates. In addition, Alliance partners of the ANC are allowed to participate in the nomination processes as ANC members in the branches.</p>

The Provincial and National List Committees must send the nomination forms to all branches. Each branch can nominate not more than 40 for the National List and not more than 20 for the provincial-to-national list. Branches send the nominations to the Provincial List Committee (PLC's) and attach the attendance registers of members who attended the BGM. The attendance register must include each members' name and surname, identity number, address and signature.

Screening by List Committees:

An "initial screening" is conducted to eliminate any nominees who do not fulfil the relevant criteria (See criteria in question 6 of this section). In addition to considering the criteria, a member has to be nominated by at least ten branches to be a candidate.

Provincial List Conferences:

Two weeks prior to the Provincial List Conference, a draft ballot is sent to all branches. This draft ballot must be accompanied by nominees' CV's and the number of nominations each received. Each Provincial List Committee must organise a Provincial List Conference. 90% of the voting delegates are made up of members in the branches. The remaining 10% includes members from the Provincial and Regional Executive Committees, regional or provincial office bearers of the Alliance Partners and the PEC's of the Leagues.

25% of nominees who received the most votes at the Provincial List Conferences should be ranked at the top of the list. In consideration of necessary skills and expertise, the PEC can add names to the list. The shortlist will include a total number of names according to the amount of names the party must submit. In addition, a total of half the required number of nominations are added to the list as reserve nominations.

National List Conference:

Once the lists at each PLC is finalised, the provincial-to-provincial list and provincial-to-national list is sent to the National List Committee (NLC). The NLC must scree all the lists from the provinces.

DA

The process to elect members to the National Assembly results in a National List and nine regional lists. This National List includes persons who were elected by the provinces, appointed candidates and if the Federal Leader applies to be a member of the National Assembly, then he/she is automatically entitled to the "first place" on the National List.

Approving aspirant candidates:

An application date is announced and the applicant must apply in the province he/she resides. The Federal Executive can also encourage "additional persons" to apply.

Provinces can establish screening committees to review applications before the applications are considered by the Electoral College in the relevant province. The screening committees can reject applications if the applicant does not meet the provincial or regional criteria. The screening committee's compile a list of the applicants who have been approved and rejected, and sends this list to the Federal Candidates'

	<p>Election Committee (FCEC). If the FCEC does not approve of any rejections made by the screening committee, then the applicant can stand before the Electoral College or a Selection Panel.</p> <p>The Electoral Colleges interview the “aspirant candidates.” Based on the applications and the interview, the Electoral College scores the aspirant candidates. The Electoral Colleges selects/elects(?) a pool of “approved aspirant candidates.” The Electoral Colleges use a single-transferable vote formula to elect the “aspirant candidates.” The Electoral Colleges finalise a “list pool” of “approved aspirant candidates” which must be “equal to twice the seat target total.” The list of “approved aspirant candidates” will be sent to the province’s Selection Panel.</p> <p>The Selection Panels:</p> <p>The province’s establish Selection Panels who interview the “approved aspirant candidates.” These Selection Panels will review the pool of “approved aspirant candidates” on the list and rank each “approved aspirant candidate” according to evaluations. The regulations state that the evaluations are made by the Party according to criteria approved by the Federal Council and thereafter it is sent to the Selection Panel.ⁱⁱ The Selection Panel may delegate “parts of the process” to professionals who must be approved by the Federal Executive. The selection panels must send the list to the relevant executive and the FCEC.ⁱⁱⁱ The relevant executive can reject the list if certain criteria is not met. Once the list is approved it will be sent to the relevant provincial executive, who will then send it to the Federal Executive. The Federal Executive can amend the National and Regional Lists and must consolidate on the final list.^{iv}</p>
EFF	<p>There is no mention of how the process to elect members to the National Assembly unfolds in the EFF’s Constitution. The Constitution does state that the Central Command Team (CCT) is the “principal organ of the National Assembly.”^v Further, although mention has been made of nominations from the branch level there are no available guidelines which elaborates on when and how these structures should participate in the nomination process.^{vi}</p>
IFP	<p>The Districts and Constituencies recommend “Constituency candidates” to the National Council. The National Council selects and proposes candidates for the National Assembly.^{vii}</p>

<p>2. Are any National Assembly representatives of the party appointed and if yes, which positions are these?</p>	
ANC	<p>The Provincial List Committees and National List Committee can include nominees who did not make it into the 25% highest positions onto the list at the relevant elective conference for the sake of inserting candidates with the necessary skills, expertise or experience onto the “electable” list.</p>
DA	<p>The reserved seats on the list are appointed by the Federal Leader “with the concurrence of a two-thirds majority of the Federal Executive.” These candidates cannot be applicants, but are “outside candidates.” These “outside candidates” are appointed based on the fact that they can considerably increase the number of votes for the party or “attain its strategic objectives.”^{viii}</p>

EFF	Although the Constitution does state that members may be co-opted to the Central Command Team (CCT) of the EFF, the appointment of EFF representatives in the National Assembly is not referred to in the party's constitution. MVC was unable to access written guidelines on the nomination process of candidates to the National Assembly.
IFP	Unlike the process outlined for the election of members to the National Council (NC), the IFP's Constitution does not refer to the election of the IFP's Parliamentary Caucus members. However, it states that the National Council must propose and select candidates. ^{ix} Further, the NC has not always comprised of 100 members and therefore an NC comprised of less members is responsible for appointing members to the National Assembly.

3. How are the selection panels/committees or any other relevant entity of the political party who plays a role in managing and (s)electing candidates for the National Assembly constituted?

