

# **ACT AS ONE**

**CANDIDATE SELECTION  
POLICY**

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## **PREAMBLE**

The National and Provincial Elections (NPE) Candidates Selection and Nomination Policy aims to produce diverse ActionSA caucuses at the National Assembly (NA), National Council of Provinces (NCOPs) and Provincial Legislatures (PLs).

ActionSA caucuses must possess sufficiently skilled, experienced and individuals with a track record in activism to appropriately represent all South Africans.

## **DEFINITIONS**

In these regulations or their appendices the following words have the following meaning:

*"Candidates Selection Committee (CSC)"* refers to the national committee responsible to manage and oversee candidates selection process on behalf of the Senate;

*"aspirant candidate"* means a person who has applied to be a candidate of the Party, but who has not yet been selected on a ranked party list;

*"candidate"* means a person selected to stand for the Party in a province or national election, and/or a person included on the official ranked lists for a Provincial Legislature or National Assembly;

*"close family member"* means a spouse or partner, parent or step parent, parent-in-law or step-parent-in-law, sibling or step sibling, brother-in-law or sister-in-law, son-in-law or daughter-in-law, child or step-child; uncle, aunt, cousin, niece and nephew;

*"selection panels"* refers to the Provincial and National Candidates Selection Committees;

*"national list"* means a list of candidates prepared by a party for an election of the National Assembly to reflect that party's order of preference of candidates in respect of the allocation of seats on a national basis (as defined in the Electoral Act 73 of 1998 Schedules 1A-2);

*"partner"* means a person who is in a permanent romantic relationship with another person which can involve inter alia cohabitation and mutual financial or emotional support;

*“probity check”* includes an investigation into an aspirant candidate’s criminal records, liability for taxation, financial accounts and lifestyle in order to ensure that such a candidate is eligible to be a candidate for the Party.

*“professional party staff members”* means any persons who have employment contracts with the Party or an organ of state where they are appointed by a political office-bearer of the Party, and includes persons who are employed by the Party but who are paid by any organ of state, but does not include any person who is paid a gratuity or honorarium for services rendered to the Party.

*“provincial list”* means a list of candidates prepared by a party for an election of a provincial legislature, as defined in the Electoral Act 73 of 1998 Schedules 1A-2;

*“regional list”* means a list of candidates in respect of a province prepared by a party for an election of the National Assembly to reflect that party’s order of preference of candidates in respect of the allocation of seats in respect of such province, as provided for in the Electoral Act 73 of 1998 Schedules 1A-2;

## 1. Scope of the Policy

These policy regulations are compiled in terms of the ActionSA Interim Constitution;

1.1 The recruitment and selection of ActionSA National and Provincial Elections (NPE) candidates as public representatives must take place in terms of these regulations;

1.2 These regulations come into operation when they are approved by the ActionSA Senate.

1.3 These regulations regulate the election of candidates:

- To the national list to the National Assembly;
- To the regional list to the National Assembly;
- To the Provincial Legislatures;
- To the National Council of Provinces (NCOP);
- To represent the Party as Presidential Candidate;
- To represent the Party as Premier Candidates; and
- To fill casual vacancies that may arise from time to time in provincial legislatures and NA, and NCOP.

1.4 These regulations can only be amended by resolution of the Senate.

## 2. General Provisions

2.1 All dates relevant to the procedures set out in these regulations shall be determined by the CSC and approved by the Senate. Such dates must be set in such a way as to afford candidates the reasonable opportunity to lodge appeals in section 9. The Senate is responsible for:

- the development and presentation of an appropriate orientation and training programme which will ensure that potential candidates are familiar with:
  - (a) the duties and responsibilities of public representatives; and
  - (b) the vision, principles, structure, policy and programme of action of the Party.
- the development of a standard job description for a public representative against which the suitability of approved aspirant candidates can be measured by those responsible for evaluating them;
- the development of a system of evaluation of approved aspirant candidates, including a system of scoring and moderating this evaluation. Such a system may distinguish between existing public representatives, and persons who have never been public representatives;
- determining the procedures to be followed for the insertion of an approved aspirant candidate on the list(s) following a successful appeal in section 9.
- the compilation and distribution of any other standardised procedures, criteria or other relevant documentation required by these regulations;

