

CONSTITUTION
OF THE



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Definitions

SAACSO	South African Active Civil Society Organization
CSO	Civil Society Organizations
ED	Executive Director
NA	National Council
NEC	National Executive Committee
NGO	Non-governmental Organization
PC	Provincial Congress
PEC	Provincial Executive Committee
REC	Regional Executive Committee
RC	Regional Council
SA	South Africa
CBO	Community Based Organization
FBO	Faith Based Organisation

Preamble

Whereas the Civil Society of South Africa:

Realizes that to enhance a vibrant democratic society, there is a need to establish a National umbrella body to house all active non state multi actor forums to tackle the socio economic problems compounding poverty, unemployment and HIV AIDS.

Noting that a coherent facilitative framework and a solidarity network with other non state multi actors elsewhere in the world is a necessary tool in development.

Noting that whilst South Africa is an industrialized and economically developed country the majority of its population is still trapped in poverty, high crime rate and HIV and AIDS.

The Founders of Civil Society Organization:

Hereby resolve:

- a. To establish a solitary Charitable national Civil Society Organization whose aim is to create and maintain an enabling environment for the civil Society to help itself economically, to free itself from poverty, unemployment and other social pathologies.
- b. To adopt the following document guiding the affairs of the Organization and setting aside all other previous Memorandums, Constitutions and Regulations.

SECTION 1: CHARACTER OF THE ORGANISATION

1.1 Name

The name of the organization shall be the **South African National Active Civil Society Organization** (having the acronym SAACSO) herein after referred to as “the SAACSO”.

1.2 Nature of the Organisation

- 1.2.1 The organization shall be a non-political, non-governmental civil Society Organization.
An organisation not-for-gain, registered under Section 21 of the Companies Act of 1967 as amended and under the Non-Profit Organizations Act.
- 1.2.2 The organisation shall be politically non-partisan, notwithstanding that it can co-operate and network with any party political entity on particular issues facing the civil society.

1.3 Aims and Objectives

The objectives of the Organization are as follows:

- a) To support sectional and provincial networks in their endeavors to lobby for an enabling frameworks environment in their respective spheres of operation;
- b) To identify development priorities, promote self-help initiatives, including African art work capabilities, cultural activities and seek to influence donors, grant-makers, organized business and other stakeholders to support the Organization to achieve its objectives;
- c) To work towards creations an enabling environment by influencing the legislative framework in which CSOs operate;
- d) To promote community participation in the conceptualization, implementation and evaluation of the reconstruction and development.
- e) To conceptualize and implement advocacy programmes aimed at lobbying for policies which advance the interests of marginalized (e.g. poor, women and rural) members of our society);

- f) To build the institutional capacity of sectional and provincial networks to effectively meet the needs of their members;
- g) To initiate discussion and stimulate debate amongst members organizations on strategic issues affecting the sector;
- h) To assist members organizations to identify and address opportunities and threats in the socio-economic environment, which may advance or constrain the work of their respective organizations;
- i) To promote cross-border networks and cross-pollination of information, knowledge and development experience in Southern Africa and other parts of the world;
- j) To strengthen and develop the civil society organisations (CSOs) leadership by sponsoring management and leadership development programmes;
- k) To promote collaboration amongst civil society organisations (CSOs) working in the same geographical area or sector;
- l) To affiliate to Southern African, African and international civil society organisations (CSOs) structures and to influence socio-economic policies in society; and
- m) To collaborate on a principled basis through written agreements with other organs of civil society (for example, organized labour and faith based organizations) in building a strong national as well as regional
- n) civil society.

1.4 Juristic Personality

The Organization shall be a body corporate with a personality of its own, separate from its members, without derogating from the generality thereof, SAACSO shall have the following capacities:

- 1.4.1 To acquire rights and obligations in its own name;
- 1.4.2 To enter into legal transactions and commercial traffics;
- 1.4.3 To acquire and dispose of movable and immovable property;
- 1.4.4 To sue and be sued in its own name;
- 1.4.5 To have perpetual succession;
- 1.4.6 To raise funds locally and abroad and spend the same, pursuant to its objectives.

SECTION 2: MEMBERSHIP

2.1 Application for Membership

- 2.1.1 Membership shall be open to all various sectors of society as stipulated in Section 1 sub-section 1.2.1 above;
- 2.1.2 The application for membership to SAACSO must be completed in writing, being it electronically or by hand and must be forwarded to the Secretariat of the organisation for processing;
- 2.1.3 The Secretariat of SAACSO, or if so designated, the Sub-Committee on Membership will respond to the application for membership in writing;
- 2.1.4 After a successful application for membership to SAACSO, the prospective member shall be called upon to pay the following fees:
 - (i) a joining fee; and
 - (ii) the annual fee due covering the year of joining.
- 2.1.5 Official notification of SAACSO membership shall after the payment of the joining fee and the dues in Section 2.1.4 (i) and (ii) *infra* be forwarded to the new SAACSO member;
- 2.1.6 SAACSO shall issue Certificate of Membership on an annual basis to each member on good standing;
- 2.1.7 A member who resigns from SAACSO may apply to be re-instated as a member of SAACSO. The same procedure as set out in Section 2.1 (2) to (5) *infra* applies in such applications;
- 2.1.8 Annual membership fees are due and payable by end of March of each year. If membership fees to SAACSO are not payable by the aforementioned date of the year, a letter shall be sent to the member requesting the payment of the outstanding fees. The member shall be requested in writing to make payment before the end of June of the year in question, where after, the member forfeits membership to SAACSO; and
- 2.1.9 The Secretariat of SAACSO and the Sub-Committee on Membership shall keep a register of the members of the organisation.

2.2 Rights and Obligations of Members

Members of SAACSO shall have the following rights and obligations:

- 2.2.1 Carry out policies and activities of SAACSO;
- 2.2.2 Offer constructive contribution and criticism to any policy, programme and activity of SAACSO;
- 2.2.3 Receive and impart information on all aspects of SAACSO's policy, programme and activity to its respective members;
- 2.2.4 Submit proposals and statements to SAACSO on matters pertaining to policy, programme and activity of the organisation;
- 2.2.5 Observe discipline, behave honestly and carry out loyally decisions of the majority and decisions of higher structures;
- 2.2.6 Shall have a right to elect and be elected into office;
- 2.2.7 Refrain from publishing and/or distributing any media without authorisation which purports to be the view of any organised grouping(s), faction(s) or tendency within SAACSO;
- 2.2.8 Pay annual subscription fees to SAACSO;
- 2.2.9 Adhere to the Code of Conduct of SAACSO; and
- 2.2.10 Have a *locus-standi* in all the **applicable** meetings of SAACSO.

