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# **REVOLUTIONARY**

## **CODE OF DISCIPLINE**

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## **SECTION A: GENERAL PRINCIPLES**

- (1) By virtue of joining the EFF, every member agrees to be bound by the Code of Conduct set out below and all other constitutionally valid decisions of the organisation. The two most paramount and non-negotiable guiding principles which inform this code are:
  - (a) Democratic centralism; and
  - (b) Revolutionary discipline.
- (2) Disciplinary proceedings may be initiated by any constitutional structure of the EFF for alleged transgressions arising at its level or having been escalated to it by a resolution of the level immediately below it.
- (3) No disciplinary proceedings shall be initiated by a branch or regional structure without the written approval of the relevant provincial secretary.
- (4) The standard of proof in all disciplinary proceedings shall be on a balance of probabilities.
- (5) All procedural rights of fairness and justice shall be observed by the disciplinary committee, including but not limited to those specific to the procedural rules forming part of this code. Any matter not specifically provided for shall be ruled upon at the discretion of the disciplinary panel, guided by common practice and the requirements of fairness to all.
- (6) The onus of proof shall rest upon the prosecution and the standard of proof shall be on a balance of probabilities.
- (7) The presumption of innocence shall operate in favour of every accused or charged member.
- (8) Disciplinary proceedings must be conducted and finalised expeditiously and within a reasonable time in the circumstances of each case.
- (9) While disciplinary proceedings are under way, every effort will be made to protect the confidentiality and integrity of the EFF, the charged member and all people involved in the process.
- (10) Discipline shall not be used as a tool to stifle internal debate and differences or to settle political scores.

## **SECTION B: OFFENCES**

- (1) No EFF member shall 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) an abuse of power or office;
  - (4) joining another political party or organisation without specifically being permitted to do so by the provincial secretary and 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 differences in the public domain without the specific authorisation of the CCT;
  - (11) defining himself or herself outside the organisational structures and discipline;
  - (12) meting 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) the 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 for 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) collaborating in any manner with counter-revolutionary entities or agencies;
- (25) dealing carelessly or negligently with the property of the EFF;
- (26) instituting legal proceedings in a court of law without first exhausting all internal remedies;
- (27) stealing any property belonging to the EFF and/or another member, or receiving such property knowing it to be stolen;
- (28) making false accusations or statements against any other member or against the CCT.

### **SECTION C: DISCIPLINARY STRUCTURES**

- (1) Every RCT, PCT and the CCT must appoint a disciplinary committee and designate one of its elected members as the chairperson of it.
- (2) Any violation of this code of conduct and/or any other rules and regulations of the EFF arising at branch level shall be escalated in writing to the relevant regional disciplinary committee.
- (3) The names of members of the disciplinary committee must be submitted in writing for approval by a higher structure.
- (4) Ordinarily, disciplinary proceedings should be held at whatever level the alleged transgression occurred, provided that the CCT may, at its sole discretion, determine and inform all relevant parties and structures in writing that the hearings will take place at a higher level.

- (5) The CCT at its first sitting shall constitute the NDC and the NDCA, and lower level disciplinary committees shall not function until they have received approval to do so, in writing, by the chairperson of the NDC, which approval shall not be unreasonably withheld.
- (6) The composition of the NDC shall be five (5) members with a quorum of three (3).
- (7) The NDC shall be the final authority for the interpretation of the Disciplinary Code and Procedures, subject only to the appeal powers of the NDCA and it shall hear any case of constitutional transgression, as a forum of first instance.
- (8) The NDCA shall be constituted to hear appeals on all matters heard by the organisation's disciplinary structures.
- (9) The NDCA shall be no less than six (6) members, with a quorum of three (3), all of whom shall be any combination of CCT, provided that no such member who is a member of the NDC shall also sit on the NDCA.
- (10) Findings of the NDC, a PDC or any other disciplinary structure is appealable to the NDCA only.
- (11) The CCT may, from time to time or as the need arises, establish an SNDC to hear disciplinary matters at a national level according to its particular mandate and will be guided by the same disciplinary procedures as the NDC.
- (12) The PDC shall be made up of no less than three (3) members, chaired by a member of the PCT and may include non-RCT EFF members appointed by the PCT.
- (13) The RDC shall be made up of no less than three (3) members, chaired by a member of the PCT and may include non-RCT EFF members appointed by the PCT.
- (14) The CCT shall appoint a suitably qualified EFF member as the national prosecutor to be assisted by no more than three (3) other suitably competent members, to represent and present the cases of the EFF in any NDC, NDCA and SNDC hearing. No prosecution at national level shall be conducted by a person not delegated by the national prosecutor.
- (15) The PCT shall appoint a suitably qualified EFF member as the provincial prosecutor, to be assisted by no more than three (3) other suitably competent members, to represent and present the cases of the EFF in any PDC hearing.

