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SECTION 13. DELETE "Provinces" to read "Regions" wherever "Provinces" are referred to.

SECTION 14. DELETE "Provincial Conference" to read "Regional Conference".

- (a) DELETE "Provinces" to read "Area"
- (b) ,, "annually" to read "quarterly"

SECTION 15. DELETE "Provincial Executive Committee" to read "Regional Executive committee" and "Provincial conference" to read "Regional conference".

- (a) DELETE "Provincial President" to read "Regional Chairman".
- (c) DELETE.

SECTION 16. DELETE this Section.

SECTION 17. DELETE "Provincial officials" to read "Regional officials"

SECTION 18. DELETE this Section.

SECTION 19. DELETE this Section.

SECTION 20. (a) (ii) after "Chairman" INSERT "Secretary, Treasurer, Assistant Secretary, Vice-Chairman"

SECTION 21. (a) after the word "elect" DELETE "the branch Secretary, branch Treasurer and"

SECTION 22. (b) (ii) ADD, after "rural areas", "provided that on joining 2/6 is paid."

(h) Amended to read: Two-thirds of all subscriptions paid by members of a local branch shall be paid direct to the National Executive Committee.

(i) DELETE this sub-clause.

(f) Amended to read "Three months" instead of "Six months".

SECTION 23. (d) to be DELETED.

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AMENDED DRAFT CONSTITUTION OF THE AFRICAN NATIONAL CONGRESS.

NAME
The name of the organisation shall be the African National Congress, hereinafter referred to as the "Congress".

2. AIMS AND OBJECTS :

- (a) To promote and protect the interests of the African people in all matters affecting them.
- (b) To struggle for the removal of all discriminatory laws and practices.
- (c) To strive for the attainment of universal adult suffrage in South Africa.
- (d) To organise the African people into a powerful and effective instrument for national freedom and for the creation of a united democratic South Africa.
- (e) To support the struggle for national independence and democracy in South Africa and the rest of the world.

3. MEMBERSHIP :

- (a) Membership of the Congress shall be open to any person above the Age of 17, who accepts its principles, policy and programme and is prepared to abide by its constitution and rules.
- (b) Any person desiring to be a member of the Congress shall apply to the Secretary of the local branch or to any other member of the Congress authorised to receive applications for membership. Such Secretary or member shall immediately submit the application for consideration by the local branch committee or by the N.E.C.
- (c) The branch committee shall have the power to accept or refuse any application submitted to it, provided that the acceptance or refusal of any application by any organ of the Congress shall be subject to review by the next higher organ. The decision of the N.E.C. in such cases will be final.
- (d) Upon any application for membership being granted by a branch, a membership card signed by the Treasurer-General, and endorsed by the Secretary of such branch, shall on payment of the prescribed fees, and subject to the result of any review instituted in terms of sub-clause (c) above, be issued to the applicant.

4. ORGANISATIONAL STRUCTURE :

- (a) The Congress shall consist of the following basic organs :-
 - (i) The National Conference.
 - (ii) The Branch Meeting.
- (b) The powers, duties and functions of the above organs shall, in between conferences or meetings of the organs, and subject to the necessary ratification, be exercised and performed by the National Executive Committee and the branch executive committee respectively.
- (c) Auxiliary Bodies.

There shall be established a Youth Organisation and a Women's Organisation to be known as the African National Congress Youth League and the African National Congress Women's League respectively, each of which shall function as an integral part of the Congress and under its supervision, direction and discipline.

5. NATIONAL CONFERENCE

- (a) The supreme ruling and controlling body in the African National Congress shall be the NATIONAL CONFERENCE which shall exercise jurisdiction over the whole country and shall be constituted as follows :-
- (i) Delegates from the provincial branches of Congress, elected by branch meetings on the basis of one delegate for every twenty members, provided that the number of delegates from any one local branch shall not exceed ten ;
 - (ii) Members of the National Executive Committee .
- (b) The national Conference shall be held in the month of December of each year ; provided that special national conferences may be held at any time in the discretion of the National Executive Committee or at the request of branches of the Congress representing at least 50% (fifty per cent) of the total Congress membership.
- (c) The National Conference shall -
- (i) decide and determine the policy and programme of Congress ;
 - (ii) Review, ratify, alter or veto any decision taken by any of its constituent bodies or units of the Congress ;
 - (iii) Elect the National Executive Committee and if necessary establish other committees and sub-committees or subsidiary bodies for such purposes at the Conference may decide ; and generally
 - (iv) do all things necessary to further the aims and objects of the Congress .