2.2 The Senate, acting on the advice of the selection panels, shall have the right to waive any of the provisions of these regulations if it has become impractical to apply them in one or more provinces;

2.3 The Senate may, on the advice of the selection committees, remove a candidate from a list if such candidate has failed to carry out reasonable duties or to fulfil reasonable obligations in connection with the campaign or who publicly or maliciously damages the Party or the campaign: provided that the candidate in question must be afforded the opportunity to make representations to the CSC prior to it making a decision;

2.4 The Senate will delegate policy changes to the CSC should amendments be required from time to time.

### 3. Application Process

- 3.1 ActionSA will call for nominations of aspirant applicants through an internal call to all members of the party.
- 3.2 Eligibility of aspirant candidates shall be measured against the following criteria as set out in the ActionSA Interim Constitution.
- 3.2.1 They are a South African citizen or permanent resident;
- 3.2.2 They are eligible for membership of the relevant legislature, as determined by sections 47 and 106 of the Constitution of South Africa;
- 3.2.3 They are over the age of 16 years, but over the age of 18 years on the date of the relevant election to be considered as an aspirant candidate;
- 3.2.4 They believe in and adhere to the Founding Principles of the Party;
- 3.2.5 They considered themselves bound by the provisions of the Interim Constitution and any binding documents issued by the Senate;
- 3.2.6 They apply, through the prescribed process, to become a member of the Party;
- 3.2.7 They have been members of the party for more than 30 days before the application process;
- 3.2.8 They are not a member of another political party;
- 3.3 Aspirant candidates will be called upon to nominate themselves for one of the following positions:
- Member of Provincial Legislature, or
  - Member of Parliament
- 3.4 All applications to become a candidate must be made on the requisite online platform and must contain all the information and supporting documentation required in the application process.
- 3.5 Applicants should, preferably, be in possession of at least NQF level 6 SAQA accredited qualification.
- 3.5.1 The qualification requirement may be waived in case an aspirant candidate possesses other exceptional and/or professional experience that can add value to a caucus.
- 3.6 All applicants must pay an administrative fee, an amount which shall be determined by the Senate.
- 3.6.1 Subject to 3.6 above, a candidate can apply to the Candidates Selection Committee to waive the administrative fee.
- 3.7 All aspirant candidates must register on an online Candidate Nomination System and provide the following supporting documentation:
- Certified Identity Document;
  - Curriculum Vitae;
  - Proof of address;

- Proof of Qualification;
- Proof of registration on the voter's roll;
- A signed declaration confirming that their application is not in conflict with the Constitution and Electoral Act;
- Indication to apply as a MP or MPL
- Affidavit that confirms whether or not the aspirant candidate has a criminal record, and if so, details of the criminal record;
- Police clearance or proof of application for a police clearance;
- Affidavit that confirms the aspirant candidate is not in arrears of rates and tariffs to the relevant municipality in which they reside. In the case that the aspirant candidate is in arrears, proof of a payment plan must be disclosed;
- Declaration of disciplinary or legal incidents or any other incident that may bring the Party into disrepute;
- Proof of attendance at the Political Academy; and
- Proof of payment for application fee or a waiver by the CSC.

3.8 The President shall appoint a Head-hunting Committee. The committee shall be responsible for reviewing and assessing the caliber, skills, geographical representation and expertise, among others of candidates for the various legislative houses. In case there is an identified gap, the Committee oversees the headhunting process.

3.8.1 Chairpersons of selection panels i.e. the President and Provincial Chairpersons, shall motivate the need for head-hunting as well as potential candidates to the Head-hunting Committee;

3.8.2 Head-hunted candidates must be a member of the party at least 30 days prior to the list submission to the Independent Electoral Commission (IEC); and

3.8.3 The identity of the head hunted candidates to be kept confidential until such time Senate has approved their candidature.

3.9 The CSC may waive certain requirements of the candidates selection process.

#### 4. Screening Process

The screening process is crucial to ensure that nominated candidates provide factually correct information during their application process, and meet the high ethical and competency standards of ActionSA.