ANC	<p>Provincial List and Candidates Committees:</p> <p>At least five and not more than nine persons must be appointed to the Provincial List and Candidates Committee by the Provincial Executive Committee (PEC).^x The appointments are made annually.</p> <p>National List Committee:</p> <p>At least five and not more than nine persons must be appointed to the National List Committee by the National Executive Committee.^{xi} The appointments are made annually.</p>
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DA	<p>Screening Committees:</p> <p>The provincial or regional executives have to “nominate” “fit and proper persons.” These nominations must be approved by the Federal Executive.^{xii}</p> <p>Electoral Colleges:</p> <p>The Federal Council has to approve of a “system of representation” to constitute Electoral Colleges. At least half of an Electoral College’s membership must be made up of members who are not public representatives. However, if it is “manifestly not possible” to constitute at least half an Electoral College with non-public representative, the relevant executive must approach the Federal Candidate’s Election Committee (FCEC).^{xiii} The single-transferable voting system must be used to elect members to the Electoral College.^{xiv}</p> <p>Selection Panels:</p> <p>The members of Selection Panels that review candidates for the National Assembly must be nominated by the relevant “provincial executives.” If the Selection Panel cannot reach a consensus, the executive has the power to vote.^{xv}</p>
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	<p>Federal Candidate Election Committees:</p> <ul style="list-style-type: none"> • The Chairperson of the Federal Council; • The Chairperson of the Federal Legal Commission; • The DA’s principle representative on the national Party Liaison; Committee (PLC) of the Independent Electoral Commission (IEC); • A provincial representative from each province appointed by the relevant Provincial Executive; • A representative of the DA Member of Provincial Legislature (MPL) Network; • A representative of the Association of Democratic Alliance Councillors (ADAC) and; • Four or less additional members, without voting rights, who bring experience, expertise or skills necessary to assist the FCEC. The appointment of these members must be approved by the Federal Executive. <p>Prohibited membership to the Electoral College and screening committees:</p> <ul style="list-style-type: none"> • “Professional party staff members; • Close family member of an aspirant candidate or approved aspirant candidate; • A business partner of an aspirant candidate or approved aspirant candidate • Aspirant candidates and approved aspirant candidates whose candidature will be determined by that Electoral College(s) • More than two persons that are family members [other than those disqualified in bullet two above] • Any other person who has a demonstrable conflict of interests.”^{xvi}
EFF	MVC was unable to source guidelines on the nomination process of the EFF of candidates towards the National Assembly.
IFP	The National Council is the relevant party structure that appoints the IFP’s parliamentary caucus. Information on how the National Council is constituted is answered in questions 1 and 2 in Section 2.

4. Does the party set term limits for its representatives in the National Assembly?	
ANC	There is no reference to term limits in the ANC’s Constitution or in their nomination guidelines for the selection of candidates to the National Assembly.
DA	As mentioned in Section 2 of this report, the DA has openly stated that the party see’s term limits for party-office bearers as short-sighted. There is no reference to term limits for MP’s in the DA’s Constitution or in their regulations for the nomination of candidates to the National Assembly.
EFF	MVC was unable to access any written guidelines by the EFF on the nomination of candidates to the National Assembly.
IFP	There is no reference to term limits of MP’s in the IFP’s Constitution.

5. Is voting conducted via secret ballot or by show of hands?	
ANC	Although MVC was able to access nomination guidelines for party-office bearers elected to party structures, where it refers to the use of secret ballots at certain stages of the voting process. However, there is no reference to secret ballots in the nomination guidelines for National Assembly candidates.
DA	Although the Constitution states that voting takes place via show of hands, there are certain exceptions made for secret ballots to be utilised. There is no reference in the Regulations of whether voting at the Electoral Colleges is via show of hands or secret ballot.
EFF	The nomination guidelines for the EFF's intra-party elections states that voting is conducted via secret ballot, but MVC was unable to access nomination guidelines for National Assembly candidates to verify if utilising secret ballots are also part of the rules in this process.
IFP	Any reference to the use of a secret ballot is in the sections on the nomination and election processes of the National Council and the various Executive Committees.

6. What are the criteria for nomination?	
ANC	<p>The criteria for a candidate to be nominated includes the following:</p> <ul style="list-style-type: none"> a) ANC member in good standing with a proven track record of commitment to, and involvement in the democratic movement b) Experience, education or expertise that will enable them to make a constructive contribution in the relevant legislature or in parliament c) No criminal record after 1996 that resulted in a sentence of 12 months or more without the option of a fine (this excludes political-related crimes committed before April 1994) d) No history of ill-discipline or corruption e) No history of involvement in fostering divisions and conflict f) No other breaches of the ANC code of conduct." <p>Review of any criminal background:</p> <p>One cannot be nominated if one has a criminal record, post-1996, which resulted in a sentence of at least than 12 months and "without the option of a fine." Any political crimes conducted before 1994 is not relevant.^{xvii}</p>
DA	One does not have to be a member of the DA, but one should apply to represent a province and must therefore be a resident of the relevant province. ^{xviii} The complexity of the criteria is evident in that various bodies in the party have a defined role in formulating, reviewing and/or approving criteria to evaluate and/or score aspirant candidates. In addition, incumbent parliamentary caucus members do not stand before the Electoral College and are evaluated according to a different set of criteria than aspirant candidates.

	<p>Each province will have their own criteria which Screening Committee’s must use to accept or reject applications. The Electoral College in each province are generally limited in</p> <p>evaluating “aspirant candidates” according to the applications and the interviews conducted by the Electoral College.^{xix} Before any Selection Panel’s first sitting, the Regulations for the Nomination of Candidates states that “The Party must evaluate every approved aspirant candidate in the manner provided in these regulations.”^{xx} This “performance evaluation system” must be approved by the Federal Council and only applies to new candidates. Incumbent members of the National Assembly are evaluated according to another evaluation system. The Selection Panel’s must score the “approved aspirant candidates” according to the performance evaluation system approved by the Federal Council.^{xxi}</p> <p>Public representative contribution:</p> <p>“Aspirant candidates” must obtain a certificate of good financial standing which must be authorised by the relevant provincial executive. At the time of submitting one’s application as a “candidate,” one’s compulsory public representative contribution or any other debt owed to the DA must be paid in full.^{xxii}</p> <p>Review of any criminal background:</p> <p>The Regulations for the Nomination of Candidates does state that “probity checks” must be conducted to investigate any criminal records an aspirant candidate may have.^{xxiii} However, the Regulations does not explicitly state if an aspirant candidate would be disqualified for having a criminal record.</p>
EFF	There is no indication in the EFF’s Constitution of any specific criteria for the nomination of someone to represent the EFF as a member of the National Assembly.
IFP	There is no indication in the IFP’s Constitution of any specific criteria for nominating someone to represent the IFP as a member of the National Assembly. For the nomination of constituency representatives in the National Assembly, the relevant District and Regional Councils can recommend their preferences. However, National Council has the power to “deploy” candidates and therefore is the body entrusted with evaluating candidates for the National Assembly. ^{xxiv}

<p>7. Is there an independent entity that tallies votes or are votes tallied by members or staff members of the party?</p>	
ANC	An independent agency must be contracted in order to tally the votes during the list process. ^{xxv}
DA	Although the DA’s Constitution states that party appointed presiding officers preside over the election of office-bearers at the congresses, there is no mention of presiding officers or any vote tallying entity in the DA’s Regulations for the Nomination of Candidates.
EFF	There is no indication in the EFF’s Constitution of which entity tallies votes for candidates for the National Assembly. The “Guidelines Towards the People’s National Assembly:

	June 2014” focuses on electing structures within the EFF and does not refer to the nomination of candidates for the list.
IFP	There is no reference in the IFP’s Constitution to any entity that tallies votes. As previously referred to in “Section 2: Intra-party elections” of this report, the High Court matter between <i>Mcoyi & Others vs IFP</i> , the applicant requested that the Court order the IFP to hire an independent entity or agency to tally the votes. However, the judge did not deliver the judgement in favour of the applicant.