6. THE NATIONAL EXECUTIVE COMMITTEE :

The National Executive Committee

- (a) The National Executive Committee shall be elected by the Annual National Conference every year and shall consist of the following officials and members :-
- (i) National President .
 - (ii) Deputy-National President .
 - (iii) Secretary-General .
 - (iv) Treasurer-General .
 - (v) 14 Committee members .
- (b) The following officials shall be ex-officio members of the National Executive Committee .
- (i) National President or National Secretary of the A.N.C.Y.L.
 - (ii) National President or National Secretary of the A.N.C.W.L.
- 9 (c) The N.E.C. shall appoint a National Organising Secretary from among its members .
- (d) The N.E.C. shall on the day of its election meet to appoint the National Headquarters, the National Organising Secretary, the National Speaker, the Deputy-Speaker and the National Chaplain, and shall thereafter meet at least twice a year .
- (e) The N.E.C. shall -
- (i) carry out the decisions and instructions of the National conference ;
 - (ii) supervise, direct and control the work of Congress generally .
 - (iii) manage and control all national property and funds ;
 - (iv) submit an Annual Report to the Annual National Conference; and
 - (v) do all things necessary in furtherance of the policy and programme of Congress ;

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7. DUTIES AND FUNCTIONS OF OFFICIALS :-

- (a) THE PRESIDENT -GENERAL : The President-General is the head and chief directing officer of the Congress and the leader of the house in a National Conference . He shall present to the Annual Conference a comprehensive statement on the state of the Nation and the political situation generally .
- (b) DEPUTY -PRESIDENT : The Deputy-President shall assist the President - General and deputise for him whenever necessary .
- (c) SECRETARY-GENERAL: The Secretary- General is the chief administrative officer of the Congress . He shall keep the minutes of the National Conference , the N.E.C. , the N.W.C., as well as other records of the Congress . He shall prepare Annual Reports on the work of the N.E.C. , the Congress branches generally , the A.N.C.Y.L. and the A.N.C.W.L., and shall prepare such other documents as may from time to time be required by the National Executive Committee and the National Working Committee .
- (d) NATIONAL ORGANISING SECRETARY: It shall be the duty of the National Organising Secretary , acting in consultation with and under the direction of the Secretary-General , to organise the Congress nationally and to strengthen the organisational machinery throughout the country .
- (e) TREASURER-GENERAL : The Treasurer-General is the Trustee of the funds and property of Congress. He shall receive all monies on behalf of the N.E.C. and shall together with the President-General, Secretary-General or any other authorised member of the N.E.C. operate a banking account on behalf of the Congress. He shall sign all membership cards of the Congress . He shall keep such books of account as may be necessary to record clearly the financial position of the Congress and shall submit annually to the National Conference a report showing the Income and Expenditure Account and the Balance sheet of Congress for the past year . He shall also present a budget indicating anticipated Income and Expenditure for the forthcoming year . He shall submit periodical reports to the N.E.C. and the N.W.C.
- (f) NATIONAL SPEAKER : The National Speaker shall preside over all National Conferences . In his absence the Deputy-Speaker shall preside at such conference .
- (g) NATIONAL CHAPLAIN : The National Chaplain shall lead the delegates in prayer at National Conference and shall conduct the National service and otherwise provide spiritual leadership for the organisation .

8. THE NATIONAL WORKING COMMITTEE :

- (a) There shall be a National Working Committee (N.W.C.) consisting of all those members of the N.E.C. within a radius of 75 miles from the National Headquarters.
- (b) In between meetings of the N.E.C. , the N.W.C. shall exercise the powers and perform such duties as may be assigned to it by the N.E.C.
- (c) The N.W.C. shall submit a full report to the N.E.C. once every three months.
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THE NATIONAL SECRETARIAT :

- (a) There shall be a National Secretariat (N.S.) which shall consist of the Secretary-General, the National Organising Secretary and five other members nominated by the Secretary-General and appointed by the N.E.C.
- (b) The N.S. shall -
- (i) carry out the decisions and instructions of the N.E.C. and the N.W.C.
 - (ii) issue propaganda material and attend to all administrative work of the Congress.
 - (iii) Whenever necessary, issue organisational directives to and call for reports from the branches and other organs of Congress.
 - (iv) Submit monthly reports to the N.E.C. and/or N.W.C.
 - (v) Each member of the N.S. may head a functional committee e.g. Housing, education, peasant organisation, trade Unions etc.

10. RULES .The National Executive Committee shall have the power to frame rules not inconsistent with the provisions of this constitution, relating to (i) the creation of organs of Congress to effect the co-ordination of branches in any area defined therein; (ii) The proper administration of branches in their internal organisational and general to provide for the control and supervision of Congress affairs.