2.3 Full membership

- 2.3.1 This applies to all members as stipulated in Section 1 sub-section 1.2.1 above; and
- 2.3.2 All rights and obligations outlined in Section 2.2 of this Constitution shall apply respectively.

2.4 Associate Membership

- 2.4.1 Associate membership shall be available to:
 - (i) Any foreign civil society organisation (CSO) that undertakes development work in Southern African;

- (i) Any indigenous civil society organisation (CSO) that prefers not to, or is unwilling or unable to take up full membership;
 - (III) Any indigenous professional body of economic interest or faith based organization (FBO);
- 2.4.2 Associate members shall be entitled to attend meetings and participate in all structures of SAACSO provided that they shall not have the right to vote;
- 2.4.3 Employees of associate member organizations, be they citizens of the Republic of South Africa, shall not be eligible to hold office in any of the structures of the SAACSO; and
- 2.4.4 Associate members shall be obliged to meet a financial and any other obligations as the National Assembly? of any of its designated organs shall from time to time determine.

2.5 Honorary Membership

- 2.5.1 Honorary membership may be conferred on any person and/or an institution not otherwise eligible for membership;
- 2.5.2 The National Executive Committee (NEC) may, acting on its own or on the recommendation of a provincial and/or branch structure, confer membership to any person and/or an institution which has rendered exceptional services to the branch and/or provincial structure or the society in general;
- 2.5.3 Such members do not hold any office in SAACSO, and shall exercise any vote; and
- 2.5.4 Such members are not eligible to pay subscriptions.

2.6 Friend of the SAACSO

- 2.6.1 A person who is interested in and subscribes to the objectives of SAACSO and who is not eligible for membership, may become a member as a "*friend of SAACSO*" by submitting a prescribed membership form, accompanied by the written support of two (2) members in good standing, together with the applicable fees as determined by the National Executive Committee (NEC) and/or the Sub-Committee on Membership;

- 2.6.2 The National Executive Committee (NEC) and/or the Sub-Committee on Membership shall inform the applicant of the outcome of his/her application;
- 2.6.3 A friend of SAACSO shall not be a voting member nor be entitled to hold office; and
- 2.6.4 A friend of SAACSO shall be entitled to receive all general publications and correspondence forwarded to SAACSO members.

2.7 Patrons

- 2.7.1 All SAACSO structures may source patrons and may decide to have patrons on board their committees and/or sub-committees;
- 2.7.2 At all relevant times, no more than seven (7) patrons will be involved with any structures of SAACSO; and
- 2.7.3 The patrons will serve the SAACSO structures with the respective executive committees and/or sub-committees, and will serve for the same period of time as the term of office of the relevant executive committees and or sub-committees.

2.8 Termination of Membership

- 2.8.1 A member of SAACSO shall cease to be a member by giving notice to that effect, in writing, to its respective structure, as the case may be, at least one (1) month prior to the effective date of the intended resignation;
- 2.8.2 A member shall also cease to be a member if its membership is terminated by a relevant structure for misconduct, failure to adhere to the Code of Ethics or for bringing the name of SAACSO into disrepute;
- 2.8.3 A member against whom a charge of misconduct is laid shall be entitled to a fair hearing, provided that its membership shall be suspended for the duration of the investigation and the impending inquiry; and
- 2.8.4 Membership of any member indebted to SAACSO for membership fee or any other financial obligation shall automatically lapse if the member in question fails to meet such obligation notwithstanding a reminder giving such member no more than thirty (30) days to fulfill the obligation.

SECTION 3: Structures of SAACSO

SAACSO shall have the following structures:

- 3.1 The National Assembly (NA);
- 3.2 The National Executive Committee (NEC);
- 3.3 The Provincial Council (PC);
- 3.4 The Provincial Executive Committee (PEC);
- 3.5 The Branch General Meeting (BGM); and
- 3.6 The Branch Executive Committee (BEC).

SECTION 4: Purpose, Powers and Functions of the Structures

4.1. National Assembly (NA)

4.1.1 Purpose, Powers and Functions:

- (a) Shall be the supreme policy formulating and decision-making structure of SAACSO;
- (b) Shall elect members of the National Executive Committee (NEC) every four (4) years;
- (c) Shall approve the narrative and Financial Reports of SAACSO from the National Executive Committee (NEC) every two years at the National Biennial General Meeting;
- (d) Shall ratify the appointment of the reputable and independent firm of Auditors every four (4) years;
- (e) Shall determine credentials of delegates eligible to attend;
- (f) Shall amend the Constitution of SAACSO when and where necessary;
- (g) Shall delegate any of its tasks to the National Executive Committee (NEC) as it may deem it necessary for the effective and efficient running of SAACSO; and
- (h) Shall deal with any other matter which may be deemed to be in the interest of SAACSO, its members and the development

needs of the country, or any other issues of general or international importance.

4.1.2 Composition of the National Assembly:

The National Assembly (NA) shall comprise of the following delegates:

- (a) All the Provincial Executive Committees (PECs);
- (b) The National Executive Committee (NEC) members; and
- (c) One (1) representative per sector.

4.1.3 Frequency of the National Assembly (NA) Meetings:

Ordinary Meetings

- (i) The National Assembly shall be held every four (4) years;
- (ii) The National Biennial General Meeting shall be held every two years; and
- (iii) All notices for meetings shall be issued within twenty-one (21) days prior to the date of the meeting.