8. What mechanisms are in place to ensure that the party’s public office holders are representative of its membership’s diversity in terms of gender, race and age. Or are there none?

MVC tried to identify if parties have explicit measures (e.g. quotas) to ensure that there is no gender, race or age imbalances in terms of the party’s membership. Various IPD proponents refer to minority groups as commonly standing out as the economically and/or socially disadvantaged portion of the population who are more likely to be automatically excluded from being represented in government. Therefore, IPD proponents may suggest measures to ensure such groups will be represented.

In the case of South Africa, the marginalised and economically disadvantaged group makes up the majority of the population who are predominantly black. Considering South Africa’s history and exclusion of the black majority, one cannot propose that a party adopts quotas to ensure representation of a generally privileged white minority. However, if a party has a significant amount of members who are black, then its leadership must not be skewed by predominantly containing white leaders. Further, there may be certain parties that present a particular demographic and therefore, all parties cannot adopt race quotas if certain racial groups are absent in a parties membership.

ANC	<p>Women:</p> <p>The ANC has a “Gender and Affirmative Action” rule, where it states that a quota of at least 50% of women must be reached “in all elected structures of the ANC.”^{xxvi} Take note that while NEC must consist of at least 50% of women, the “top six” of the NEC is not compelled to be constituted as such.</p> <p>Youth:</p> <p>In 2018, Parliamentary Monitoring Group (PMG) reported that the ANC had a total amount of two MP’s in the “youth category” out of a total of 243 ANC MP’s who hold seats in the Fifth Parliament of the National Assembly. Up until the recent nomination process for the National Assembly (NA) candidates, the ANC has not actively included or recruited young people onto the NA candidates list. The nomination guidelines said the list should “aim” for 20% youth representation. However, the ANC categorises “youth” as anyone under 40, while PMG uses the South African definition of youth which is anyone under 35.^{xxvii}</p>
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	<p>Race:</p> <p>There is no explicit reference to any measures utilised to ensure that the party is representative of the racial diversity of its membership.</p> <p>Differently-abled:</p> <p>The nomination guidelines for the recent nomination of NA candidates, does state that people “with disabilities or who are differently-abled” should be included. However, there is no explicit measure (e.g. quota) of how differently-abled individuals would be guaranteed a slot on the list.</p>
DA	<p>Although the Regulations for the Nomination of Candidates does refer to the role of the relevant Executive to “in order to promote diversity of the lists, to correct gender, racial and skills imbalances, or to insert candidates who may have been prejudiced by sectarian interests during the selection process.”^{xxviii}, there are no explicit measures (e.g. quotas) to ensure that the party’s National Assembly representatives are diverse in terms of age, gender or race. The DA’s Constitution does state that the party would not adopt quotas.</p> <p>The party does have a measure to ensure that regional spread is facilitated, as mentioned earlier, applicants for National Assembly positions have to be from the relevant province as the party secures an amount of slots on the National Assembly list for each province.</p>
EFF	<p>Women:</p> <p>The EFF has stated that for the 2019 elections, its national candidates list has, ‘a gender balance, consistent with the principle of a Zebra approach, on 50/50 percent representation’.^{xxix}</p> <p>Youth:</p> <p>The EFF has stated that for the 2019 elections, its national candidates list has, ‘age balance’, although it is not clear how many candidates are defined as such.</p> <p>Race:</p> <p>There is no reference to any explicit measure used on race in the party’s Constitution.</p>
IFP	<p>MVC could not retrieve any party guidelines on gender, youth or race measures utilised. The IFP’s Constitution only states that a third of nominees must be women, but there is no stipulation on outcomes for candidates of the National Assembly.^{xxx}</p>

References

Section 3

- ⁱ Provincial-to-provincial lists are also formulated, but the focus is on the lists for National Assembly candidates.
- ⁱⁱ Section 9.8 of the DA's Regulations for the Nomination of Candidates
- ⁱⁱⁱ Section 9.15 of the Nomination Regulations
- ^{iv} <https://www.eisa.org.za/wep/soupartiesda.htm>
- ^v <https://effwc.org.za/eff-constitution/>
- ^{vi} <http://www.polity.org.za/article/eff-seeks-leaders-who-have-integrity-for-top-posts-as-it-quietly-puts-together-list-conference-2019-01-18> and <https://www.dispatchlive.co.za/news/2016-05-10-eff-finalises-election-lists-for-endorsement/>
- ^{vii} Chapter IV of the IFP's Constitution
- ^{viii} 12.5 of the DA's Regulations for the Nomination of Candidates
- ^{ix} Section 4.29.m of the IFP's Constitution
- ^x Section 19.9.16 of the ANC's Constitution
- ^{xi} Section 12.2.1 of the ANC's Constitution
- ^{xii} Regulation 5.2 of the DA's Regulations for the Nomination of Candidates
- ^{xiii} Regulation 6.3 of the DA's Regulations for the Nomination of Candidates
- ^{xiv} Regulation 6.4
- ^{xv} Regulation 9.3
- ^{xvi} Regulation 6.8
- ^{xvii} Guideline 9(c) of the ANC's "2018 National List Guidelines." Available: https://www.anc1912.org.za/sites/default/files/ANC%20List%20Process%20Guidelines_0.pdf.
- ^{xviii} Regulation 4.9 of the DA's Regulations for the Nomination of Candidates.
- ^{ix} Regulation 2.1 of the DA's Regulations for the Nomination of Candidates.
- ^{xx} Section 8.1 of the DA's Regulations for the Nomination of Candidates.
- ^{xxi} Regulation 9.8 of the DA's Regulations for the Nomination of Candidates.
- ^{xxii} Regulation 4.11 of the
- ^{xxiii} Regulation 15.1
- ^{xxiv} Chapter IV The National Council and its Function
- ^{xxv} <https://www.politicsweb.co.za/news-and-analysis/anc-list-process-guidelines-2009>
- ^{xxvi} Section 6.1. of the ANC's Constitution
- ^{xxvii} Available at: <https://pmg.org.za/blog/Youth%20Day>; <https://www.pa.org.za/organisation/national-assembly/>; and Rule F of the ANC's 2018 National List Guideline at https://www.anc1912.org.za/sites/default/files/ANC%20List%20Process%20Guidelines_0.pdf
- ^{xxviii} Regulation 11.1 of the DA's Regulations for the Nomination of Candidates.
- ^{xxix} "Fees Must Fall leaders, Dali Mpofo featured in EFF's national and provincial lists", Available at: <https://www.news24.com/SouthAfrica/News/fees-must-fall-leaders-dali-mpofu-featured-in-effs-national-and-provincial-lists-20190313>
- ^{xxx} Chapter 4, Section 18 of the IFP's Constitution

