

PROPERTY
LIFESTYLE
STOKVEL

DRAFT
CONSTITUTION



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Ndhlovu – 30/11/2016
Draft 1*





THE PROPERTY LIFESTYLE STOKVEL - CONSTITUTION

INTRODUCTION

- Property Lifestyle Stokvel was founded by oGatsheni Architectural and Engineering PTY (LTD), Property lifestyle Stokvel is a property association that is mandated to assist members in purchasing, acquiring land and making investments in property. The Stokvel - Association, is an autonomous structure of oGatsheni, the Stokvel will be administrated by oGatsheni Architectural & Engineering PTY (LTD) who shall see to the day to day operations, functioning and administering of the Stokvel-Association with the assistance of the w a structure that shall compromise of the Stokvel registered members who will be referred to as an Executive Board and/or National Property Working Committee. It is for the Stokvel - Association to promote and educate its members about property education, investment, wealth and economy.

PREAMBLE

- We, the Property Stokvel representatives here present firmly commit ourselves to a unified democratic South Africa, free of oppression and economic exploitation. We believe that this could only be achieved under the leadership of the association.

Tasks:

1. To acquire land and property
2. To give financial freedom in property investment and wealth
3. Organize the working class and businesses to purchase property, investments and controlled by their worker members through democratically elected committees.
4. To see members own land or property.
5. To uplift the previous disadvantage and excluded societies through land ownership
6. Distribution of wealth through property investment and wealth.
7. To provide property education, workshop and training.
8. Unify Stokvel/Associations members, under PROPPERTY LIFESTYLE STOKVEL's leadership...
9. Encourage democratic worker organization and leadership in all spheres of our society together with other progressive sectors of the community.
10. Reinforce and encourage progressive international worker contact and solidarity so as to assist one another in our struggles.
11. To make the Stokvel –Association self-sustainable.
12. To promote unity amongst members.

1 CHARACTER OF THE ASSOCIATION

1.1 Name

The name of the organization is the Property Lifestyle Stokvel shall also be referred as a PLS which is an Abbreviation of the Association name.

(PROPPERTY LIFESTYLE STOKVEL) hereinafter referred to as the "Stokvel-Association".

1.2 Legal status

- a) The Association is a Social Investment Club with a Stokvel Status

1.3 Structure

The Stokvel structure l(s) consists of the following structures -

- a) ***National Property Assembly (AGM)("NPA")***
- b) ***National Property Working Committee ("NPWC").***
- c) ***Administrator ("Overseer") ("oGatsheni Director/Rep')***
- d) ***Provincial Committee(PC)***
- e) ***Local Cluster/Category Leader ("Locals");***
- f) ***Local Committee ("LC")***

1.4 Aims and objectives

The aims and objectives of the Member are

- a) To builds properties
- b) Securing social and economic justice to members;
- c) Understanding how the economy of the country affects members and formulating clear policies on how the property economy should be restructured in the interests of the our members;
- d) Restructuring the property economy to allow the creation of wealth to be democratically controlled and its fruits shared among the members;
- e) Striving for just standards of living, social security and fair conditions of work for all;
- f) Advancing or opposing any law, action or policy of any authority or body affecting the interests of member in particular, or the working class in general;
- g) Facilitating and co-coordinating property education and training of all members so as to further the interests of the working class; and
- h) Conducting, co-coordinating and publishing research into matters affecting members in property;
- i) To build solidarity by:

- j) Creating a forum to achieve common goals and perform such actions as are necessary to achieve these goals;
- k) To manage finances and assets by:
- l) Raising and acquiring funds by affiliation fees or by any other legal means in-order to further these aims and objectives; and
- m) Purchasing, leasing, hiring or acquiring any movable and immovable property and rights which the Member may deem necessary; and
- n) To pursue any action which may be in the interests of the Member and its member and which are consistent with this Constitution.

1.5 Location of head office

- a) The Administrator decides on the location and address of the head office.

2 MEMBERSHIPS

2.1 Application

- a) Membership of the Property Stokvel shall be open to all South Africans above the age of 18 years with a stable income, irrespective of race, colour and creed, who accept its principles, policies and programmes and are prepared to abide by its Constitution and rules.
- b) That subscribes to the preamble; and conforms to the requirements of this Constitution.
- c) Stokvel/Associations intending to apply for membership must send to the Administrators
- d) The Stokvel/Association limits its membership to specified people;
- e) Partners have no voting rights in the Stokvel;
- f) A statement of membership setting out the number of members they have and where those members are organized; and
- g) A copy of its latest audited financial statements.
- h) Membership shall be granted to registered members of the Stokvel and to persons whose application for membership has been accepted, subject to review as aforesaid, and, in all cases, subject to payment of the prescribed subscription. An applicant shall be issued with an acknowledgement of provisional membership and the details of the Cluster and area in which the applicant resides and any available information.
- i) Provisional membership shall apply to persons who wish to join the Stokvel for the first time or who wish to re-join the organisation after a considerable lapse of time.
- j) Provisional membership rights commence from the date of production of acknowledgement following receipt of the application and the appropriate membership subscription. A provisional member shall have the right to attend cluster meetings only in a non-voting capacity.
- k) The following acts will be regarded as an abuse of Stokvel I rules, whether committed by individuals or groups:
 - 1. The payment of membership subscription of the Stokvel for persons or groups of persons who would otherwise be unwilling or unable to pay their own subscriptions;
 - 2. The offer of reduced rate membership to those known by the individual or group making the offer to be ineligible for that category of membership;
 - 3. The recruitment of members who do not reside at an address claimed, where this is done in order to manipulate cluster meetings or the outcome of Stokvel votes

2.2 RIGHTS AND DUTIES OF THE MEMBERS

2.1.1 Rights:

A member of the Stokvel- Association shall have the right to:

- a) Take a full and active part in the discussion, formulation and implementation of the policy of the Stokvel.
- b) Receive and impart information on all aspects of Stokvel policy and activities.
- c) Offer constructive criticism of any member, official, policy programme or activity of the Stokvel within its structures.