The screening process shall aim to shorten the list of aspirant candidates to be interviewed using a pre-determined criteria.

4.1 Competent persons, designated by the National Chairperson, shall consider the compliance of the applications of aspirant candidates and the completeness of the relevant supporting documentation.

This shall be reported to the provincial subcommittees and the CSC on a regular basis.

4.2 The designated persons, referred to in 4.1 above, must compile a list of the aspirant candidates rejected, and in each case provide reasons for the rejection of that aspirant candidate's application.

The CSC must review this list to ensure that the rejections were justifiable, and must consider the appeal of any aspirant candidate who can demonstrate that his or her candidature has been manifestly prejudiced. In the event that the CSC does not agree with the rejection of an aspirant candidate's application, that aspirant candidate will remain eligible for consideration by the provincial subcommittee.

4.3 The screening process shall follow the following criteria to determine eligibility of aspirant candidates.

4.3.1 Failure to complete the forms, submit required documentation in full, shall result in the rejection of an application. Submitting false or inaccurate information on any documentation will result in the application being rejected, and may result in disciplinary action against the aspirant candidate as contemplated in terms of the ActionSA Constitution.

4.3.2 Aspirant candidates must undergo a values test to ensure that there is an alignment of values with those of ActionSA. The Values Test will take the form of an online or written questionnaire and assess the candidates' responses on questions related to ActionSA Interim Constitution, values, and Solutions Blueprint. This test must be completed as the final step in the application process.

4.3.3 The CSC shall establish a minimum pass rate for the values test that will form part of the screening process. In the event that a candidate does not meet the minimum grade, that candidate will not be considered to have passed the screening requirements.

4.3.4 Aspirant candidates must meet all the application requirements as contemplated in 3.7 of this policy.

4.3.5 No incumbent public representative may be considered as an aspirant candidate in future candidate selection processes unless he or she has been satisfactorily assessed in terms of a performance evaluation system approved by the Senate.



- 4.3.6 No two or more close family members may serve in the same caucus as representatives of the Party in any legislative body, provided that:
- (a) members of the same legislative body who become spouses or partners after election of that body may remain members of that body and may be nominated for re-election.
  - (b) In the event that two or more close family members not covered by (a) are nominated as candidates and elected to serve on the same legislative body, the provincial subcommittees may apply to CSC for permission for both or all such close family members to remain candidates for this legislative body and to serve on it.

## 5. Appointment and Role of Selection Committees

- 5.1 Selection committees shall be led by relevant leaders and supported by members of the party not contesting to be MPs or MPLs.
- 5.2 Invitation to members to serve in selection panels shall be through a call for nominations to all members of the party interested to serve with the following requirements:
- 5.2.1 Members of the selection committees shall be members of the party for more than 30 days since the inception of candidates selection process;
  - 5.2.1 Members of the selection committees must be fit and proper persons who are willing and able to serve on such a committee panel;
  - 5.2.2 Members of the selection committees should not be compromised or conflicted, and shall be recused from the screening and selection process should an aspirant candidate be:
    - 5.2.2.1 A parent, parent-in-law, son or daughter, son-in-law or daughter-in-law, child, sibling, uncle or aunt, or partner of an aspirant candidate; and
    - 5.2.2.2 Persons who have a demonstrable personal interest in the outcome of the selection process.
  - 5.3 The names of the proposed members of the selection subcommittees, together with a motivation and curriculum vitae must be submitted to the CSC for approval.
  - 5.4 The Provincial Selection Committee (PSC) shall consist of the following office bearers and individuals:
    - 5.4.1 The Provincial Chairperson of the province;
    - 5.4.2 A Provincial Chairperson of another province as designated by the National Chairperson;
    - 5.4.3 A minimum of at least 4 ordinary members, not standing as MP or MPL candidates, approved by the Senate, whose skills, experience or expertise would assist the CSC in the discharge of its responsibilities;