SECTION 4 Party Discipline

	The following section addresses two questions and a request we made to political parties in the questionnaire, combining two of the three questions. The chosen questions were answered as the information could be more clearly answered with the available sources. The combined questions (as seen in the next table) does not include acts which have been met with discipline, but are not listed in the party’s formal written disciplinary codes.
Questions answered	<ol style="list-style-type: none"> 1. What are the guidelines and rules stated in the party’s constitution on when certain actions or behaviours warrant discipline (e.g. is there a code of conduct or disciplinary rules) AND; list actions that warrant discipline in the party? 2. How are disciplinary committees/entities of the political party constituted?
Further questions to consider	<ol style="list-style-type: none"> 1. Does the party address issues that are considered to warrant a disciplinary process against a member, particularly when the issue is not expressly stated in the party constitution? 2. Does the party allow for a disciplinary process to be facilitated by a non-party affiliated panel? 3. Does the political party allow any member the option of observing the disciplinary process? [Adapted from questionnaire sent to political parties: Does the party allow for members of the political party to observe the disciplinary process?] 4. Does the party allow for interested members of the public and/or the media to observe the disciplinary process?

1 .	What are the guidelines and rules stated in the party’s constitution on when certain actions or behaviours warrant discipline (e.g. is there a code of conduct or disciplinary rules) and; list actions that warrant discipline in the party?
ANC	<p>Rule 26 of the ANC’s Constitution states that the NEC may draft “Rules and Regulations for the better carrying out of the activities of the ANC.” In addition, the NEC may also draft a “code of conduct” which would apply to all party “structures, officials, public representatives, office bearers and members.”</p> <p>Further, the ANC’S Constitution also lists “Acts of misconduct” which may invoke disciplinary proceedings against a public representative, office bearer or member, including:</p> <ul style="list-style-type: none"> • “Acting in breach of the membership oath;” • “Conviction in a court of law and being sentenced to a term of imprisonment without the option of a fine, for any offence;” • “Failing, refusing or neglecting to execute or comply with any ANC Policy, Standing Order, Rule, Regulation or Resolution adopted or made in terms of this Constitution or breaching the provisions of this Constitution;”

- “Engaging in any unethical or immoral conduct which detracts from the character, values and integrity of the ANC, as may be determined by the Integrity Commission, which brings or could bring or has the potential to bring or as a consequence thereof brings the ANC into disrepute;”
- “Behaving in a manner or making any utterance which brings or could bring or has the potential to bring or as a consequence thereof brings the ANC into disrepute;”
- “Sowing racism, sexism, tribal chauvinism, religious and political intolerance, regionalism or any other form of discrimination;”
- “Behaving in a manner which provokes or is likely to provoke or has the potential to provoke division or impact negatively on the unity of the ANC;”
- “Engaging in sexual or physical abuse of women or children or abuse of office to obtain sexual or any other undue advantage from members or others;”
- “Abuse of elected or employed office in the Organisation or in the State to obtain any direct or indirect undue advantage or enrichment;”
- “Participating in any organised factional activity that goes beyond the recognised norms of free debate inside the ANC and which threatens its unity;”
- “Publishing and/or distributing any media publication without authorisation which purports to be the view of any organised grouping, faction or tendency within the ANC;”
- “Undermining the respect for or impeding the functioning of any structure or committee of the ANC;”
- “Joining or supporting a political organisation or party, other than an organisation in alliance with the ANC, in a manner contrary to the aims, objectives and policy of the ANC;”
- “Standing in an election for local, provincial or national government or acting as the election agent or canvasser of a person standing in such election for any political party and in opposition to a candidate duly endorsed by the NEC or PEC;”
- “Misappropriating funds of the ANC or destroying its property;”
- “Fighting, assaulting another member or behaving in a disorderly or unruly manner at ANC meetings, assemblies or gatherings and/or disrupting meetings and interfering with the orderly functioning of the ANC;”
- “Prejudicing the integrity or repute of the Organisation, its personnel or its operational capacity by:
 - [...] impeding the activities of the Organisation
 - [...] creating divisions within its ranks or membership;
 - [...] doing any other act which undermines the ANC’s effectiveness as an organisation; or
 - [...] acting on behalf of or in collaboration with:
 - counter-revolutionary forces;
 - a political organisation or party other than an organisation or party in alliance with the ANC in a manner contrary to the aims, policies and objectives of the ANC;
 - intelligence or the security services of other countries; or any person or group who seriously interferes with the work of the Organisation or prevents it from fulfilling its mission and objectives.
- “Being convicted in a court of law for the offence of fraud, theft of money, corruption, money-laundering, racketeering or any other act of financial impropriety;”
- “Soliciting or accepting any bribe for performing or not performing any task pertaining to or in connection with the ANC;”

	<ul style="list-style-type: none"> • “In the case of a public representative, breaching his or her contract of deployment concluded with the NEC;” • “In the case of a member of an ANC Caucus, failing, refusing or neglecting to carry out or execute an instruction or mandate of such caucus;” and • “In the case of a representative in disciplinary proceedings, charging or soliciting a fee for services rendered or levying a disbursement for associated costs when representing a charged member, appellant or review applicant, as the case may be.”ⁱ
DA	<p>The DA’s Constitution has a section titled “Standards of Misconduct,” which includes a list of all acts which can be constituted as misconduct and applies to public representatives and any member of the party. The DA’s Constitution also contains a section which lists acts that ceases one’s membership.</p> <p>Acts of misconduct, under the “Standards of misconduct” section, include:</p> <ol style="list-style-type: none"> 1. “Publicly opposes the Party’s principles or repeatedly opposes published Party policies, except in or through the appropriate Party structures; 2. [...] Acts in a way which impacts negatively on the image or performance of the Party; 3. [...] Acts in any manner whatsoever which results in him or her being found guilty of a serious criminal offence by a court of first instance; 4. fails to carry out his or her duties and/or responsibilities according to standards set by the Federal Council of the Party or of the relevant Provincial or Regional Council, or to standards required by any statutory rules of conduct required by the public office he or she holds; 5. [...] Acts in any manner whatsoever which brings the good name of the Party into disrepute or harms the interests of the Party; 6. [...] Acts in any manner whatsoever that is unreasonable and detrimental to internal co-operation within the Party; 7. [...] Unreasonably fails to comply with or rejects decisions of the official formations of the Party; 8. [...] Submits or attempts to submit false membership forms or commits or attempts to commit membership fraud in any way; 9. [...] Contravenes any of the explicit Party decisions or regulations for the appropriation of Party finances; 10. [...] Collects money on behalf of or in the name of the Party or any of its structures or for any political activity without depositing such money in a bank account opened and operated in terms of procedures approved by the Federal Finance Committee and/or operates a bank account in which Party money is deposited without the approval of the Federal Finance Committee or a structure of the Party authorized by it; 11. [...] In any election for office, or in opposing any proposed or existent Party policy or process, mobilises or attempts to mobilise opposition to the policy or process, or opposition to or discrimination against any person on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language or birth; 12. [...] Publicly alleges or implies that he or she, or any group of members, have been unfairly prejudiced, or any member or group of members unjustifiably preferred, as a consequence of that member’s or those members’ race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language or birth;