- (16) The RCT shall appoint a suitably qualified EFF member as the regional prosecutor, to be assisted by no more than three (3) other suitably competent members, to represent and present the cases of the EFF in any PDC hearing.
- (17) When hearing matters, the relevant disciplinary committee must ensure that each member of the committee present:
  - (a) is not related to the accused or the complainant by affinity, marriage or blood in the first or second degree;
  - (b) has no such knowledge concerning the facts of the matter that her/his decision is likely to be prejudiced thereby; and
  - (c) does not bear towards the accused such animosity that her/his decision is likely to be affected thereby.

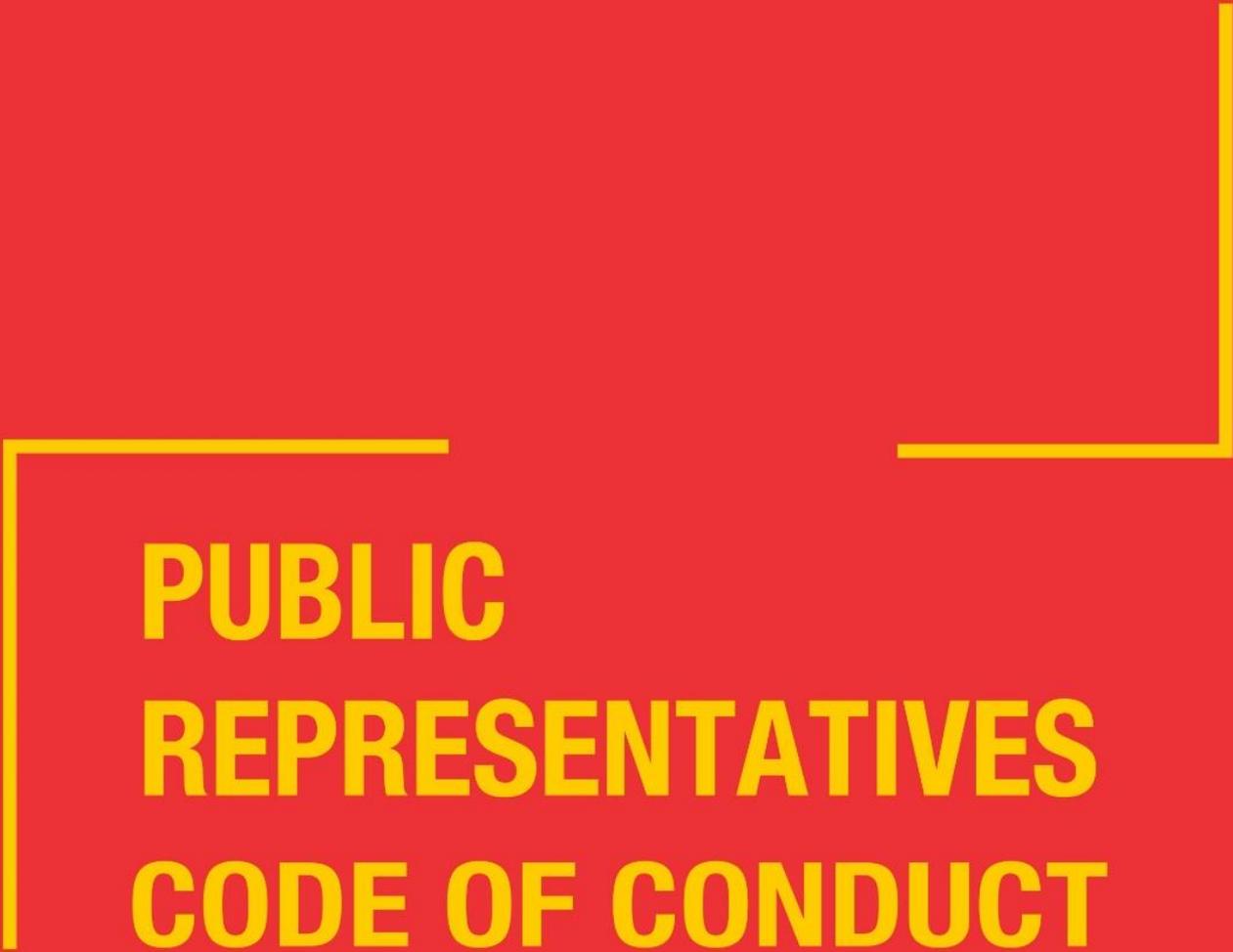
#### **SECTION D: DISCIPLINARY PROCEDURE**