Special Meetings of the National Assembly

- (j) A Special General Meeting of SAACSO shall be convened by the National Executive Committee (NEC) at such time and at such place as may be specified in a written notice of such meeting and must be called within thirty (30) days upon written request lodged with the Secretary General by at least one-third of the voting members in good standing;
- (ii) At any Special General Meeting the only business that shall be discussed shall be that which has been specified in the written request lodged by the members concerned, unless the SAACSO National Executive Committee (NEC) in its discretion permits otherwise; and

- (iii) If for any reason whatsoever the SAACSO National Executive Committee (NEC) is unable to convene the Special General Meeting duly requested by members; the Secretary General shall do so.

4.1.4 Quorum and Voting

- (i) 50 + 1% of delegates referred to in sub-section 4.1.2 present in person, shall constitute a quorum for the National Assembly (NA);
- (ii) In an instance where after three (3) hours of the time fixed for the meeting, a quorum is not constituted, the meeting shall stand adjourned to a time and place decided upon by the President, provided that the adjourned meeting shall be held within one (1) month. Should a quorum not be reached at the adjourned meeting, members present in person may proceed with the meeting and shall be deemed to have constituted a quorum;
- (iii) Only delegates mentioned in sub-section 4.1.2 shall exercise a right to vote; and
- (iv) Voting shall be conducted by secret ballot at all times.

4.1.5 Resolutions for the National Assembly

- (i) Resolutions to be moved at a National Assembly (NA) shall be submitted in writing and delivered to the Secretary General for circulation to Provinces not less than thirty (30) days before the National Assembly (NA) is held, provided that the National Assembly (NA) shall have the right to consider only special resolutions; and
- (ii) Unless otherwise provided herein, every matter for consideration by the National Assembly (NA) shall be on motion duly seconded, and shall be decided by the majority of the members present.

4.1.6 Nominations for the National Assembly

- (i) The Secretary General of SAACSO shall notify all the members of the vacancy(ies) that may exist in the National Assembly (NA)

and ask members to suggest the names of people to fill the vacancy or vacancies;

- (ii) The Secretary General of SAACSO shall determine if nominees consent to stand for election, and if so, shall forward the names of such persons to the National Executive Committee (NEC). The Secretary General shall provide to the National Executive Committee (NEC) at least six (6) weeks before the National Biennial General Meeting the names of the candidates for each vacancy;
- (iii) A nomination for a position as a member of the National Executive Committee (NEC) shall be submitted in writing, with the written support of two (2) voting members in good standing and the written consent of the person nominated, provided the nomination is received by the Secretary General at least six (6) weeks before the National Biennial General Meeting. Nominees proposed by this method shall always appear on the ballot at the National Biennial General Meeting; and
- (iv) The list of nominees for members of the National Executive Committee (NEC) positions shall be circulated to the voting members with the notice of the National Biennial General Meeting.

4.2 The National Executive Committee (NEC)

4.2.1 Purpose, Powers and Functions:

- (a) Shall carry out and implement mandates, resolutions and decisions of the National Assembly (NA);
- (b) Shall be the implementing agent of the National Assembly;
- (c) Shall be the highest decision-making body in between the National Assemblies (NAs) and shall have the authority to lead SAACSO, subject to the provisions of the Constitution;
- (d) Shall be responsible for the effective and efficient day-to-day running of SAACSO;
- (e) Shall manage and control all funds received and generated by SAACSO;
- (f) Shall mobilize resources for SAACSO and its programmes and activities;

- (g) Shall appoint members to committees and sub-committees, as it may deem it necessary, to carry out and implement activities and programmes of SACSO;
- (h) Shall ensure gender equity in all structures, programmes, activities and events of SAACSO'
- (i) Shall co-opt members from sectors in good standing, and may co-opt not more than two (2) members;
- (j) Shall suspend and/or expel any member who transgress, violate and breach the Constitution and Policies of SAACSO, in compliance with organizational disciplinary procedures;
- (k) Shall appoint individuals to serve in various key functions of SAACSO; and
- (i) Shall have powers to deploy people anywhere in the country for national key functions.

4.2.2 Composition of the National Executive Committee (NEC):

The National Executive Committee of SAACSO shall be composed of the following portfolios:

- (i) The President;
- (ii) The Deputy President;
- (iii) The Secretary General;
- (iv) The Deputy Secretary General;
- (v) The Treasurer-General;
- (vi) Nine (9) provincial chairpersons; and
- (vii) The SAACSO National Executive Director, ex-officio.

4.2.3 Terms of Office of the National Executive Committee (NEC):

- (i) The term of office shall be four (4) years.

4.2.4 Meetings of the National Executive Committee (NEC):

Ordinary Meetings

- (i) The National Executive Committee (NEC) shall meet at least quarterly or more frequently as required;
- (ii) The President in consultation with the Secretary General will set the dates of the meetings and agree on the draft agenda. The draft agenda will be confirmed or amended or prioritized at the start of the meeting; and
- (ii) The documentation and resolution for such meetings will be circulated by the Secretariat at least five working days prior to the actual meeting date.

Special Meetings

- (i) The President will convene a special meeting of the National Executive Committee (NEC) giving forty-eight (48) hours written notice and an agenda if:
 - a. The majority of members of National Executive Committee (NEC) call for such a special meeting; and
 - b. Majority of the Provincial Executive Committees (PECs) with members in good standing, submit a written request for such a meeting indicating the purpose of such a meeting.

4.2.5 Quorum of the National Executive Committee (NEC) Meetings:

- (i) 50 + 1% of the National Executive Committee (NEC) members present shall constitute a quorum; and
- (ii) In an instance that a quorum is not attained within forty-five (45) minutes of the schedule time of the meeting, the meeting shall be postponed to a fixed date and, should a quorum not be reached within forty-five (45) minutes of the scheduled time on the fixed date, the meeting shall proceed and its proceedings shall be competent under the Constitution.

4.2.6 Frequency of the National Executive Committee (NEC) Meetings:

- (i) The National executive Committee (NEC) shall meet at least quarterly, excluding special meetings.

4.2.7 Functions and Duties of the National Executive Committee (NEC) Members:

(i) The President

- (a) Shall be the political head of SAACSO;
- (b) Shall be the chairperson of the National Assembly (NA);
- (c) Shall present the status report of SAACSO to the National Assembly (NA);
- (d) Shall make pronouncement for and on behalf of the National Executive Committee (NEC) in outlining and explaining Policies of SAACSO;
- (e) Shall preside over the meetings of the National Executive Committee (NEC) in conformity with the Constitution and Rules of Procedure adopted by the National executive Committee (NEC); and
- (f) Shall co-ordinate the political lobbying, advocacy and networking activities of SAACSO.