13. [...] Being a public representative, in any meeting of any legislative body, disparages, belittles or insults the Party or any member of the Party, or another Party or any member of another Party with which the Party is in a coalition in that legislative body;
14. [...] In any way intimidates or sexually harasses in any manner, any member of the Party or staff members; [AND]
15. [...] Discloses in any way any sensitive and/or confidential information discussed in a closed meeting with anybody outside that meeting other than a person authorised to receive it in terms of a policy adopted by the Federal Council.”
16. 2.5.5 A public representative may be removed from office or moved to a position deemed to be suitable by the Party on the grounds of incapacity owing to poor performance and/or ill health, which includes but is not limited to incompetence and/or inefficiency and/or incapability, but only in terms of processes and procedures prescribed by the Federal Council.

EFF

The EFF’s Constitution does not contain a section which lists acts of misconduct which warrant discipline, but states that a “Code of Conduct” must be drafted the Central Command Team (CCT). The party has two separate codes of conduct, including the “Code of Conduct and Revolutionary Discipline” as well as the “Code of Conduct for all EFF Caucuses and Public Representatives (MPS, MPLS and Councillors) adopted by the 3rd EFF Plenum in January 2017.”ⁱⁱ

“CODE OF CONDUCT AND REVOLUTIONARY DISCIPLINE:

B. Offences

1. No EFF Member shall commit or participate in conduct, including utterances which amount to:

1. Bringing the organisation into disrepute;
2. A breach of the EFF Constitution, its policies and principles;
3. Abuse of power or office;
4. Joining another political party or organisation without specifically being permitted to do so by the Provincial Secretary of the CCT;
5. Sowing divisions within the EFF;
6. Promoting discrimination based on race, sex origin, ethnicity or any other form of unfair discrimination;
7. corruption and self-enrichment;
8. sexual harassment;
9. deliberate gross misrepresentation and distortion of facts;
10. Discussing organisational difference in the public domain without the specific authorisation of the CCT;
11. Defining himself or herself outside the organisational structures and discipline;
12. Meeting out any form of physical violence against any member of the EFF;
13. Promoting unrest and disorder at EFF meetings or activities;
14. Factionalism;
15. Undermining the integrity and impeding the organisational programmes of the EFF;
16. Failure or refusal to carry out officially mandated duties and/or deployments;
17. Misappropriation of organisational funds;
18. spreading false rumours about another fighter;
19. participating in violent political activities without a valid justification, such as self-defence, provocation, etc;
20. conviction in a court of law of a serious criminal offence without instituting a pending appeal;

21. stifling democratic debate;
22. wilfully defying any CCT and/or NPA decision and/or resolution;
23. undermining and disobeying decisions of higher structures and officials;
24. collaborates in any manner with counter-revolutionary entities or agencies; 1.25. deals carelessly or negligently with the property of the EFF;
25. instituting legal proceedings in a court of law without first exhausting all internal remedies; steals any property belonging to the EFF and/or another member or receives such property knowing it to be stolen;
26. makes false accusations or statements against any other member or against the CCT.”ⁱⁱⁱ

IFP

The following are listed as actions that are offences to the party in the IFP’s Constitution:

1. “Violation of the Constitution of the Party, including but not limited to assuming any title of office not provided for in this Constitution, acting in an official capacity to which a member is not either elected or appointed as provided in this Constitution;”
2. “Breach of any rules or regulations of the Party;”
3. “Acting in a manner likely to bring the name of the Party into disrepute, ridicule and/or contempt;”
4. “Disobeying relevant rulings, directions, orders or instructions of any organ of the Party; [e] being in a state of drunkenness at a Party meeting in the case of an ordinary member of the Party and in the case of an official of the Party being in a state of drunkenness on any public occasion;”
5. “Being party to any fraudulent or dishonest practice which tends to embarrass or disgrace the Party, or participating in any act of bribery or corruption; [g] giving out any confidential information of the Party without the proper authorisation of the Party to do so;”
6. “Carrying on false information or propaganda which tends to injure the reputation of the Party or any of its officials;”
7. “Defaming the Party or any of its officials at any meeting of the Party;
8. giving false information to any organ of the Party or any of its officials with intent to deceive or mislead;”
9. “Defrauding the Party or any of its officials;”
10. “Deliberate irregularities in attendance at meetings of the Party;”
11. “Publishing or causing to be published, orally or in writing, any matter which in the opinion of the National Council is an attack on the Party or an attack on a member or official of the Party in relation to the discharge of his/her functions as a member or official of the Party;”
12. “Collecting funds in the name of the Party without issuing proper receipts or without authority from the Treasurer General;”
13. “Violating of the provisions of a code of conduct applicable to elected political representatives by virtue of their position or adopted by resolution of two thirds of the members present of the National Council; “
14. “Impeding the work or activities of the Party;”
15. “Promotes division within the ranks of the Party;
16. Acts in collaboration with another political organisation or individual in a manner which is contrary to the achievements of the aims and objectives of the Party;
17. Undermining or impeding the functioning of the structures of the Party at any level; and

18. Participating in any organised factional activity which threatens the unity of the Party, or lobbying based on factionalism and which goes beyond the recognised norms of canvassing or free debate.”^{iv}