- 5.4.4 Any member appointed by the Provincial Chairperson and approved by the CSC.
- 5.5 The National Selection Committee (NSC) shall consist of the following office bearers and individuals:
- 5.5.1 The President;
  - 5.5.2 The National Chairperson;
  - 5.5.3 Relevant Provincial Chairperson, in case of candidates for the regional list;
  - 5.5.4 The Chief Governance Director;
  - 5.5.5 A minimum of at least 3 ordinary members, not standing as MP or MPL candidates, approved by the Senate, whose skills, experience or expertise would assist the CSC in the discharge of its responsibilities;
  - 5.5.6 Any member as appointed by the President and approved by the CSC.
- 5.6 The CSC, whose responsibility is to manage and oversee the process on behalf of Senate, shall consist of the following office bearers and individuals:
- 5.6.1 The President;
  - 5.6.2 The National Chairperson;
  - 5.6.3 Provincial Chairpersons;
  - 5.6.4 The Chief Governance Director;
  - 5.6.5 A minimum of at least 3 ordinary members, not standing as MP or MPL candidates, approved by the Senate, whose skills, experience or expertise would assist the CSC in the discharge of its responsibilities.
- 5.7 One half (50%) of the members of the selection panel shall constitute a quorum;
- 5.8 If it transpires that a selection committee is not fulfilling the duties and responsibilities as laid down in these regulations, or regulations approved by the Senate, the CSC may relieve the selection committee of some of its duties and responsibilities, and/or take such other steps as may be necessary to ensure the integrity of the selection process.

## **6. Candidates Interview Process**

- 6.1 Aspirant candidates shall be interviewed by the relevant selection panel with an exception of candidates recruited in accordance with 3.8 of this policy.
- 6.2 Shortlisted candidates must have passed all screening requirements unless otherwise waived in line with 3.9 of this Policy.
- 6.3 Only aspirant candidates submitted by the Screening Committee and approved by the CSC shall be interviewed.
- 6.4 Approved aspirant candidates for the PLs shall be interviewed by the PSC Committees; while aspirant candidates for the National Assembly shall be interviewed by NSC.
- 6.5 Selection panels shall be administratively supported by designated persons including communication with aspirant candidates and record keeping of interview proceedings;
- 6.6 An approved aspirant candidate may request the services of an interpreter during his or her interview. Such request must be made in advance to allow for necessary arrangements.
- 6.7 The proceedings of the selection committees must be recorded, and such recordings must be retained;
- 6.8 Candidates shall be measured through practical assignments such as a prepared speech on an appropriate topic; public profile; demonstration of involvement and contribution in the community and party structures, interview on set questions and scenarios; and complete a written test, among others.
- 6.9 Interviewing panels shall use 1 to 5 scoring system to score candidates against the set of criteria.
- 6.10 At the end of each interview, the panel shall moderate and finalise the score of the candidate.
- 6.11 The scoring matrix (Annexure A), factoring in weighting of various performance indicators, shall be used to determine scores and rankings of all candidates except those recruited in accordance with 3.8 of this policy.
- 6.12 Only CSC may review and/or amend the scoring matrix.
- 6.13 The selection panels, evaluating approved aspirant candidates, may with the approval of the CSC, delegate part of the process of assessing the competencies and attributes of such approved aspirant candidates to one or more designated persons;
- 6.14 At the conclusion of interviews, the selection panels shall provisionally rank the lists by arranging the candidates in descending order of the scores obtained by candidates during interviews as well as obtained in other scoring criteria.
- 6.15 No selection panel shall alter candidates scores granted in accordance to 6.11 of this policy after the fact.

6.16 The ranked lists may be accompanied by subjective assessments and recommendations to the CSC.

## 7. Selection of Presidential Candidates, Premier Candidates and Government Office Bearers

7.1 A decision to become the government in a province or national, and a decision to nominate a Premier and Presidential candidates, may only be taken by the Senate.

7.2 The President of the party shall be the Presidential candidate.

7.3 The Senate will determine provinces that ActionSA will have Premier candidates in, these will be considered as contestable governments.

7.4 The Senate shall determine a selection process for Premier candidates for contestable governments.

7.5 Premier candidates for provinces and Presidential Candidate must be approved by the Senate, whether or not this happens prior or subsequent to an election.