(ii) The Deputy President

- (a) Shall assist the President in almost all the presidential duties and functions; and
- (b) Shall deputise for the President when necessary and carry out all the functions entrusted to him/her by the President and/or the National Executive Committee (NEC).

(iii) The Secretary General

- (a) Shall be the political Chief Administrative Officer of SAACSO;
- (b) Shall record, keep and distribute the minutes of the National Assembly (NA), the National Executive Committee (NEC), as well as other records of SAACSO;
- (c) Shall conduct the correspondence of the National Executive Committee (NEC); and send out all notices of the National Assembly (NA), National Biennial General Meeting (NBGM), conferences, summits, seminars, symposia, and other meetings to members of SAACSO;
- (d) Shall convey the decisions and mandates of the National Assembly (NA) and the National Executive Committee (NEC) to members of SAACSO, and see to it that all members carry out their duties and functions properly;
- (e) Shall prepare annual narrative reports on the work of the National Executive Committee (NEC); and other documents which may, from time to time, be required by the National Executive Committee (NEC); and
- (f) Shall in the absence of both the President and the Deputy President, assume the function of the Presidency.

(iv) The Deputy Secretary General

- (a) Shall assist the Secretary General in almost all the Secretary functions and duties; and
- (b) Shall deputise for the Secretary General when necessary and carry out all functions entrusted to him/her by the President and/or the National Executive Committee (NEC).

(v) **The Treasurer-General**

- (a) Shall be the political Chief Financial Officer of SAACSO;
- (b) Shall ensure safe keeping of the financial records of SAACSO;
- (c) Shall submit to the National Assembly (NA) a report showing the Income and Expenditure Account and Balance Sheet of SAACSO; and shall submit periodic reports to the National Executive Committee (NEC); and
- (d) Shall be responsible to work and carry out the fundraising plans of SAACSO.

4.3 Provincial Council (PC)

4.3.1 Purpose, Powers and Functions:

- (a) Shall be the supreme policy implementing and decision-making structure of SAACSO in the Province;
- (b) Shall elect members of the Provincial Executive Committee (PEC) every four (4) years;
- (c) Shall approve the narrative and Financial Reports of SAACSO from the Provincial Executive Committee (PEC) every two-and-half years at the Provincial Biennial General Meeting;
- (d) Shall ratify the appointment of the reputable and independent firm of Auditors every four (4) years;
- (e) Shall determine credentials of delegates eligible to attend;
- (f) Shall delegate any of its tasks to the Provincial Executive Committee (PEC) as it may deem it necessary for the effective and efficient running of SAACSO in the Province; and
- (g) Shall deal with any other matter which may be deemed to be in the interest of SAACSO, its members and the development needs of the Province, or any other issues of general or national importance.

4.3.2 Composition of the Provincial Council:

The Provincial Council (PC) shall comprise of the following delegates:

- (a) All the Branch Executive Committees (BECs);
- (b) The Provincial Executive Committee (PEC) members; and
- (c) Representatives of the National Executive Committee (NEC).

4.3.3 Frequency of the Provincial Council (PC):

Ordinary Meetings

- (i) The Provincial Council (PC) shall be held every four (4) years;
- (ii) The Provincial Biennial General Meeting shall be held every two years; and
- (iii) All notices for meetings shall be issued within twenty-one (21) days prior to the date of the meeting.

Special Meetings of the Provincial Council

- (j) A Special General Meeting of SAACSO shall be convened by the Provincial Executive Committee (PEC) at such time and at such place as may be specified in a written notice of such meeting and must be called within thirty (30) days upon written request lodged with the Provincial Secretary by at least one-third of the voting members in good standing;
- (ii) At any Special General Meeting the only business that shall be discussed shall be that which has been specified in the written request lodged by the members concerned, unless the SAACSO Provincial Executive Committee (PEC) in its discretion permits otherwise; and
- (iii) If for any reason whatsoever the SAACSO Provincial Executive Committee (PEC) is unable to convene the Special General Meeting duly requested by members; the Provincial Secretary shall do so.

4.3.4 Quorum and Voting

- (i) 50 + 1% of delegates referred to in sub-section 4.3.2 present in person, shall constitute a quorum for the Provincial Council (PC);
- (ii) In an instance where after three (3) hours of the time fixed for the meeting, a quorum is not constituted, the meeting shall stand adjourned to a time and place decided upon by the Provincial Chairperson, provided that the adjourned meeting shall be held within one (1) month. Should a quorum not be reached at the adjourned meeting, members present in person may proceed with the meeting and shall be deemed to have constituted a quorum;
- (iii) Only delegates mentioned in sub-section 4.3.2 shall exercise a right to vote; and
- (v) Voting shall be conducted by secret ballot at all times.

4.3.5 Resolutions for the Provincial Council

- (i) Resolutions to be moved at a Provincial Council (PC) shall be submitted in writing and delivered to the Secretary for circulation to branches not less than thirty (30) days before the Provincial Council (PC) is held, provided that the Provincial Council (PC) shall have the right to consider only special resolutions; and
- (ii) Unless otherwise provided herein, every matter for consideration by the Provincial Council (PC) shall be on motion duly seconded, and shall be decided by the majority of the members present.

4.3.6 Nominations for the Provincial Council

- (i) The Provincial Secretary of SAACSO shall notify all the members of the vacancy(ies) that may exist in the Provincial Council (PC) and ask members to suggest the names of people to fill the vacancy or vacancies;
- (ii) The Provincial Secretary of SAACSO shall determine if nominees consent to stand for election, and if so, shall forward the names of such persons to the Provincial Executive Committee (PEC). The Provincial Secretary shall provide to the Provincial Executive Committee (PEC) at least six (6) weeks before the Provincial

Biennial General Meeting the names of the candidates for each vacancy;

- (iii) A nomination for a position as a member of the Provincial Executive Committee (PEC) shall be submitted in writing, with the written support of two (2) voting members in good standing and the written consent of the person nominated, provided the nomination is received by the Provincial Secretary at least six (6) weeks before the Provincial Biennial General Meeting. Nominees proposed by this method shall always appear on the ballot at the Provincial Biennial General Meeting; and
- (v) The list of nominees for members of the Provincial Executive Committee (PEC) positions shall be circulated to the voting members with the notice of the Provincial Biennial General Meeting.