2. How are disciplinary committees/entities of the political party constituted?	
ANC	<p>The relevant disciplinary entities include:</p> <p>National Disciplinary Committee (NDC) National Disciplinary Committee of Appeal (NDCA) Integrity Commission (IC) National Dispute Resolution Committee (NDRC)</p> <p>NDC & NDCA: The ANC’s Constitution provides guidelines on the formulation of their disciplinary committees. On the national level, there is an NDC and NDCA. The National Executive Committee (NEC) has the power to appoint between six and ten NEC members or other ANC members from other structures to the NDC or NDCA.^v The NDC is a “disciplinary tribunal of first instance.” An appeal or review of an NDC decision is conducted by the NDCA.^{vi}</p> <p>Integrity Commission The NEC must appoint and approve terms of reference for the appointment of the Integrity Commission.^{vii}</p>
DA	<p>The relevant disciplinary entity in the DA is the Federal Legal Commission. According to the DA’s Constitution, before the entire the Federal Legal Commission (FLC) is constituted, the Federal Executive needs to appoint the Chairperson and the Deputy Chairperson of the FLC. Thereafter, the Federal Executive will consult with the FLC’s Chairperson and the Deputy Chairperson to recommend 60 additional members to the Federal Council to be appointed to the FLC. 30 of the recommendations must be “legally qualified” and 10 must be accredited mediators. Those appointed must “preferably be a member of the Party.”^{viii}</p>
EFF	<p>The National Disciplinary Committee (NDC) is constituted by the Central Command Team (CCT). Any disciplinary committees established at the branch, provincial or regional level has to be approved by the chairperson of the NDC.^{ix}</p>
IFP	<p>The relevant disciplinary entities of the party includes the National Disciplinary Committee (NDC) and the National Appeal Committee (NAC). The National Council appoints the NDC and NAC. The NDC has to enforce and maintain discipline at the national level and in the case of an appeal of a decision of a Provincial Disciplinary Committee, the NAC would hear such appeals.^x</p>

References

Section 4

ⁱ Section 25.17 of the ANC's Constitution

ⁱⁱ "Code of Conduct for all EFF Caucuses and Public Representatives (MPS, MPLS and Councillors) adopted by the 3rd EFF Plenum in January 2017," Available:

https://docs.wixstatic.com/ugd/35f96d_bcd3d7e560154bcc848de90e31d5f16a.pdf.

ⁱⁱⁱ Code of conduct for EFF Caucus and Public representatives: https://archive.org/details/EFF_CODE_OF_CONDUCT_2017

^{iv} Section XI(22) of the IFP's Constitution.

^v Section 12.2.15 & Section 12.2.16 of the ANC's Constitution.

^{vi} Section 25.24 of the DA's Constitution.

^{vii} Section 24.1

^{viii} Section 10.1.1 & Section 10.1.2 of the DA's Constitution.

^{ix} C4 of the EFF's Code of Conduct for Revolutionary Discipline.

^x Section XI(9) of the IFP's Constitution.

SECTION 5 TRANSPARENCY	
Questions answered	<ol style="list-style-type: none"> 1) Is the current constitution and all previous versions available on the party's website? In addition, is their current manifesto available as well as manifestos from previous elections? 2) Are any provincial or local level constitutions available? 3) The full amount of public funds receive in each financial year and the source and amount of private funds/donations/services received from private source? 4) A record of the political party's expenditure? 5) Information on the history of the party's formation and the party's core principles. 6) A list and profile of all political party office holders who hold party office bearer positions and public office positions. 7) Which party office holders are profiled on the political party's website? 8) How does the political party's website facilitate access to party officials (e.g. is the phone number, email address and address of officials available)?
Further questions to consider	<ol style="list-style-type: none"> 1) Information explaining how party leaders are elected? 2) How is information about the political party's change in leadership, change in the constitution or party policy conveyed to its members? 3) Do you inform the public of any change in national party leadership, change in the constitution or party policy conveyed to the public? 4) Are policy making conference made open to the public? 5) How is information about the party's disciplinary procedures that have been initiated and the outcomes thereof conveyed to its members?

1.	Is the current constitution and all previous versions available on the party's website? In addition, is their current manifesto available as well as manifestos from previous elections?
ANC	<p>Current constitution: Yes, at https://www.anc1912.org.za/constitution-anc</p> <p>Previous constitutions: None are available on the ANC's website. A version from 1997 is available here: https://www.marxists.org/subject/africa/anc/ANC-Constitution.doc Note that the ANC's website that the party has used historically (www.anc.org.za) is not working. The new website does not seem to house any historical documents or previous versions of the constitution. The links to the majority of the ANC websites listed at the</p>

	<p>bottom of its current website, are broken. These include the links for the Women’s League, Veteran’s League, Youth League and Archives.</p> <p>Current manifesto: Yes, at https://voteance.org.za/manifesto with summaries in all 11 official languages.</p> <p>Previous manifestos: The 2014 elections manifesto is available on the provincial ANC website for the Free State: http://ancfreestate.org.za/sites/default/files/documentms/2014_Manifesto.pdf</p> <p>It seems that at least one previous manifesto (from 1999) was housed on the ANC’s website, but the link is broken: http://www.anc.org.za/docs/manifesto/1999/together.html</p> <p>On other websites, there are links to the election manifestos for 2014, 2009 and 2004.</p> <p>2014 - https://www.politicsweb.co.za/documents/the-ancs-2014-election-manifesto</p> <p>2009 - https://www.politicsweb.co.za/party/text-of-the-ancs-2009-election-manifesto</p> <p>2004 - http://us-cdn.creamermedia.co.za/assets/articles/attachments/00952_manifesto2004.pdf</p>
DA	<p>Current constitution: Yes, at https://www.da.org.za/why-the-da/constitution</p> <p>Previous constitutions: Not available on the DA’s main website. A 2010 constitution is available on the provincial website for DA in Kwazulu-Natal: http://www.dakzn.org.za/wp-content/uploads/2012/02/DEMOCRATIC-ALLIANCE-FEDERAL-CONSTITUTION-2010.pdf</p> <p>Current manifesto: Yes, at https://manifesto.da.org.za/</p> <p>Previous manifestos: Some are available online, but not on the DA’s website. 2014 - https://www.politicsweb.co.za/documents/the-das-election-manifesto-2014 2009 – https://allafrica.com/download/resource/main/main/idatcs/00011762:c63b905661cdf37bc81bd375119b1044.pdf</p>
EFF	<p>Current constitution: Yes, at https://docs.wixstatic.com/ugd/35f96d_3829645aeddf4faf8a6765964a5da15e.pdf</p> <p>Previous constitutions: The current constitution is the one adopted in 2014.</p>

	<p>Current manifesto: Yes, at http://effwc.org.za/2019-election-manifesto</p> <p>Previous manifestos: EFF has only contested one national and provincial election prior to 2019. The EFF website is currently under construction and as a result, there are a number of broken links. Their manifesto from 2014 is available here, but not on the EFF's website: https://archive.org/details/EconomicFreedomFighters2014ElectionsManifesto</p>
IFP	<p>Current constitution: Yes, at http://www.ifp.org.za/documents/our-constitution/</p> <p>Previous constitutions: Yes, at http://www.ifp.org.za/documents/our-constitution/</p> <p>Current Manifesto: Yes, at http://www.ifp.org.za/our-2019-manifesto/</p> <p>Previous Manifestos: Yes, some are available on the IFP's website.</p> <p>2014 - http://ifp.org.za/wp-content/uploads/2014/ManifestoEnglish.pdf</p> <p>2009 - http://archive.ifp.org.za/2009/2009NATIONALMANIFESTO-FULL.pdf</p> <p>2004 - http://www.ifp.org.za/wp-content/uploads/2005/IFP%20Manifesto.PDF</p>