- (1) All complaints must be lodged in writing with the relevant structures (i.e. CCT, PCT, RCT or BCT) within 180 days of the date on which the offence or transgression was allegedly committed by an EFF member.
- (2) Upon receiving a disciplinary complaint from any member or structure and having considered it and decided to initiate disciplinary proceedings, the initiating structure, via its secretary, shall ensure that the accused member is notified within 10 days of the decision having been made, i.e. through a notice of intention to institute disciplinary proceedings. No notice of intention to institute disciplinary proceedings shall be validly served more than two months after the alleged transgression has been brought to the attention of the organisation.
- (3) Service of a written charge sheet upon an accused or charged member shall take place within a reasonable time after the notice of intention to institute disciplinary proceedings has been communicated to the accused member (not longer than 30 days from the date of the notice of intention). The relevant disciplinary committee may, where appropriate and at its sole discretion, call upon a member to make representations as to why he or she should not be subjected to disciplinary proceedings.
- (4) The charge sheet must set out sufficient details as to the commission of the offence, including but not limited to the time, date, place and circumstances of the alleged transgression.

- (5) The nature of the offence must be clearly identified, giving as much particularity as possible to enable the charged member to plead and to prepare his or her defence, if any.
- (6) The member shall be entitled to be informed of the date and place where the disciplinary hearing is scheduled to take place, which shall, unless otherwise determined by the chairperson of the relevant disciplinary committee, be within the province where the transgression/s occurred.
- (7) The member shall be informed that he/she may be represented by any member of the EFF in good standing and who has been a member for more than six (6) months and must provide proof thereof on the day of the hearing.
- (8) The member shall be adequately warned of the consequences of his/her unauthorised failure to appear on the specified date, namely that the hearing may validly proceed without his or her participation.
- (9) Except for the participants in the hearing, including representatives, no person shall be present at a disciplinary hearing without the authorisation of the disciplinary committee.
- (10) At the formal commencement of the disciplinary proceedings, the charged member shall be given an opportunity to indicate whether he/she wishes to enter a plea of "Guilty" or "Not Guilty" and/or whether any application to raise a preliminary point(s) is to be made.
- (11) No witness shall testify, including the accused/charged member should he/she give evidence, without either taking the prescribed oath or an affirmation to the effect that his/her evidence shall be truthful.
- (12) In the event that the charged member has pleaded guilty and the chairperson has satisfied himself/herself that the charged member understands the charges, the proceedings will continue and the charged member shall lead evidence in mitigation of sentence, if any, and the prosecution shall lead evidence in aggravation, if any.
- (13) In the event that the charged member pleads not guilty, then the chairperson shall enquire from him/her or his/her representative whether the member wishes to make any statement in explanation of the plea and, should he/she so wish, to disclose the basis of his/her defence.