4.2. The Provincial Executive Committee (PEC)

4.2.1 Purpose, Powers and Functions:

- (a) Shall carry out and implement mandates, resolutions and decisions of the Provincial Council (PC);
- (b) Shall be the implementing agent of the Provincial Council (PC);
- (c) Shall be the highest decision-making body in between the Provincial Councils (PCs), subject to the provisions of the Constitution;
- (d) Shall be responsible for the effective and efficient day-to-day running of SAACSO in the Province;
- (e) Shall manage and control all funds received and generated by SAACSO in the Province ;
- (f) Shall mobilize resources for SAACSO and its Provincial programmes and activities;
- (g) Shall appoint members to committees and sub-committees, as it may deem it necessary, to carry out and implement activities and programmes of SAACSO in the Province;
- (h) Shall ensure gender equity in all Provincial structures, programmes, activities and events of SAACSO'

- (j) Shall co-opt members from sectors in good standing, and may co-opt not more than two (2) members;
- (k) Shall suspend and/or expel any member who transgress, violate and breach the Constitution and Policies of SAACSO, in compliance with organizational disciplinary procedures;
- (l) Shall appoint individuals to serve in various key functions of SAACSO in the Province; and
- (m) Shall have powers to deploy people anywhere in the Province for key functions.

4.2.2 Composition of the Provincial Executive Committee (PEC):

The Provincial Executive Committee (PEC) of SAACSO shall be composed of the following portfolios:

- (viii) The Chairperson;
- (ix) The Deputy Chairperson;
- (x) The Secretary;
- (xi) The Deputy Secretary;
- (xii) The Treasurer;

4.2.2 Terms of Office of the Provincial Executive Committee (PEC):

- (i) The term of office shall be four (4) years.

4.2.4 Meetings of the Provincial Executive Committee (PEC):

Ordinary Meetings

- (i) The Provincial Executive Committee (PEC) shall meet at least quarterly or more frequently as required;
- (ii) The Chairperson in consultation with the Provincial Secretary will set the dates of the meetings and agree on the draft agenda. The draft agenda will be confirmed or amended or prioritized at the start of the meeting; and
- (iii) The documentation and resolution for such meetings will be

circulated by the Provincial Secretary at least five working days prior to the actual meeting date.

Special Meetings

- (i) The Chairperson will convene a special meeting of the Provincial Executive Committee (PEC) giving forty-eight (48) hours written notice and an agenda if:
 - (a) The majority of members of Provincial Executive Committee (PEC) call for such a special meeting; and
 - (b) Majority of the Branch Executive Committees (BECs) with members in good standing, submit a written request for such a meeting indicating the purpose of such a meeting.

4.2.5 Quorum of the Provincial Executive Committee (PEC) Meetings:

- (i) 50 + 1% of the Provincial Executive Committee (PEC) members present shall constitute a quorum; and
- (ii) In an instance that a quorum is not attained within forty-five (45) minutes of the schedule time of the meeting, the meeting shall be postponed to a fixed date and, should a quorum not be reached within forty-five (45) minutes of the scheduled time on the fixed date, the meeting shall proceed and its proceedings shall be competent under the Constitution.

4.2.6 Frequency of the Provincial Executive Committee (PEC) Meetings:

- (i) The Provincial executive Committee (PEC) shall meet at least quarterly, excluding special meetings.

4.2.7 Functions and Duties of the Provincial Executive Committee (PEC) members:

- (i) **The Chairperson**
 - (a) Shall be the political head of SAACSO in the Province;
 - (b) Shall be the chairperson of the Provincial Council (PC);

- (c) Shall present the status report of SAACSO to the Provincial Council (PC);
- (d) Shall make pronouncement for and on behalf of the Provincial Executive Committee (PEC) in outlining and explaining Policies of SAACSO;
- (e) Shall preside over the meetings of the Provincial Executive Committee (PEC) in conformity with the SAACSO Constitution and Rules of Procedure); and
- (f) Shall co-ordinate the political lobbying, advocacy and networking activities of SAACSO in the Province.

(ii) The Deputy Chairperson

- (a) Shall assist the Chairperson in almost all the chairpersonship duties and functions; and
- (b) Shall deputise for the Chairperson when necessary and carry out all the functions entrusted to him/her by the Chairperson and/or the Provincial Executive Committee (PEC).

(iii) The Provincial Secretary

- (a) Shall be the political Chief Administrative Officer of SAACSO in the Province;
- (b) Shall record, keep and distribute the minutes of the Provincial Council (PC), the Provincial Executive Committee (PEC), as well as other records of SAACSO in the Province;
- (c) Shall conduct the correspondence of the Provincial Executive Committee (PEC); and send out all notices of the Provincial Council (PC), Provincial Biennial General Meeting (PBG), conferences, summits, seminars, symposia, and other meetings to members of SAACSO in the Province;
- (d) Shall convey the decisions and mandates of the Provincial Council (PC) and the Provincial Executive Committee (PEC) to members of SAACSO in the

Province, and see to it that all members carry out their duties and functions properly;

- (e) Shall prepare annual narrative reports on the work of the Provincial Executive Committee (PEC); and other documents which may, from time to time, be required by the Provincial Executive Committee (PEC); and
- (f) Shall in the absence of both the Chairperson and the Deputy Chairperson, assume the function of the Chairpersonship.

(iv) The Deputy Provincial Secretary

- (a) Shall assist the Provincial Secretary in almost all the Secretary functions and duties; and
- (b) Shall deputise for the Provincial Secretary when necessary and carry out all functions entrusted to him/her by the Chairperson and/or the Provincial Executive Committee (PEC).