11. BRANCHES :

- (a) the Basic unit of organisation in the Congress shall be the branch which shall consist of a minimum of twenty members.
- (b) Every new branch shall apply to the N.E.C. for registration or to any organ authorised therefor by the N.E.C.
- (c) There shall be an Annual General Meeting of members of each branch which shall elect a branch executive committee consisting of a chairman, Vice-chairman, Secretary, Assistant, Treasurer and five other committee members.
- (d) It shall be the duty and function of the branch acting where necessary through its executive committee.
- (i) To carry out propaganda and organisational work among the people in pursuance of the policy, programme and decisions of the Congress;
 - (ii) To take up the grievances and demands of the people;
 - (iii) To instil in the people the spirit of self-reliance and to organise them for collective and united action as a necessary instrument in the solution of their political, economic, and cultural problems;
 - (iv) To build and increase the numerical and political strength of the Congress within its local area;
 - (v) To hold at least quarterly branch meetings and submit reports on its work to the N.E.C. every quarter.
 - (vi) To carry out such instructions as may from time to time be issued by the N.E.C., N.W.C. and N.S.

12. CONGRESS FUNDS

- (a) The funds of the Congress shall be derived from the following sources : -

- (i) Membership subscriptions .
 - (ii) Membership levies .
 - (iii) Donations and collections .
 - (iv) Concerts and functions .
- (c) The membership subscriptions for the Congress shall be 8/6 per year .
The subscription shall be payable as follows :
- (i) 2/6 basic fee which must be paid on receipt of a membership card.
 - (ii) 6/- paid at the rate of 6d. per month .
- (d) Membership subscriptions shall be payable in advance .
- (e) The National Executive Committee may impose a national levy on all members . All monies derived from any such levy shall be paid into the National Treasury .
- (f) One third of all subscriptions paid by members of a local branch shall be retained by the branch ; ~~one~~ two thirds shall be sent to the Treasurer- General .
- (g) Funds received through donations , collections concerts and functions shall be retained by or paid to the body for which such funds were intended or raised as the case may be.
- (h) Proper records shall be kept of all monies received and expended by branch executive committees and the National Treasury ; such records shall be examined periodically and audited financial statements and balance sheets shall be placed before the Annual branch meetings and the Annual National Conference .

13. DISCIPLINE .

- (a) A branch executive committee , and the National Executive Committee shall ~~both~~ have power to reprimand , suspend , expel or take any other disciplinary action against a member of such committee ~~as~~ is proved to have committed a breach of the constitution or conducted himself in a manner detrimental to the interests of the Congress or the African people.
- (b) The N.E.C. shall have the power to reprimand , re-organise , suspend , dissolve , dismiss or take any other appropriate disciplinary action against any lower organ under its jurisdiction which has committed a breach of the constitution or is guilty of conduct detrimental to the interests of the Congress or the African people .
- (c) Before any disciplinary action is taken against any member or organ in terms of this clause , such member or organ shall , in the absence of extraordinary circumstances justifying the contrary , be given an opportunity to appear before the relevant tribunal and there admit , deny otherwise account for the conduct complained of.
- (d) Any member or body of members against whom disciplinary action has been taken by any organ of the Congress shall have the right of appeal to the N.E.C. and finally to the National Conference .
- (e) All cases of suspension , dismissal , expulsion or dissolution by way of disciplinary action shall be fully reported to the N.E.C.

14. QUORUM :

- (a) Three members or two fifths of the members , whichever is the larger shall form a quorum for all meetings of any committee of the Congress.

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(b) Fifteen members or 50% (fifty per cent) of the branch membership whichever is the lesser, shall form a quorum for all meetings of a local branch.

(a) In the case of National Conference, delegates from the branches representing at least 40% (forty-percent) of the total membership of Congress shall constitute a quorum.

15. VACANCIES.

(a) The office of any member of a committee of the Congress shall be vacated by resignation, expulsion or suspension.

(b) Vacancies occurring in any committee of Congress shall be filled by co-option, provided that not more than a third of the members of committee may be co-opted.

16. CONSTITUTIONS OF AUXILIARY BODIES:

The A.N.C.Y.L. and the A.N.C.W.L. shall be governed by constitutions which shall be approved and adopted by the Annual National Conference and which shall be incorporated in this Constitution as annexures thereto in accordance with the procedure laid down in the next clause.

17. AMENDMENT OF CONSTITUTION :

The Constitution may be amended by resolution passed by a two thirds majority of the delegates present and voting at a National Conference. Notice of such a resolution shall be submitted in writing to the Secretary-General not later than six months before the date of the National Conference. Notice of such resolution must be sent to the branches of Congress not later than three months before the date of the National Conference.

18. IN respect of all matters for which no provision is made in this Constitution the decision of the National Executive Committee shall be final.

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Collection Number: AD1812

RECORDS RELATING TO THE 'TREASON TRIAL' (REGINA vs F. ADAMS AND OTHERS ON CHARGE OF HIGH TREASON, ETC.), 1956 1961

TREASON TRIAL, 1956 1961

PUBLISHER:

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Location:- Johannesburg

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