7.6 Candidates for executive positions such as Ministers, MECs and Chairpersons of Oversight Committees shall be selected by the Senate.

7.7 Caucus leaders of caucuses, in which the Party is not in government, will be elected at the first ordinary meeting of that caucus after the swearing in of members.

7.8 If a Premier or President dies or resigns, the office of the Premier or President will be filled by the procedure outlined in section 7.5 of this policy.

7.9 The Senate and CSC reserve a right to headhunt and/or identify aspirant Premier and Presidential Candidates.

## 8. Determination of Candidates Lists

8.1 The selection process shall result into compilation of the following lists:

8.1.1 National Assembly – National and the regional lists

8.1.2 Provincial Legislatures

8.1.3 NCOP

8.2 The selection panels shall submit ranked lists in accordance with 6.14 of this policy.

8.3 The total number of candidates on each list must at least be 50% plus one of the seats in the relevant legislative house.

8.4 The National Assembly list shall be compiled as follows:

- 8.4.1 The Party shall submit a National List and nine regional lists of candidates for election as members of the National Assembly.
- 8.4.2 The regional list of a province will be the list of candidates interviewed by the national selection committee with the relevant Provincial Chairperson and provisionally ranked in accordance with 6.14 and reviewed in accordance with 10.
- 8.4.3 In ranking the National Assembly list, the following considerations must be made:
- 8.4.3.1 The President of the Party shall be ranked first in the National Assembly list or the provincial legislature he is eligible to stand in;
- 8.4.4 The National Chairperson shall be ranked at an electable position in the National Assembly list or provincial legislature he is eligible to stand in;
- 8.4.5 The CSC may reserve rankings on the national list for candidates recruited in accordance with 3.8 of this policy.
- 8.4.6 The remaining positions on the national list consist of candidates from various provinces allocated on the basis of the seat targets.
- 8.4.7 The regional list shall be made up of the same candidates in the same descending order, into the positions reserved for the respective provinces.
- 8.4.8 Candidates referred by the PSC to the NSC based on their potential to add value to the National Assembly caucus.
- 8.4.9 CSC shall, in consultation with candidates, decide which list the candidate shall be on in case a candidate is electable on both the national list and the regional list.
- 8.5 The Provincial Legislature List shall be compiled as follows:
- 8.5.1 The Premier Candidates shall be ranked first in the provincial legislature;
- 8.5.2 The Provincial Chairpersons shall be ranked second in the provincial legislature list in cases where the Premier candidate is not the Provincial Chairperson.
- 8.5.3 The CSC may reserve rankings on the provincial list for candidates recruited in accordance with 3.8 of this policy.
- 8.5.4 The remaining positions on the provincial list shall consist of candidates provisionally ranked in accordance with 6.14 and reviewed in accordance with section 10.
- 8.5.5 Candidates referred by the NSC to the PSC based on their potential to add value to the provincial legislature caucus.
- 8.6 The NCOP List shall be compiled as follows:
- 8.6.1 The national selection committee shall provisionally rank a minimum of 3 and a maximum of 5 candidates per province for the NCOP list.
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8.6.2 The CSC may reserve rankings on the national list for candidates recruited in accordance with 3.8 of this policy.

8.7 The President reserves the right to move candidates from the provincial legislature lists to the National Assembly list subject to a motivation and approval by the CSC.

## 9. Appeals

9.1 An approved aspirant candidate has a right to appeal to the Senate on the grounds that his or her candidature was not properly considered. The grounds for the appeal must be clearly specified in the application.

9.2 The CSC must designate an individual or individuals who will preside over the Appeals Process. Such subcommittee shall consider such appeals, the decision of the subcommittee on such appeals is final;

9.3 In considering any appeal, the appeal subcommittee may request the recordings of the proceedings of the provincial subcommittees;

9.4 Appeals must be submitted by candidates at least 30 days prior to the initial deadline for candidate submission to the IEC as per the published election timetable;

9.5 Any candidate excluded or rejected as a result of screening considerations, will not have a right to appeal their rejection unless their appeal disputes a factual basis of their exclusion.