- (14) Thereafter, the prosecution shall lead its evidence and call its witness(es), who shall be subjected to cross-examination. After the last witness has been called, the prosecution shall close its case.
- (15) Thereafter, the defence shall lead its evidence and call its witness(es), who shall be subjected to cross-examination. After the last witness has been called, the defence shall close its case.
- (16) The party calling any witness shall enjoy the right to lead evidence-in-chief, as well as re-examination.
- (17) Once the defence has closed its case, each party shall be given an opportunity to present closing argument – orally, in writing or both.
- (18) The disciplinary committee shall, after deliberations, pronounce on the guilt or otherwise of the charged member or reserve its outcome to be communicated at a later date in writing to the office of the initiating structure.
- (19) All verdicts and/or sanctions shall be publicly announced by the regional secretary or provincial secretary or secretary general, depending on the level at which the proceedings took place, after having been formally advised thereof by the relevant disciplinary committee.
- (20) Should he/she wish to do so, the charged member may lodge an appeal within 20 days of having been informed of the verdict and/or sanction.
- (21) Any disciplinary forum may impose, confirm or substitute any of the following sanctions or any combination thereof:
  - (a) a final reprimand;
  - (b) community service;
  - (c) a fine;
  - (d) remedial action;
  - (e) suspension;
  - (f) the removal from any list which entitles such person to represent the EFF at any level of legislature; and/or
  - (g) expulsion from the organisation.

- (22) In the case of serious offences and exceptional circumstances, a member may be temporarily suspended pending a disciplinary hearing. In this event, the member shall be given an urgent opportunity within 48 hours through a written notice of intention to suspend to show cause why such a temporary suspension should not be imposed. In this regard, the decision of the disciplinary committee shall be final. The temporary suspension shall automatically lapse if the member is not charged within one month from the date of the intention to institute disciplinary proceedings.
- (23) The decision of the NDCA is final and not subject to any appeal by any structure of the organisation whatsoever.
- (24) Sentences of suspension and expulsion from the EFF shall not be executed until the finding has been confirmed by the CCT.
- (25) Notwithstanding D (23) above, a disciplinary outcome of expulsion or suspension may be raised at the NPA, on application by the offender or relevant member, as a subject of review.
- (26) Any NPA or judicial review or intention for NPA or judicial review shall not set aside the decision of the NDCA and its enforceability pending outcome of such review.
- (27) Where a member is expelled from the organisation through a disciplinary hearing, such member may reapply in writing to the CCT for membership on the 5th year anniversary of his/her expulsion. The CCT may accept or reject such application based on the merits provided to it.



**PUBLIC  
REPRESENTATIVES  
CODE OF CONDUCT**

**EFF CODE OF CONDUCT FOR ALL CAUCUSES AND PUBLIC REPRESENTATIVES**

Adopted by the 3rd EFF Plenum in January 2017

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## **A. INTRODUCTION**

The core organisational principle of the Economic Freedom Fighters (EFF) is democratic centralism, and discipline of all members. Democratic centralism means that decisions of the higher structures are binding on lower structures. It refers to collective mandate and responsibility and importantly, once decisions are taken, all members must abide by those decisions at all times until they are reviewed by structures that took them.

The Code of Conduct for EFF Caucuses and Public Representatives serves as a guideline of how all EFF caucuses and public representatives must conduct themselves in carrying out duties of the organisation in their respective deployments, to ensure consistency with the Constitution of the EFF, its Founding Manifesto and Revolutionary Code of Discipline. These guidelines constitute law within the organisation and should be read within the context of the EFF Constitution and Revolutionary Code of Discipline. Violation of this Code of Conduct will lead to immediate disciplinary action taken through relevant organisational platforms.

## **B. EFF CAUCUS**

EFF Caucus refers to the group of public representatives in National Parliament, Provincial Legislatures, and Municipality Councils. These Caucus meetings may be attended by Officials of the EFF at the same level where the Caucus exists or of a higher level and may invite any member of the EFF who can add value to the caucus deliberations.

