



2018 NATIONAL LIST GUIDELINES



AFRICAN NATIONAL CONGRESS
CANDIDATE SELECTION PROCESS FOR 2019 ELECTIONS

FOREWORD
BY THE ANC SECRETARY GENERAL, COMRADE **ACE MAGASHULE**

The ANC Constitution 2012 Rule 12.2.11 and Rule 19.9.15 mandates the NEC to facilitate the appointment of National and Provincial List Committees to manage the ANC candidate selection process. The NEC has approved the candidate selection process guidelines in terms of which the process will be managed and administered. These guidelines are hereby presented to yourselves to assist you to conduct the list nomination BGMs.

Branches of the ANC are required to adhere to these guidelines without deviation and apply the ANC Constitution in relation to BGMs consistently.

We hope that the process will be conducted as per the guidelines and the Constitution to ensure that the final product reflects the democratic nature of the ANC selection process.

Yours in the Year of Unity , Renewal and Jobs!

Ace Magashule
Secretary General



AFRICAN NATIONAL CONGRESS

CANDIDATE SELECTION PROCESS FOR 2019 ELECTIONS

ROLE OF NEC AND PEC IN THE LIST PROCESS

1. The ANC Constitution 2012 makes provision for the appointment of National and Provincial List Committees to manage the candidate selection process, in Rule 12.2.11 and Rule 19.9.15 by the NEC and PECs respectively.
2. The NEC is ultimately responsible for approving the list process. The List Committees are appointed by the NEC and PEC at different levels and will be tasked with the administration and implementation of the List Guidelines. Members of the List Committees should be respected and disciplined members of the ANC with no interest in being selected themselves.
3. The process will effectively combine democratic participation and political intervention. This means that there will be very few people who made it in terms of the democratic process, who may not make it onto the final lists.

LIST COMMITTEES

Powers and functions

4. To actively ensure that the list process guidelines are implemented. This involves:
 - a) Circulating the Guidelines to branches and clarifying queries.
 - b) Calling for nominations at least two months before closure.
 - c) Screening nominations and short-listing based on the democratic process, CVs,

public representatives' review, candidate vetting, and interviews, if needed.

- d) Circulating nominations and CVs at least two weeks before the list conferences; hearing objections, and dealing fairly with them.
- e) Overseeing the final ordering of the lists for submission to the National List Conference.
- f) Running provincial list conferences and the Extended NEC List Conference.
- g) Gathering the individual details for candidate registration.

Composition

5. The National List Committee shall be appointed by the NEC, and shall consist of five – seven members as outlined in Rule 12.2.11 of the ANC Constitution:

“Appoint annually a National List Committee of not fewer than 5 (five) and not more than 9 (nine) persons for the selection and adoption of candidates for Parliament. The National List Committee shall report to the NEC prior to the implementation of its recommendations. Provincial structures for the adoption of candidates shall report to the National List Committee.”

The National List Committee shall have an Administrator and a Coordinator.

6. Provincial List Committees shall be appointed by the PEC and shall consist of not more than nine members and include not more

than three (3) ANC officials, representatives of the Leagues, Alliance. The Provincial List Committee is convened by the Provincial Secretary. The committee has to have the capacity to administer the process, deal with conflict and make speedy interventions where necessary. The Provincial List Committee shall have an administrator.

7. A national list training workshop shall be held, and all provincial list committees will be represented as determined by the National List Committee. Resources in terms of nominations procedures and forms will be distributed there. The budget for the list process will be included in the election budget.

PARTICIPATION OF THE ALLIANCE

8. The List process is an ANC process, and provision is made for the effective participation of the Alliance. All nominations are generated from ANC branch general meetings, and Alliance partners participate as ANC members in their respective branches. The Alliance partners and Leagues will be allocated a joint total of 10% of voting representation at the Provincial and National List Conferences, as determined by the PEC and NEC.

CRITERIA FOR CANDIDATES AND LISTS

9. The Criteria must be guided by the character of the ANC, our objective of winning elections, and the kind of people we need in government. The List process is an ANC process, and all candidates stand as ANC members. Provision will be made for the effective participation of the Alliance in the process. There will be no reserved seats for any organisation within or outside the Alliance on the lists because MPs are ultimately accountable to the ANC.

10. Candidates should meet the following criteria:

- 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.

11. The overall lists should meet the following criteria, in line with Through the Eye of a Needle and our overall deployment strategy and priorities:

- a) Geographical spread throughout each province for provincial lists.
- b) High representation of women, in line with Rule 6 of the ANC Constitution of at least 50%. This means that at least every second name throughout the list must be a woman. Women must also include 20% women under 40.
- c) 55% or above should be sitting or former MPs and MPLs, or councillors, to ensure continuity and experience.
- d) Be broadly representative of the demographics of different provinces and the country as a whole.
- e) Reflect the liberation movement character of the ANC, including considering

ANC members serving in COSATU, the SACP, SANCO, and MDM structures.