(v) The Provincial Treasurer

- (a) Shall be the political Chief Financial Officer of SAACSO in the Province;
- (b) Shall ensure safe keeping of the financial records of SAACSO in the Province;
- (c) Shall submit to the Provincial Council (PC) a report showing the Income and Expenditure Account and Balance Sheet of SAACSO; and shall submit periodic reports to the Provincial Executive Committee (PEC); and
- (d) Shall be responsible to work and carry out the fundraising plans of SAACSO in the Province.

4.3 Branch General Meeting (BGM)

4.3.1 Purpose, Powers and Functions:

Every member of SAACSO shall belong to a branch as the basic unit of the organisation.

- (a) Shall be the implementing and decision-making structure of SAACSO at a branch;
- (b) Shall elect members of the Branch Executive Committee (BEC) every four (4) years;
- (c) Shall consist of a minimum of fifty (50) members in order to be registered with and/or recognized by the Provincial Executive Committee (PEC);
- (d) Shall be the forum where members exercise their basic democratic rights to discuss issues and make inputs for policy formulation;
- (e) Shall be the basic unit of activity for members of SAACSO;
- (f) Shall approve the narrative and Financial Reports of SAACSO from the Branch Executive Committee (BEC) every two (2) years at the Branch Biennial General Meeting;
- (g) Shall ratify the appointment of the reputable and independent firm of Auditors every four (4) years;
- (h) Shall determine credentials of delegates eligible to attend;
- (j) Shall delegate any of its tasks to the Branch Executive Committee (BEC) as it may deem it necessary for the effective and efficient running of SAACSO in the Branch; and
- (k) Shall deal with any other matter which may be deemed to be in the interest of SAACSO, its members and the development needs of the local area, or any other issues of general or regional importance.

4.3.2 Composition of the Branch General Meeting (BGM):

The Branch General Meeting (BGM) shall comprise of the following delegates:

- (a) All the branch members and its structures and sub-structures;
- (b) The Branch Executive Committee (BEC) members; and
- (c) Representatives of the Provincial Executive Committee (PEC).

4.3.3 Frequency of the Branch General Meeting (BGM):

Ordinary Meetings

- (i) The Branch General Meeting (BGM) shall be held every four (4) years;
- (ii) The Provincial Biennial General Meeting shall be held every two years; and
- (iii) All notices for meetings shall be issued within twenty-one (21) days prior to the date of the meeting.

Special Meetings of the Branch General Meeting (BGM)

- (i) A Special Branch General Meeting of SAACSO shall be convened by the Branch Executive Committee (BEC) at such time and at such place as may be specified in a written notice of such meeting and must be called within thirty (30) days upon written request lodged with the Branch Secretary by at least one-third of the voting members in good standing;
- (ii) At any Special Branch General Meeting the only business that shall be discussed shall be that which has been specified in the written request lodged by the members concerned, unless the SAACSO Branch Executive Committee (BEC) in its discretion permits otherwise; and
- (iii) In an instance where the Branch Executive Committee (BEC) is unable to convene the Special Branch General Meeting duly requested by members; the Branch Secretary shall do so.

4.3.4 Quorum and Voting

- (i) 50 + 1% of delegates referred to in sub-section 4.3.2 present in person, shall constitute a quorum for the Branch General Meeting (BGM);
- (ii) In an instance where after three (3) hours of the time fixed for the meeting, a quorum is not constituted, the meeting shall stand adjourned to a time and place decided upon by the Branch Chairperson, provided that the adjourned meeting shall be held within one (1) month. Should a quorum not be reached at the adjourned meeting, members present in person may proceed with the meeting and shall be deemed to have constituted a quorum;
- (iii) Only delegates mentioned in sub-section 4.3.2 shall exercise a right to vote; and
- (iv) Voting shall be conducted by secret ballot at all times.

4.3.5 Resolutions for the Branch General Meeting (BGM)

- (i) Resolutions to be moved at a Branch General Meeting (BGM) shall be submitted in writing and delivered to the Branch Secretary for circulation to members not less than thirty (30) days before the Branch General Meeting (BGM) is held, provided that the Branch General Meeting (BGM) shall have the right to consider only special resolutions; and
- (ii) Unless otherwise provided herein, every matter for consideration by the Branch General Meeting (BGM) shall be on motion duly seconded, and shall be decided by the majority of the members present.

4.3.6 Nominations for the Branch General Meeting (BGM)

- (i) The Branch Secretary of SAACSO shall notify all the members of the vacancy(ies) that may exist in the Branch General Meeting (BGM) and ask members to suggest the names of people to fill the vacancy or vacancies;
- (ii) The Branch Secretary of SAACSO shall determine if nominees consent to stand for election, and if so, shall forward the names of such persons to the Branch Executive Committee (BEC). The

Branch Secretary shall provide to the Branch Executive Committee (BEC) at least six (6) weeks before the Branch Biennial General Meeting the names of the candidates for each vacancy;

- (iii) A nomination for a position as a member of the Branch Executive Committee (BEC) shall be submitted in writing, with the written support of two (2) voting members in good standing and the written consent of the person nominated, provided the nomination is received by the Branch Secretary at least six (6) weeks before the Branch Biennial General Meeting. Nominees proposed by this method shall always appear on the ballot at the Branch Biennial General Meeting; and
- (iv) The list of nominees for members of the Branch Executive Committee (BEC) positions shall be circulated to the voting members with the notice of the Branch Biennial General Meeting.

4.2. The Branch Executive Committee (BEC)

4.2.1 Purpose, Powers and Functions:

- (a) Shall carry out and implement mandates, resolutions and decisions of the Branch General Meeting (BGM);
- (b) Shall be the implementing agent of the Branch General Meeting (BGM);
- (c) Shall be the highest decision-making body in between the Branch General Meetings (BGMs), subject to the provisions of the SAACSO Constitution;
- (d) Shall be responsible for the effective and efficient day-to-day running of SAACSO in the branch;
- (e) Shall manage and control all funds received and generated by SAACSO in the branch;
- (f) Shall mobilize resources for SAACSO and its branch programmes and activities;
- (g) Shall appoint members to committees and sub-committees, as it may deem it necessary, to carry out and implement activities and programmes of SACS0 in the branch;
- (h) Shall ensure gender equity in all branch structures, programmes, activities and events of SAACSO'

- (i) Shall co-opt members from sectors in good standing, and may co-opt not more than two (2) members;
- (l) Shall suspend and/or expel any member who transgress, violate and breach the Constitution and Policies of SAACSO, in compliance with organizational disciplinary procedures;
- (m) Shall appoint individuals to serve in various key functions of SAACSO in the branch; and
- (n) Shall have powers to deploy people anywhere in the Branch for key functions.