EFF Caucus must necessarily have a minimum of 5 members of the EFF in good standing deployed in the representative body or designated by the organisation to be members of Caucus, even when they are not serving in the representative body, such as Municipality Council, Legislature or Parliament.

### **Principles and Guidelines that should inform all EFF Caucuses:**

- 1 All EFF Caucuses must have a Caucus Leader who is appointed by the organisation and is responsible for all Caucus convenings, house or council guidance and reports to the structures of the organisation.
- 2 All EFF Caucuses must have a Caucus Chief Whip who is responsible for communicating meetings of the Caucus to all members, must prepare and circulate Caucus meeting agenda prior to the meeting and must take minutes in every Caucus meeting.

- 3 The Caucus Leader acts as a chairperson and the Caucus Chief Whip acts as a secretary of the Caucus. They must ensure that all meetings are run professionally and have minutes.
- 4 All EFF Caucus must appoint an average of 1 whip for every 5 council members for internal Caucus management, meaning that if an EFF Caucus has 20 council members, there must be 4 whips appointed and approved by the organisation at the relevant level.
- 5 All Caucus Leadership in Councils, Legislatures and Parliament must be approved by the relevant and corresponding organisational structure such as the Regional Command Team, Provincial Command Team or Central Command Team.
- 6 All EFF Caucuses must have meetings before the sitting of the house to process the agenda of the house, process-speaking notes, allocate speakers and commonly discuss what the EFF approach will be.
- 7 All EFF Caucuses must work within the discipline and mandate of the organisation.
- 8 In instances where the EFF has less than 5 representatives in a Provincial Legislature or Municipality Council, the Officials of the EFF at the same organisational level will serve as the Caucus of the organisation who must process all matters relating to the organisation in the representative body.
- 9 No EFF Caucus is allowed to collectively enter into negotiations or deals with other political parties without the mandate of the organisation.
- 10 No EFF Caucus is allowed to vote with any other political party particularly the ruling party on key questions not initiated by the EFF, and should seek political guidance from the upper structures prior to voting with any other political party.
- 11 EFF Caucus must, through the Caucus leader, submit monthly reports to the Governance Task Unit (GTU) and non-submission will amount to ill-discipline and misconduct, and disciplinary measures will be instituted.

### **C. EFF PUBLIC REPRESENTATIVES.**

- 1 All EFF public representatives must pay organisational levies on time and without fail.
- 2 All EFF public representatives must be coming from an EFF branch in good standing and they must adopt two additional wards, which they must oversee and ensure have branches in good standing at all times.
- 3 All EFF public representatives must attend legislature sittings i.e. National Assembly (NA), National Council of Provinces (NCOP), provincial legislature and municipal council sittings and committees without fail.
- 4 All EFF Public Representatives must be available on the phone 24 hours a day and must be willing to assist the people who call them with patience and diligence.
- 5 All EFF public representatives must adopt early childhood development, squatter camps, clinics and schools to support and identify challenges and issues, which will require the attention of the provincial or national department, and must always liaise with the Provincial and National Public Representatives.
- 6 All EFF public representatives are encouraged to be involved in a form of educational program. Being deployed as a public representative must not be an excuse not to study, it does not have to be a degree. All EFF public representatives who do not have Matric must enrol to complete Matric, and must always seek to further their studies.
- 7 All EFF Public Representatives must always carry the EFF Constitution, Founding Manifesto and Elections Manifesto as a point of reference on all issues that they have to deal with in Councils, Legislatures and National Parliament.
- 8 All EFF public representatives must wear workers red regalia when attending the NA and NCOP House sitting, provincial legislature house sitting and municipality council sittings.
- 9 All EFF Public Representatives must be available for organisational deployment to different parts of the region, province and country on issues that relate to organisational growth and development, and must not give excuses of Council, Legislature or Parliament work as a basis for avoiding organisational deployment.