- f) Good mix of youth and age (aim for 20% of people to be under the age of 40 – with long term goal to increase it to 30%), as well as people with disabilities or who are differently-abled.
- g) 33% or more should have specific areas of expertise to deal with the challenges of government especially in the priority areas of economic development, finance, rural development, social development, safety and security, infrastructure development, and or technical areas like public finance or law.
- h) Candidates must be available for full-time parliamentary, party and constituency work and must be prepared to declare all other interests.

PROCESS OF NOMINATIONS

- 12. Nominations for all the lists should be conducted in properly constituted ANC Branch general meetings of ANC branches in good standing, as provided for in the ANC Constitution. The ANCYL and ANCWL local branches in the ward, and Alliance partners at local levels must be informed of these BGMs and they may all participate as ANC members. A signed attendance register for the BGM should be attached to the nomination form.
- 13. The National and Provincial List committees will distribute the nomination forms, and later the draft lists and candidates CVs, to all ANC branches.
- 14. Branches should nominate their 40 priority names for the National List, and the 20 priority names for the Province to National and Provincial Legislature lists. This aims

to cut down the total number of nominees that have to be screened. Branch nomination lists must adhere to the criteria set out in paragraph 10 and 11 related to 50% women, 20% under 40, representivity and at least 55% or more sitting MPs/MPLs, or councillors. Expertise and specialist skills must also be factored in when considering nominations to achieve the target of 33% with specific skills or experience.

- 15. Attendance registers for the branch general meetings must accompany the branch nomination forms. The attendance register must include the following details: Name, membership number, ID number, address and signature. Proof of membership at the meeting should include a valid ANC membership card or a deposit slip, and an ID.
- 16. Any candidate must be nominated by at least 10 ANC branches to be considered for the ballot the List Committee will draw up at provincial level.
- 17. All nominees must provide a one paragraph CV and sign an undertaking to abide by the ANC code of conduct, to accept the final lists as ratified by the NEC, and the procedures for recall of MPs and MPLs after elections.

INITIAL SCREENING OF LISTS

- 18. The aim of the initial screening is to reduce the number of names on the ballot paper (or pre-circulated list) and to exclude anyone who does not meet the criteria. After nominations, the list committee should screen candidates according to these criteria:
 - a) The number of nominations received (at least 10 branches).
 - b) Sector they represent.
 - c) CV and skills or experience they will bring.

- d) Qualifications in terms of electoral legislation (SA citizenship, no criminal record, no unrehabilitated insolvency, no court order of unsound mind).
 - e) Any factor that will bring the ANC into disrepute.
19. The provincial to national and provincial legislature ballots should contain only the names of candidates that received ten or more nominations, in alphabetical order.
 20. Draft ballot, ordered alphabetically and accompanied by short CV and the number of nominators for each candidate should be sent to all voting structures 14 days before the Provincial list conference.
 21. The list committee should call for objections and review any objections to any of the names before the final ballot is drawn up. Fair procedure for hearing objections will be covered in the training of list committees.
 22. The national to national nominees are not voted on at provincial conferences. The list should be ordered in terms of the number of branch nominations received and sent to the National List Committee for processing and for voting on at the National List Conference.

PROVINCIAL LIST CONFERENCES

23. Branches should constitute 90% of voting delegates at the Provincial List Conferences and fair representation should be worked out proportional to membership.
24. Voting delegates from the PEC (including Regional Secretaries and Chairpersons), REC's, the regional or provincial Alliance office bearers and Leagues' PECs should constitute the remainder of the 10% representation at the List conference. The National List Committee will provide further

guidelines on the breakdown of the 10%.

25. An independent agency should be contracted to run the voting and counting part of the list process. All provincial list conferences shall be observed by a member of the National List Committee.

SHORT LIST AND ORDERING AFTER THE PROVINCIAL LIST CONFERENCES

26. After voting at the Provincial List conference, the following process must be followed for each list by the Agency and Provincial List Committee:
 27. **Provincial to national list:** The top 25% of names must be left as the democratic outcome determined. The remaining 150% of names required must be ordered, ratified by the PEC and then sent to the national list committee. The PEC may add up to 10% new names to the electable portion of the list to ensure balance, skills, representivity or meeting other list criteria.
 28. **Provincial legislature list:** The top 25% must be left intact as democratically determined, 150% of names needed for the Legislature must be ordered, ratified by the PEC and then sent to the national list committee. The PEC may add 10% to the electable portion of the list to meet criteria
29. In ordering the list the following process must be followed:
 - a) The top 25% voted for in the Provincial list conference will automatically go in safe places to ensure that those with the most support from the democratic process are not excluded.
 - b) The top 150% of names for the number of seats [if 100 names are needed, this means the 150 names that received most support] are then used for a short-

list that will be used to order the lists based on the criteria.

- c) The 150% list will also ensure that we have sufficient reserves.
 - d) The list committee may use interviews and other procedures to help with the ordering of the list.
 - e) On all ordered lists, every second name must be a woman and at least every third name a person with specialised expertise. At least 55% of all names must be former or sitting MPs or MPLs, or councillors. Every 5th name should be someone under the age of 40.
30. The Provincial List Committees shall submit the two lists from their province, with CV forms completed by all candidates to the National List Committee.