4.2.2 Composition of the Branch Executive Committee (BEC):

The Branch Executive Committee (BEC) of SAACSO shall be composed of the following portfolios:

- (i) The Chairperson;
- (iii) The Deputy Chairperson;
- (iv) The Secretary;
- (v) The Deputy Secretary;
- (vi) The Treasurer;
- (vii) Branch sectoral representatives; and

4.2.3 Terms of Office of the Branch Executive Committee (BEC):

- (i) The term of office shall be four (4) years.

4.2.4 Meetings of the Branch Executive Committee (BEC):

Ordinary Meetings

- (i) The Branch Executive Committee (BEC) shall meet at least bi-monthly or more frequently as required;
- (ii) The Branch Chairperson in consultation with the Branch Secretary will set the dates of the meetings and agree on the draft agenda. The draft agenda will be confirmed or amended or prioritized at the start of the meeting; and
- (iii) The documentation and resolution for such meetings will be circulated by the Branch Secretary at least five working days prior to the actual meeting date.

Special Meetings

- (j) The Branch Chairperson will convene a special meeting of the Branch Executive Committee (BEC) giving forty-eight (48) hours written notice and an agenda if:
 - a. The majority of members of Branch Executive Committee (BEC) call for such a special meeting; and
 - b. Majority of the Branch Executive Committees (BECs) with members in good standing, submit a written request for such a meeting indicating the purpose of such a meeting.

4.2.5 Quorum of the Branch Executive Committee (BEC) Meetings:

- (i) 50 + 1% of the BEC members present shall constitute a quorum; and
- (ii) In an instance that a quorum is not attained within forty-five (45) minutes of the schedule time of the meeting, the meeting shall be postponed to a fixed date and, should a quorum not be reached within forty-five (45) minutes of the scheduled time on the fixed date, the meeting shall proceed and its proceedings shall be competent under the Constitution.

4.2.6 Frequency of the Branch Executive Committee (BEC) Meetings:

- (i) The Branch Executive Committee (BEC) shall meet at least bi-monthly, excluding special meetings.

4.2.7 Functions and Duties of the Branch Executive Committee (BEC) members:

(j) The Branch Chairperson

- (a) Shall be the political head of SAACSO in the branch;
- (b) Shall be the chairperson of the Branch General Meeting (BGM);
- (c) Shall present the status report of SAACSO to the Branch General Meeting (BGM);
- (d) Shall make pronouncement for and on behalf of the Branch Executive Committee (BEC) in outlining and explaining Policies of SAACSO;
- (e) Shall preside over the meetings of the Branch Executive Committee (BEC) in conformity with the SAACSO Constitution and Rules of Procedure); and
- (f) Shall co-ordinate the political lobbying, advocacy and networking activities of SAACSO in the branch.

(ii) The Deputy Chairperson

- (a) Shall assist the Branch Chairperson in almost all the chairpersonship duties and functions; and
- (b) Shall deputise for the Branch Chairperson when necessary and carry out all the functions entrusted to him/her by the Branch Chairperson and/or the Branch Executive Committee (BEC).

(iii) The Branch Secretary

- (a) Shall be the political Chief Administrative Officer of SAACSO in the branch;
- (b) Shall record, keep and distribute the minutes of the Branch General Meeting (BGM), the Branch Executive Committee (BEC), as well as other records of SAACSO in the branch;
- (c) Shall conduct the correspondence of the Branch Executive Committee (BEC); and send out all notices of the Branch General Meeting (BGM), Branch Biennial General Meeting, conferences, summits, seminars, symposia, and other meetings to members of SAACSO in the branch;
- (d) Shall convey the decisions and mandates of the Branch General Meeting (BGM) and the Branch Executive Committee (BEC) to members of SAACSO in the branch, and see to it that all members carry out their duties and functions properly;
- (e) Shall prepare annual narrative reports on the work of the Branch Executive Committee (BEC); and other documents which may, from time to time, be required by the Branch Executive Committee (BEC); and
- (f) Shall in the absence of both the Branch Chairperson and the Branch Deputy Chairperson, assume the function of the Chairpersonship.

(iv) The Branch Deputy Secretary

- (a) Shall assist the Branch Secretary in almost all the Secretary functions and duties; and
- (b) Shall deputise for the Branch Secretary when necessary and carry out all functions entrusted to him/her by the Branch Chairperson and/or the Branch Executive Committee (BEC).

(v) **The Branch Treasurer**

- (a) Shall be the political Chief Financial Officer of SAACSO in the branch;
- (b) Shall ensure safe keeping of the financial records of SAACSO in the branch;
- (c) Shall submit to the Branch General Meeting (BGM) a report showing the Income and Expenditure Account and Balance Sheet of SAACSO; and shall submit periodic reports to the Branch Executive Committee (BEC); and
- (d) Shall be responsible to work and carry out the fundraising plans of SAACSO in the branch.

SECTION 5: Financial Procedures

5.1 General Provisions

- 5.1.1 All costs and expenses lawfully incurred by SAACSO in conjunction with and in furtherance of its objectives shall be paid by SAACSO out of the net income and donations received;
- 5.1.2 The National Executive Committee (NEC) shall be fully kept informed of the financial affairs of SAACSO, which records shall be audited annually and presented to the National Executive Committee (NEC) within three (3) months of the financial year end;
- 5.1.3 The accounting records shall be kept at a registered office of SAACSO or at such other place as may be determined by the National Executive Committee (NEC);
- 5.1.4 The National Executive Committee (NEC) shall from time to time determine whether and to what extent, at what times and place and under what conditions and circumstances or regulations the accounting record of SAACSO shall be made open members and/or structures, without compromising the principles accountability and transparency;
- 5.1.5 At least twenty-five percent (25%) of the net income of SAACSO shall be expended in the furtherance of its objectives, within a period of twelve (12) months from the end of the financial year during which it occurred;

- 5.1.6 SAACSO shall appoint a reputable firm of Auditors who shall audit the financial records each year and before the sitting of the National Council (NA);
- 5.1.7 All financial administrative issues shall be reflected in the Financial Policy of SAACSO;
- 5.1.8 All financial transactions of SAACSO shall be processed through a current account;
- 5.1.9 SAACSO shall be a body corporate capable of managing its assets and liabilities; and
- 5.1.10 The financial year of SAACSO shall be the first (1st) day of April, and the financial year end shall be the last day of March of every year.

