

NM0/016/0019/53

NATIONAL EXECUTIVE COMMITTEE (POWERS)

1. The National Executive Committee is the highest organ of the ANC between Conferences and shall have the authority to lead the organization, subject to the provisions of this Constitution.

2. Without prejudice to the generality of its powers, the NEC shall:

(a) carry out the decisions and instructions of the National Conference;

(b) issue and send directives and instructions to and receive reports from the regions and branches;

(c) supervise and direct the work of the ANC and all its organs generally;

(d) ensure that the regional and branch structures of the ANC function democratically and effectively;

(e) supervise the work of the Women's League and the Youth League;

(f) establish departments and set up committees as it considers appropriate;

(g) manage and control all the national property and assets of the ANC;

(h) receive reports from, supervise the work of, and delegate such functions to the NWC as it considers necessary.

QUORUM

The Quorum for all meetings held within any structure in the ANC shall be twenty-five percent (25%) of the membership of that body entitled to vote at that meeting.

ANC NATIONAL CONFERENCE JULY 1991 DURBAN

ADOPTED RESOLUTION MK

PREAMBLE

Noting that MK has played an important role in the last 30 years in bringing about the immense political victories we have scored and the political situation to its present level

Noting that while we have suspended armed activities we however have not abandoned armed struggle

And further noting that the agenda of the regime is to hold on to power by among other things destabilising the NLM by engineering or conniving at violence against the people

And further noting that the regime deliberately misinterprets the clause on related activities in a manner that attempts to render the ANC impotent and our people defenceless

THEREFORE RESOLVES

1. That the ANC shall maintain and develop MK until the adoption of a democratic constitution and the creation of a new defence force into which cadres of MK will be integrated. Until such a point is reached the equipment of the movement shall NOT be surrendered to the regime.
2. MK shall remain in constant combat readiness.
3. The ANC accepts full responsibility for cadres arrested and/or detained by police and security organs in the course of the execution of their duties in defence of the people.
4. The ANC shall establish structures of MK throughout the country at all levels including the establishment of offices and the provision of resources for such activities
5. The ANC shall be entrusted with the task to popularise the demand for a single military force that will uphold and defend the values of democracy in our country

FURTHER RESOLVES

that the role of MK in the present period shall beent period shall be

1. To act in defence of peace and stability to guarantee the people's political victories by imparting the necessary skills
2. To participate in the rebuilding and organisation of the ANC
3. To act in defence of the personnel and property of the ANC.
4. To encourage MK cadres to join and to channel their political concerns through the established branches

FINALLY RESOLVES

That the NEC take full responsibility for the transferring of funds to regions for the maintenance, development and general welfare of all MK cadres, both inside and outside the country and that proper and appropriate binding mechanisms be established to ensure this

and

that the NEC shall take steps to ensure the marking of the 30th anniversary of MK throughout the country.

African National Congress
National Congress • July 1991 Durban
Draft Resolution on Finance Policy

RECOGNISING the need to create new and strong financial structures, in line with the position of the ANC as a mass-based and internally-based legal organisation;

RECOGNISING the need for strict financial and organisational accountability for all funds;
and GIVEN that the ANC must, in future, develop the means to raise funds from its own mass base rather than from external donations;

THIS CONFERENCE RESOLVES THAT:

1. The Office of the Treasurer General be empowered to establish structures to regulate and control ANC property and finances. These shall be comprised of the following:

- a) The National Finance Committee;
- b) The National Finance Secretariat;
- c) The Audit Committee;
- d) The Investment Committee.

The composition, structure, functions and responsibilities of these committees shall be as outlined in the Finance Policy document.

2. That the ANC shall vest in the National Executive Committee the ultimate responsibility for financial accountability, in accordance with the aims and objectives of the organisation as outlined in the Constitution. This responsibility entails that the NEC receive full reports on the use of funds, including both organisational accountability and financial accountability.

All structures of the ANC must ensure such financial accountability by the strict application of the guidelines supplied by the Financial Policy document and the Manual on Financial Procedures.

3. That the ANC shall engage the services of external auditors who shall audit the annual financial statements; which shall be presented to the National Executive Committee once a year. The appointment of external auditors will be in addition to the internal audit function that the Finance Department shall perform.

4. That the Office of the Treasurer General be empowered to establish the necessary legal and financial bodies to engage in such fund-raising activities as are deemed necessary, including, and in particular:

- a) establishing structures to produce and/or distribute goods to ANC membership, and to the general public, to the profit of the ANC;
- b) entering into royalty and distribution agreements with existing financial bodies;
- c) commencing any other income generating ventures.

All structures created by the Office of the Treasurer General shall be considered a part of the ANC; and shall be financially and organisationally accountable to the NEC.

6. That the NEC at the recommendation of the National Finance Committee shall have the power to amend the ANC Finance Policy as and when required.

7. A disciplinary code shall be drawn up and adhered to regarding all cases of financial irresponsibility, irregularities, and abuse.

DRAFT RESOLUTION ON ASSETS HELD EXTERNALLY

That Congress having regard to the many and the varied nature of the assets owned by the organisation in many countries in its own right or by nominees on behalf of the organisation;

And having regard to the necessity to avoid or minimise losses of any of its assets through theft, vandalism or for any reason whatever, does hereby resolve as follows:

That the Treasurer General be and is hereby authorised to take such steps as he may deem fit to realise all or some of the assets of the organisation.

That the Treasurer General be and is hereby authorised to prepare a complete and comprehensive list of all assets of the organisation as at the date hereof.

That the Treasurer General be and is hereby authorised to prepare a complete and comprehensive list of such assets the retention of which he may deem to be of advantage to the organisation; provided that the right, title and ownership of the organisation to such assets is legally secured.

That the Treasurer General be and is hereby authorised to take urgent measures to safeguard and secure the assets of the organisation and that assets particularly vulnerable to loss through theft and vandalism be disposed of as expeditiously as possible.

That the Treasurer General be and is hereby authorised to take the necessary measures to maintain the properties of the organisation in a good state of repair until such properties are disposed of.

And that in the event of theft or vandalism the Treasurer General be empowered to take such steps as he may deem necessary to recover such property; and to prosecute the wrongdoers through the process of law, or any other disciplinary method that shall be considered fit.

That the Treasurer General be and is hereby authorised to place the proceeds of the sale of such assets into special banking accounts to be held at the discretion of the Treasurer General.

That the Treasurer General be and is hereby instructed to implement this resolution by submitting a comprehensive report of the date hereof, thereafter to advise the National Finance Committee at monthly intervals.

Finance Commission: Draft Resolution from the Auditor General's Office

Noting the fact that the Auditor-General's Report was not submitted to conference,

Conference hereby resolves:

1. That the NEC (as newly constituted) shall within 21 days of taking office receive and consider the report of the Auditor-General on all audits conducted since the Kabwe Conference to date.
2. That where irregularities are identified, a commission of enquiry be appointed to investigate the affairs of those offices and missions which shall have been reported upon by the Auditor-General in the course of his duties.
3. In the event of a commission of enquiry being appointed, that the Treasury Department be adequately represented, in view of the financial nature of the reports.