NATIONAL LIST CONFERENCE

31. The National List Committee shall screen all lists, to ensure that candidates and the lists meet the criteria.
32. The NLC shall compile a draft ordered list for the National-to-National list, based on branch nominations and the criteria in this document. The top 25% of candidates in terms of number of branch nominations should be in safe positions on the list unless they do not meet the criteria. The remaining names among the top 150% should be used to balance and meet list criteria. The draft list should be in printed form with the names appearing in order of the proposed position they should occupy on the list
33. The National List Conference shall take the form of an Extended meeting of the NEC. The NEC shall determine the formula for representation of provinces, the Leagues and Alliance partners at the National List Conference.
34. Procedure at the National List conference for the National to national list:
- a) The draft national-to-national list shall be distributed to all delegates.
 - b) The NLC will make a short motivation for the draft list and will explain the process followed and the criteria applied.
 - c) Provincial delegations will be allowed time to discuss the list in a caucus meeting.
 - d) Voting will then proceed on each position. The name will be put to the house for approval by a simple majority.
 - e) If any names are proposed for insertion for that position, time will be allowed to the nominator to motivate and for the NLC to counter motivate.
 - f) If a motivation prevails, this nomination will be put to the vote in a show of hands. A name may be inserted if 75% approve the insertion. This process is not used to replace or remove names, candidates simply move one position down if an insertion is made.
 - g) No more than 20 insertions may be made in this way. The reason for this is that changes to the balanced list potentially undermine the democratic branch nomination process and the well-considered list committee balancing process, and should not be lightly made, unless compelling reasons are presented and sufficient consensus exists.
 - h) If insertions disturbs the gender or age balance (for example three males appear after each other and women all move down), the List Committee must move the next representative of the excluded target group up the required number of positions, to restore balance.
 - i) The National List Conference may also remove a name of a candidate if

compelling reasons are presented (for example the List Committee was not aware that the Integrity Committee or a DC had ruled against conduct of a comrade, or that a comrade is under investigation for a serious crime). Removal of a name requires 80% support.

35. Each ordered Provincial to National list, and the Provincial legislature lists from each province, shall be presented by the National List Committee for approval by the National List Conference. The list voted on as a whole required 50% plus 1 approval after insertions or removals are voted on. Insertions made by the national list conference will require a 75% majority and no-one may be removed in this process. Candidates may be removed only if compelling reasons exist and 80% approve the removal.

APPEALS, OBJECTIVES AND FINALISATION OF THE LISTS

36. The National List Committee will allow for a process of appeals or objections by ANC structures.
37. Final alterations may be made to the lists after ratification, only with the approval of the NEC and, if it is a provincial list, in consultation with the PEC and with approval of the NEC.
38. The ANC Premier candidate for each province will be added as number one on the Provincial Legislature lists, once the NEC agrees on their deployment.

TIMEFRAMES AND ACTION PLAN

39. The process should be concluded by end November 2018. List Committees will have to be set up in May 2018. Nominations

should take place in September to mid-October and screening, ordering, and provincial List Conferences in October. Vetting and the National List Conference should take place before end November.

OBJECTIONS TO THE INCLUSION OF A NOMINEE

40. Objections to the inclusion of any nominees may be made to the provincial list committee during the period leading to the nominations conference, and to the national list committee during the period leading up to the national list conference.
41. Objections may be made only on one of the following grounds:
- a) The nominee was not nominated by the required number of branches; or
 - b) The nominee is not eligible to be a public representative in terms of section 47 (1) of the Constitution of South Africa because s/he is not a citizen of South Africa, or s/he is an un-rehabilitated insolvent, or declared by a court to be of unsound mind, or has been sentenced to a prison sentence of 12 months or more without the option of a fine, after 1996.
 - c) The nominee is not eligible in terms of Rule 25 (Discipline) of the ANC Constitution.
 - d) The nominee should be disqualified because of the criteria for candidates set out in section 10 of the list process document.
42. Objections must:
- a) Be in written form.
 - b) Be delivered to the chairperson of the relevant list committee.
 - c) Any objection must be lodged with pro-

vincial list committee prior to the Provincial List Conference.

- d) Be signed by the Branch Chairperson and Branch Secretary.
 - e) Be accompanied by the register and date of the respective branch meeting at which the objection was discussed
 - f) Be accompanied by a full explanation of the grounds for objection as well as any relevant documentation.
 - g) Contain the name, membership number and contact details of the person making the objection.
 - h) Be made at least one week before the relevant list conference.
43. A nominee against whom an objection has been made has the right to:
- a) Be informed of the objection and the grounds for the objection within 24 hours of it being received by the list committee.
 - b) Present evidence to the list committee defending his or her right to be nominated.
 - c) Appeal decisions made by the provincial list committee, by lodging an appeal to the national list committee.



Issued by the African National Congress
54 Pixley ka Isaka Seme (formerly Sauer) Street,
Johannesburg, 2001 | Tel: 011 376 1000.