5.2 Finance Committee

- (a) The Finance Committee (FinCom) shall be composed of:
 - (i) The Treasurer;
 - (ii) Executive Director; and
 - (iii) Two other members of the NEC.
- (b) The Finance Committee (FinCom) shall meet at least once a Month;
- (c) The Treasurer-General shall be the Chairperson of the Finance Committee (FinCom);
- (d) The Finance Committee (FinCom) shall report directly to the National Executive Committee (NEC) and shall:
 - (i) Assist the Treasurer-General in his/her duties and functions;
 - (ii) Prepare financial reports for the National Executive Committee (NEC);
 - (iii) Recommend amendments to financial policy;
 - (iv) Monitor SAACSO's accounts and query unusual expenditure;
 - (v) Make recommendations to the NEC regarding financial requests from Provinces;
 - (vi) Propose ways of making the Civil Society financially self-sufficient; and
 - (vii) Prepare SAACSO's annual budget.

5.3 Reporting

- (a) The Finance Committee (FinCom) shall prepare an Income and Expenditure report for each month to the NEC;
- (b) The Income and Expenditure report shall include a clear statement of any unbudgeted expenditure as well as over or under expenditure.
- (c) The financial report shall be accompanied with a narrative statement. A cash flow statement shall be provided for the next reporting period; and
- (d) All provincial structures and the national structure shall disclose the sources and amounts of funding raised as well as the programmes therefore.

5.4 Signatories

- (a) All cheques, promissory notes and other documents requiring signature on behalf of SAACSO shall be signed by the Treasurer-General and the President, and in the event of a refusal and/or failure of the President to sign such, by the Deputy President, together with the Treasurer-General;
- (b) In the event that the Treasurer-General's unavailability to sign the necessary negotiable instruments, then the National Executive Committee (NEC) may shall direct another person to sign on behalf of the Treasurer-General; and
- (c) At all relevant ties no negotiable instrument issued by SAACSO shall have any validity unless it was signed by two (2) signatories as authorised by this Constitution.

SECTION 6: Code of Conduct

- 6.1 The National Executive Committee (NEC) shall develop and enforce a national and uniform Code of Conduct to govern and regulate the ethical conduct of all SAACSO members;
- 6.2 The Code of Conduct shall be invoked by the National Executive Committee (NEC) across all structures of SAACSO; and

- 6.3 The National Executive Committee (NEC) shall develop a national Policy on Disciplinary Procedures in the enforcement of the Code of Conduct.

SECTION 7: Rules and Regulations

- 7.1 The National Executive Committee (NEC) shall be vested with powers to formulate and adopt rules and regulations necessary for the effective carrying out of the programmes and activities of SAACSO; and
- 7.2 Such rules and regulations shall be consistent with the constitutional norms of SAACSO, and shall be applicable across all the structures of the organisation;

SECTION 8: Amendments to the Constitution

- 8.1 Any provision of this Constitution shall be repealed or amended by two-third (2/3) majority vote at the National Assembly (NA).
- 8.2 Notice of intent to process any amendments of the Constitution shall be forwarded to the Secretary General, or a Constitutional Development Committee (CDC) duly formulated for that purpose, at least four (4) weeks before commencing of the National Assembly (NA);
- 8.3 Written notice to the National Assembly (NA) shall be given to each SAACSO structure not less than two (2) weeks prior to the National Assembly (NA); and
- 8.4 Such notice shall state:
- 8.4.1 The wording of the proposed amendment;
 - 8.4.2 The reason for proposal;
 - 8.4.3 The effect of the amendment, if passed; and
 - 8.4.4 Whether the proposed amendment may be passed as it stands or may be debated at the National Assembly (NA).

SECTION 9: Dissolution of SAACSO

- 9.1 SAACSO may be dissolved when at least two-third (2/3) majority members present and voting at the National Assembly (NA) convened for the purpose of considering such a matter, are in favour of dissolution;
- 9.2 Not less than twenty-one (21) days notice shall be given of such meeting and notice concerning the meeting shall clearly state the question of dissolution of SAACSO and disposal of its assets will be considered. In an instance where there is no quorum at such a National Assembly (NA), the meeting shall be adjourned for not less than one (1) week and the members attending such a meeting shall constitute a quorum;
- 9.3 Upon its winding-up, registered assets of SAACSO remaining after the satisfaction of all its liabilities shall be given or transferred to organisations and/or institutions that shall meet the following criteria:
 - 9.3.1 Be educational and/or charitable in nature;
 - 9.3.2 Be of a public character;
 - 9.3.3 Be of a nature that donation is not payable in respect of the value of any property which is disposed of under a donation of it;
 - 9.3.4 Have objectives similar to the ones of SAACSO;
 - 9.3.5 Be determined by members of SAACSO at or before the time of the dissolution or, failing such determination, by the Court; and
 - 9.3.6 Be situated in the republic of South Arica.

SECTION 10: Symbols of SAACSO

10.1 The Logo

- 10.1.1 Shall be characterised by the hands of the different races holding the map of the Republic of South Africa; and
- 10.1.2 The logo shall be used in all the documentation and memorabilia of SAACSO.

10.2 The Colours

10.2.1 The colours of SAACSO shall be:

- (i) Red;
- (ii) Blue;
- (iii) Black; and
- (iv) Green, etc

10.2.2 These colours shall symbolise:

- (i) White colour represents
- (ii) Blue colour represents
- (iii) Red colour represents
- (iv) Etc

10.3 The Anthem

10.3.1 SAACSO shall adopt the National Anthem of the Republic of South Africa (**with/out the Afrikaans & English versions**); and

10.3.2 The National Anthem shall be sung at all the gatherings of SAACSO.