

# African National Congress



## National Disciplinary Committee (NDC)

OFFICE OF THE CHAIRPERSON: CDE DEREK HANEKOM

---

**IN THE NATIONAL DISCIPLINARY COMMITTEE (NDC) HELD  
ON 20 APRIL 2015 AND 11 MAY 2015 AT LUTHULI HOUSE,  
JOHANNESBURG**

**Case No. 2/2015**

**In the application of:-**

**AFRICAN NATIONAL CONGRESS**

**Applicant**

**In the disciplinary action of:-**

**AFRICAN NATIONAL CONGRESS**

**Complainant**

**and**

**KABELO MATABOGE**

**Charged member**

---

### **RULING**

---

#### ***Nature of application***

1. At the request of the Officials, the Secretary General, on behalf of the African National Congress, applied to the NDC in terms of Rule 25.22 of the ANC Constitution to suspend the operation of the remaining 13 months of the sanction imposed on comrade Kabelo Mataboge, the former Provincial Secretary of the North West Province, pursuant to a disciplinary hearing on 24 May 2013.

## ***Background***

2. On 24 May 2013 the NDC suspended comrade Kabelo Mataboge for a period of 3 years.
3. Comrade Mataboge pleaded guilty to prejudicing the integrity and repute of the ANC by impeding its activities and undermining its effectiveness as an organisation. He admitted that on 7 December 2012 he was served with a notice by a third party to bring an urgent High Court application against the ANC and failed to inform the party.
4. The NDC found that the consequences of his action could have precluded more than 100 delegates of the North West Province from attending the ANC's National Conference at Mangaung.
5. After considering the evidence in mitigation of sanction, the NDC found that comrade Mataboge was capable of rehabilitation and consequently recommended that a senior comrade work with him during the suspension period to reinforce his understanding of the values and culture of the ANC.
6. In its application, the ANC, supported by the PEC of the North West Province, confirmed that the recommendation of the NDC was put into effect by the Provincial structure in the North West Province which worked with comrade Mataboge over the past two years to rehabilitate him.

## ***Evaluation by NDC***

7. Rule 25.22 of the ANC Constitution empowers the NDC to suspend the operation of any of the sanctions imposed in terms of Rule 25.21, with or without conditions, for a period to be determined by the NDC.
8. The NDC took into consideration the following factors in exercising its discretion in terms of Rule 25.22:-
  - 8.1 that the ANC and its Provincial PEC structure in the North West Province were satisfied that comrade Mataboge was rehabilitated;
  - 8.2 that comrade Mataboge had served almost two years of his 3 year suspension;
  - 8.3 that during the period of suspension, comrade Mataboge did not commit

- any act of misconduct contained in Rule 25 of the ANC Constitution;
- 8.4 that comrade Mataboge was willing to re-dedicate himself to the ANC membership oath and serve the organisation; and
- 8.5 that the purpose of discipline in the ANC is rehabilitative and not punitive in nature.

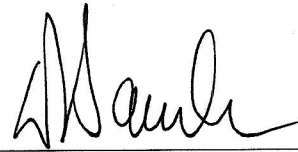
***NDC Ruling***

9. Having considered the above factors, the NDC Ruling is:-

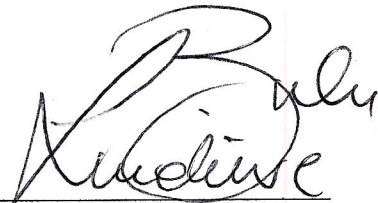
9.1 The operation of the remaining 13 months of comrade Mataboge's 3 year suspension is suspended without any conditions.

9.2 Comrade Mataboge shall be entitled to resume his activities as an ANC member once he has paid the prescribed membership fee.

Dated at Luthuli House, Johannesburg this 11<sup>th</sup> day of May 2015



**DEREK HANEKOM  
CHAIRPERSON  
NDC**



**LINDIWE ZULU  
MEMBER  
NDC**



**FIKILE XASA  
MEMBER  
NDC**

**SUSAN SHABANGU  
MEMBER  
NDC**