2. Are any provincial or local level constitutions available?	
ANC	<p>The ANC Youth League, Women's League and Veteran's League all have their own constitutions. This is provided for in the ANC's national constitution. However, there are no provincial or local level constitutions and the national constitution is used for the majority of structures.ⁱ</p>
DA	<p>The DA's Federal Constitution states that, 'Each province must have a provincial constitution'.ⁱⁱ There are no provincial constitutions available on the DA's main website. There are provincial constitutions on some of the provincial websites.</p> <p>Eastern Cape: https://ed.da.org.za No provincial constitution available on the provincial website. Version from 2009 available at http://daec.co.za/file/6ddf5b2c621f10ac5e1b59a9a5d6ff44/PROVINCIAL%20CONSTITUTION.pdf</p> <p>Free State: https://www.fs.da.org.za Website not working as of April 2019.</p> <p>Gauteng: https://www.dagauteng.org.za No provincial constitution available on the provincial website.</p>

	<p>Kwazulu-Natal: https://www.dakzn.org.za Provincial constitution available. http://www.dakzn.org.za/wp-content/uploads/2012/02/KZN-Constitution-certified-by-FLC-MAY-2012.pdf</p> <p>Mpumalanga: https://mpumalanga.da.org.za Provincial constitution available. https://www.da-mpu.co.za/wp-content/uploads/2013/09/First-draft-of-Amended-Constitution.pdf</p> <p>Limpopo: https://limpopo.da.org.za No provincial constitution available on the provincial website.</p> <p>North West: http://nw.da.org.za No provincial constitution available on the provincial website.</p> <p>Northern Cape: https://nc.da.org.za No provincial constitution available on the provincial website.</p> <p>Western Cape: https://wc.da.org.za No provincial constitution available on the provincial website</p>
EFF	The EFF's national constitution provides for separate constitutions for the Women's Command and the Youth Brigade. However, there are no provincial or local level constitutions and the national constitution is used for the majority of structures. ⁱⁱⁱ
IFP	<p>The IFP does not have provincial or local level constitutions and all structures use the party's national constitution. The IFP constitution states that:</p> <p>'Subject to the provisions of this Constitution, the National Council, the Provincial Councils or any District, Constituency and Branch Committees of the Party and all other units of the Party shall be bound by this Constitution and all amendments thereto.'^{iv}</p>

3. The full amount of public funds received in each financial year and the source and amount of private funds/donations/services received from private sources.	
ANC	Public funding: no Private funding: no
DA	Public funding: no Private funding: no
EFF	Public funding: no Private funding: no
IFP	Public funding: no Private funding: no

4.	A record of the political party's expenditure.
ANC	There are no records available of the expenditure of the ANC on the party's website.
DA	There are no records available of the expenditure of the ANC on the party's website.
EFF	There are no records available of the expenditure of the ANC on the party's website.
IFP	There are no records available of the expenditure of the ANC on the party's website.

5.	Information on the history of the party's formation and the party's core principles.
ANC	<p>History:</p> <p>https://www.anc1912.org.za/brief-history-anc https://www.anc1912.org.za/about-us</p> <p>Principles:</p> <p>There is nothing that speaks specifically to this on the ANC website. The Freedom Charter is included in full as the document that the ANC subscribes to: https://www.anc1912.org.za/freedom-charter</p>
DA	<p>History:</p> <p>https://www.da.org.za/why-the-da/history</p> <p>Vision:</p> <p>https://www.da.org.za/why-the-da/values-and-principles</p>
EFF	<p>A limited amount of information on the 'Background', 'Vision', 'Mission' and the 'EFF Pillars of Economic Emancipation' is available at http://www.iffonline.org/Abouteff. There is also a paragraph that references the Freedom Charter and the EFF's adoption of this document as a guiding principle.</p> <p>There is a link for 'History', but it redirects to the 'About' page. The link for the Founding Manifesto at https://docs.wixstatic.com/ugd/35f96d57165ce79697410490666379d53f2c04.pdf is broken.</p>
IFP	<p>History:</p> <p>http://www.ifp.org.za/who-we-are/our-history/</p> <p>Vision:</p> <p>http://www.ifp.org.za/who-we-are/our-vision/</p> <p>Policies:</p> <p>http://www.ifp.org.za/our-policies/</p>

6.	A list and profile of all political party office holders who hold party office bearer positions and public office positions.
ANC	<p>“top 6”: https://www.anc1912.org.za/officials</p> <p>Links to individual pages for the President, Deputy President, National Chair, Secretary General, Deputy Secretary General and Treasurer.</p> <p>National Executive Committee: https://www.anc1912.org.za/national-executive-committee</p> <p>There is a list of the top 6 and the other 80 members, but there are no further details, simply the names.</p> <p>Provincial Leadership: https://www.anc1912.org.za/provincial-leadership</p> <p>There is a table containing the names of the Chairperson, Deputy Chair, Secretary, Deputy Secretary and Treasurer in all 9 provinces</p> <p>On the ANC Parliamentary Caucus website, available at https://ancparliament.org.za/ there is far greater detail.</p> <p>For Members of Parliament in the National Assembly, each MP has an individual page with their position/s in Parliament such as the Committee/s served on (if serving in capacities in addition to an ordinary MP). There are no profiles.</p> <p>For Members of the National Council of Provinces, each MP has an individual page with their position /s in Parliament such as the Committee/s served on (if serving in capacities in addition to an ordinary MP). There are no profiles.</p>
DA	<p>National Leadership: www.da.org.za/our-people</p> <p>The DA’s website includes individual profiles for the National Leadership. This refers to the Federal Leader, Deputy Federal Chairpersons, Chairperson of DA Federal Council, Deputy Chairperson of DA Federal Council, Federal Finance Chairperson, Federal DA Women’s Network Leader and Federal Youth Leader.</p> <p>Provincial Leadership: https://www.da.org.za/our-people/provincial-leaders</p> <p>There is a short profile for all 9 provincial leaders.</p> <p>National Assembly Members: https://www.da.org.za/our-people/national-assembly-members</p> <p>For the 89 MPs in the National Assembly, each has an individual page with their position/s in Parliament such as the Committee/s served on (if serving in capacities in addition to an ordinary MP). There are no profiles.</p> <p>National Council of Provinces: https://www.da.org.za/our-people/ncop-members</p>