- 10 All EFF Public Representatives must acquire Driver's Licences and must buy vehicles (Bakkies) that are able to drive difficult roads and transport other Fighters as well, for organisational work.
- 11 All EFF Public Representatives must seek to improve their level of knowledge, skills, and expertise and must do so by furthering their studies in various colleges, universities of technology and universities, including through distant education and learning.
- 12 All EFF caucus in legislatures and municipal councils must communicate with the media through the organisation, meaning that media statements will be issued by the organisational structures such as CCT, PCT, RCT on issues that affect municipalities.
- 13 No EFF public representative is allowed to accept private payments and donations for themselves, particularly in response to work done in their capacity as a public representative.
- 14 No EFF public representative or their immediate relatives can conduct business with the municipality that they serve, due to their direct or indirect influence in such a municipality.
- 15 No EFF public representative must get involved in the appointment of people, recommend or even forward a CV of a person to officials of government departments, state owned entities or municipalities as such will amount to nepotism and ill-discipline.
- 16 EFF public representatives are not allowed to demand money from people in exchange of assistance.
- 17 No EFF public representatives must abuse women or children. No abuse of alcohol and illegal substances is permitted.
- 18 All EFF public representatives must declare their business interests.
- 19 No EFF public representative can hold another job position outside NA, NCOP, Legislature or Council without the written approval by the War Council. This means that all EFF public representatives are fulltime in their positions.
- 20 All EFF public representatives found to be involved in corruption and secret relations with other political parties and business must be immediately suspended and face disciplinary measures.

- 21 No EFF public representative is allowed to bypass the leadership of the organisation to communicate with leadership of the upper structure without the knowledge of the structures at the level where they serve.
- 22 No EFF public representative is allowed to disclose the contents of meetings of the EFF to members of the opposition or members of staff, even in instances where these representatives have a personal relationship with members of other political parties and staff members.
- 23 No EFF public representative is allowed to go to a committee and not say anything – it must be illegal and considered dereliction of duty to stay silent in committees.
- 24 No EFF public representative should attend committee meetings without reading meeting documents that relate to the committee concerned.
- 25 No EFF public representative should miss sittings or committee meetings attendance without sending an apology to the Caucus Chief Whip.
- 26 Any EFF public representative who misses more than three sittings or committee meetings without an apology will face disciplinary measures.
- 27 All EFF public representatives must arrive at meetings and sittings on time.
- 28 No EFF public representatives are allowed to refuse to assist people because they did not vote for the EFF.
- 29 EFF public representatives must not withhold information about wrongdoing given to them to report to relevant authorities.
- 30 No EFF public representatives must read a speech which has not been processed by Caucus.
- 31 No EFF public representative shall undertake any international trip without the approval of the Head Office of the EFF through the Governance Task Unit.
- 32 No EFF public representative shall attend a meeting without a notebook and a pen, and without taking notes in a meeting.
- 33 All EFF public representatives must follow the instruction and direction of the leadership during house or council sittings and should not act in silos without mandate.

34 No EFF public representative is allowed to vote contrary to an agreed caucus decision, and any public representative who votes against a caucus position will be automatically suspended.

35 No EFF public representative is allowed to sleep in committee meetings or sittings.

36 No public representative of the EFF is allowed to allocate land to themselves when communities occupy land.

## **D. CONCLUSION**

These are key principles that should guide the organisation towards success and progress. The EFF seeks to build, develop and nurture well-rounded public representatives who are committed to and understand the agenda for economic freedom in our lifetime. The values, ethos and practices that are encouraged in these guidelines and code of conduct for public representatives constitute the core of what a revolutionary EFF public representative will be.

All EFF public representatives must internalise and understand each and every aspect of these guidelines and code of conduct, and should always live to personify and give meaning to what the EFF as a movement of the people stands for.

Full adherence to the code of conduct and guidelines will enhance and harness the EFF's presence and quality representation of all South Africans. These are ethos that constitute the core of the victory of the oppressed masses of our people and should be held in high regard and dear to all public representatives of the Economic Freedom Fighters.



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