## 10. Review of Lists by the Senate

10.1 Selection panels shall, in accordance to 6.16 of this policy, submit their ranked lists to the CSC for review and recommendation to the Senate.

10.2 The Senate will review the list(s) submitted by the CSC.

10.3 The Senate may, by a two-thirds majority, amend the list(s), as provisionally ranked by the CSC, promoting to a higher position candidates placed in lower positions, in order to promote diversity of the lists, not limited to correct gender, disability, racial, geographical representation and skills imbalances, or to insert candidates recommended by the Appeals Committee.

10.4 The Senate review as contemplated in 10.2 above shall be conditioned on the following conditions: promotions

10.4.1 Promotions may not amount to more than 15% of the list or 15 candidates, whichever is less; and

10.4.2 Candidates must not be moved to a lower ranking on the list.

## 11. Post-election: Roles and responsibilities of elected MPs and MPLs

- 11.1 All elected MPs and MPLs are to sign a declaration of interest prior to taking up offices.
- 11.2 All MPs and MPLs are to be subjected to a Senate approved performance evaluation system.
  - 11.2.1 Where we govern, every ActionSA representative signs a performance agreement with the Senate.
  - 11.2.2 That performance agreements must document the required deliverables in a manner that is measurable and aligned to our term of office and manifesto priorities.
  - 11.2.3 That Senate delegates Senators to conduct assessments, the outcome of which must be presented to Senate along with any remedial steps required.
- 11.3 All candidates are required to pay a candidate fee which is calculated as 10% of the gazetted annual total remuneration package (nett package) and is payable to the party by every public representative on election to public office within 3 months;
  - 11.3.1 A pro-rata candidate's fee is payable by a public representative who is selected to fill a vacancy between elections. The formula is calculated as follows: the fee paid at the most recent general election by that category of public representative, divided by 60, times the number of months to the next general election, and assuming that a term does not exceed 60 months;
- 11.4 Further to the above, every elected public representative is required to pay a tithe or a public representative contribution. The tithe is expressed as 10% of the gazetted annual total remuneration package (nett package) and is payable by every public representative to the party in monthly instalments.

## 12. Filling of casual vacancies between General National and Provincial Elections

- 12.1 The provincial and national lists be reviewed within the first three months of the national and provincial government general elections, and every twelve months thereafter.
- 12.2 At the expiry of twelve months, the PEC in consultation with National Chairperson, determine a process to fill the vacancy by means of one of the following process.
  - 12.2.1 Call for nominations of aspirant applicants.
  - 12.2.2 Recruit or headhunt candidates with demonstrable track record and deemed suitable to stand as a candidate should there be inadequate time to follow the required selection process.
- 12.3 If the list will be reviewed in line with 12.2 above, the process as outlined in section 3 of this policy must be followed.
- 12.4 That the Senate approves a list review in case of changes on the high ranked candidates during the stipulated 12 months review.

12.5 That the reviewed list be eligible for the remainder of the 12 months.

## **Annexure A – Candidates Scoring Matrix**

### **For Non-Public Representatives**

<b>Scoring Criteria</b>	<b>Indicators</b>	<b>Weight (out of 100%)</b>
<b>Skills and expertise</b>	Qualifications	20%
	Professional experience	
	Language proficiency	
<b>Public Profile</b>		15%
<b>Community service</b>		10%
<b>Contribution to the Party</b>	Fundraising	25%
	Membership recruitment and canvassing	
<b>Interview process</b>	Practical/ written assignments, as determined by the CSC	30%
	Interview questions	

### **For current Public Representatives**

<b>Scoring Criteria</b>	<b>Indicators</b>	<b>Weight (out of 100%)</b>
<b>Skills and expertise</b>	Qualifications	20%
	Professional experience	
	Language proficiency	
<b>Community service</b>		10%
<b>Public Profile</b>		15%
<b>Contribution to the Party</b>	Fundraising	10%
	Membership recruitment and canvassing	
<b>Interview process</b>	Practical/ written assignments, as determined by the CSC	30%



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		Interview questions	
<b>Performance score</b>	<b>Assessment</b>	Period determined by CSC	15%

### Annexure B: Candidate Selection Timeline