	<p>For the 13 MPs in the NCOP, each has an individual page with their position/s in Parliament such as the Committee/s served on (if serving in capacities in addition to an ordinary MP). There are no profiles.</p> <p>Members of the Provincial Legislatures: https://www.da.org.za/our-people/mpls</p> <p>For each of the 9 provinces, there is a list of the MPLs and each has an individual page with their position/s in Parliament such as the Committee/s served on (if serving in capacities in addition to an ordinary MPL). There are no profiles.</p> <p>Councillors: https://www.da.org.za/our-people/ward-councillors-map</p> <p>There are no profiles of any DA Councillors.</p>
EFF	<p>There is a limited amount of information about the EFF leadership.</p> <p>National Leadership: http://www.affonline.org/provincial-command-team</p> <p>This page lists the national leadership, although there is no indication of which individual holds which position. There are no profiles of any EFF members on the party's website.</p> <p>This list also contains the party's MPs.</p> <p>Provincial Leadership: http://www.affonline.org/Contactus</p> <p>This page lists the Chair, Deputy Chair, Secretary, Deputy Secretary and Treasurers in each of the 9 provinces.</p>
IFP	<p>National Leadership: http://www.ifp.org.za/who-we-are/our-leadership/</p> <p>This page lists the IFP's President, Deputy President, National Chairperson, National Chairperson Women's Brigade, Youth Brigade, and Deputy National Spokesperson. There are no profiles except for the President.</p> <p>On the same page, it also lists the IFP's MPs in the National Assembly.</p>

7. Which party office holders are profiled on the political party's website?	
ANC	<p>"top 6": https://www.anc1912.org.za/officials</p> <p>There are profiles on individual pages for the President, Deputy President, National Chair, Secretary General, Deputy Secretary General and Treasurer.</p> <p>There are no profiles for provincial leadership.</p>
DA	<p>National Leadership: www.da.org.za/our-people</p> <p>There are profiles on individual pages for the Federal Leader, Federal Chairperson, Deputy Federal Chairpersons, Chairperson of DA Federal Council, Deputy Chairperson of</p>

	<p>the Federal Council, Federal Finance Chairperson, Federal Women’s Network Leader and the Federal Youth Leader.</p> <p>Provincial Leadership: https://www.da.org.za/our-people/provincial-leaders</p> <p>There are profiles of all 9 provincial leaders.</p>
EFF	<p>There are no profiles of any EFF party office holders on its website.</p>
IFP	<p>National Leadership: http://www.ifp.org.za/who-we-are/our-leadership/our-president/</p> <p>The only profile of any IFP leadership is of the President of the party.</p>

8. How does the political party’s website facilitate access to party officials (e.g. is the phone number, email address and address of officials available)?

ANC	<p>“top 6”: https://www.anc1912.org.za/officials</p> <p>There are no contact details for the President, Deputy President, National Chair, Secretary General, Deputy Secretary General and Treasurer.</p> <p>The website provides PO Box, street address, telephone and fax contact details for the party’s head office and the 9 provincial offices. There is also an option of sending an email to the party on its website.</p> <p>Of the few provincial websites that are currently working (Eastern Cape: http://anceasterncape.org.za/contact/regional-offices/ and Free State: http://www.ancfreestate.org.za/contact-us#.XLo5BvZuLIU) there are telephone numbers, email addresses and physical addresses for the main provincial offices as well as numerous regional offices in those provinces.</p> <p>On https://ancparliament.org.za/ there are the telephone numbers and email addresses for all ANC MPs in both houses of Parliament.</p> <p>This site also has links to the ANC’s Parliamentary Caucus social media sites – Facebook, YouTube, Instagram and Twitter.</p>
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DA	<p>National Leadership: www.da.org.za/our-people</p> <p>The email addresses and cell phone number of all party leaders (Federal Chairperson, Deputy Federal Chairpersons, Chairperson of DA Federal Council, Deputy Chairperson of the Federal Council, Federal Finance Chairperson, Federal Women’s Network Leader and the Federal Youth Leader) except for the Federal Leader and one of the Deputy Federal Chairpersons are available.</p> <p>On the main contact page, https://www.da.org.za/contact, there are phone numbers, email addresses, PO Box and street address details for the DA Leader’s Office, DA Campaign Headquarters and DA Federal Head Office.</p>
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Provincial Leadership: <https://www.da.org.za/our-people/provincial-leaders>

The email addresses and cellphone numbers of all 9 provincial leaders are provided.

The telephone numbers and email addresses of all MPs in the National Assembly are provided here: <https://www.da.org.za/our-people/national-assembly-members>

The telephone numbers and email addresses of all MPs in the National Council of Provinces are provided here: <https://www.da.org.za/our-people/ncop-members>

The telephone number and email addresses of all MPLs in the Provincial Legislatures are provided here: <https://www.da.org.za/our-people/mps>

The website contains an interactive map to find your councillor:

<https://www.da.org.za/our-people/ward-councillors-map>. An address can be inserted, and it will indicate the ward councillor for that area with an email address and a telephone contact number. It also indicates the constituency head of that ward, and their email and telephone contact number.

The DA's main contact page: <https://www.da.org.za/contact>, includes telephone, fax and email address for each provincial office, a general telephone number and email address, and various social media contacts, namely WhatsApp, Instagram, Facebook, Twitter and YouTube.

EFF

National Leadership: <http://www.efonline.org/provincial-command-team>

The email address and contact numbers are provided for all members of the Central Command Team. The list provides the same landline number for the 6 most senior party leaders, while all others on the list provide a cell phone number.

IFP

National Leadership: <http://www.ifp.org.za/who-we-are/our-leadership/our-president/>

The email addresses and contact numbers of the national leadership, as well as 9 of the 10 MPs in the NA are available on the IFP's website, <http://www.ifp.org.za/who-we-are/our-leadership/>

On the IFP's main contact page, <http://www.ifp.org.za/contact-us/>, there are physical addresses, telephone and fax numbers for the provincial office as well as numerous regional offices. There are telephone and contact numbers for the KZN and Gauteng Legislatures and Parliament. There is a general contact number and email address as well.

There are also contact details for the Women's Brigade and the Youth Brigade.

References

Section 5

- ⁱ ANC Constitution, Available at <https://www.anc1912.org.za/constitution-anc>
- ⁱⁱ DA Federal Constitution, p. 27. Available at <https://cdn.da.org.za/wp-content/uploads/2018/07/26170657/DA-Constitution-Adopted-by-Fed-Congress-on-8-April-2018.pdf>
- ⁱⁱⁱ EFF Constitution, Available at https://docs.wixstatic.com/ugd/35f96d_3829645aeddf4faf8a6765964a5da15e.pdf
- ^{iv} IFP Constitution, Available at <http://ifp.org.za/wp-content/uploads/2015/03/Our-Constitution.pdf>