- d) Take part in elections and be elected or appointed to any committee, structure, commission or delegation of the Stokvel.
- e) Submit proposals or statements to the branch, province, region or NPWC, provided such proposals or statements are submitted through the appropriate structures.

2.2.1 Duties:

A member of the Stokvel shall:

- a) Belong to and take an active part in the life of his or her luster.
- b) Take all necessary steps to understand and carry out the aims, policy and programme of the Cluster.
- c) Explain the aims, policy and programme of the Stokvel to the people.
- d) Deepen his or her understanding of the social, cultural, political and property economic problems of the country.
- e) Observe discipline, behave honestly and carry out loyally decisions of the majority and decisions of the Administrator & higher bodies.
- f) h) Inform his or her cluster of movement to any other area and report to the cluster secretary on arriving at any new area.
- g) Refrain from publishing and/or distributing any media without authorization which purports to be the view of any organized grouping, faction or tendency within the Stokvel.

2.2 Decision making

- a) The Administrator has full and discretionary powers to concept an application for membership; or Reject an application for membership.
- b) If the National Property Working Committee is satisfied that the applicant complies with the entree requirements and resolves to admit the applicant it must direct the Stokvel/Association to –
- c) If the Administrator is not satisfied that the applicant complies with the entree requirements and resolves not to admit the applicant, then the applicant may appeal to the next
- d) National Congress (AGM)and this National Congress(AGM)must confirm or reverse the decision of the Administration/ National Executive.
- e) Notwithstanding the provisions of clause D the National Property Working Committee may determine the process by In so Doing the National Property Working Committee may determine
 1. the orientation programme;
 2. The period for which the applicant member should be orientated about them Stokvel, which may not exceed six months; and
 3. The process of evaluating the progress of the orientation programme;
 4. During the orientation period the applicant may choose to have observer or full participatory status.
 5. During the orientation programme the applicant must pay his/her fees.
 6. The National Property Working Committee may condone a member being more than six months in arrears with its membership fees to the Association –
 7. shows good cause to the National Property Working Committee for its failure to pay its affiliation fees; Brings an application for condonation to the National Property Working Committee before it is more than six months in arrears; and
 - f) enters into good faith discussions and arrangements with the Member to settle its outstanding fees.
 - g) Good cause referred to in clause __includes –

- h) Loss of 20% of members due to dismissals within a period of six months that demonstrably affects the members finances;
- i) . 50% of the members are engaged in six months protracted strike;
- j) Or
- k) The disaffiliation of the affiliate is likely to –
affect the affiliate by, for example, resulting in mass resignations of members;
- l) Substantially reduce the membership of the Member and materially affect its representatively; or
- m) Substantially prejudice the Member's financial position.
- n) if an affiliate is not in good standing, then the affiliate will have speaking rights, but no voting rights in any of the structures of the Member.

3. MEETINGS

3.1 Chair

- a. The Administrator/Chairperson must chair the meeting.
- b. If the Chair is absent then, the First Deputy President/Administrator or in his or her absence the Chairperson , or in their absence e the meeting may decide on a chair.

3.2 Agenda

- a. The meeting must follow the agenda unless the participants decide otherwise.
- b. Only the issues on the agenda may be debated, unless the meeting decides by resolution not to discuss a matter.

3.3 Debating a motion

3.3 The mover of a motion may speak for 10 minutes or for an additional 5 minutes if another member so proposes.

- a) Participants may speak for up to 5 minutes, unless the meeting decides that they may speak for longer.
- b) The mover of the motion has the right of reply for up to 5 minutes.
- c) No subject may be debated for longer than 1 hour unless a delegate proposes an extension of time which –.may not be debated; and is duly seconded and supported by a 2/3 majority.

3.4 Decision making

3.4.1 Except where otherwise provided in this Constitution the meeting makes a decision if:

- a) A motion is duly seconded; and
- b) The motion is carried if a simple majority of participants vote in favour thereof.
- c) A motion will lapse if it is not supported by a simple majority of participants.
- d) If there are equal votes in favour of and against a motion then the President-Administrator shall have a casting vote.
- e) At all meetings where there are more than 50 participants, votes must be counted by

3.4.2 Scrutinizers who –

- a) Must be appointed by the meeting; and
- b) No motion that has been debated and determined may be reopened or varied or rescinded at the same meeting.

3.5 Rulings

- a) The ruling of the chairperson is final.
- b) If any delegate refuses to obey the Chairperson's ruling a vote may be taken by the meeting to deem the member guilty of misconduct.
- c) If the meeting decides that the member is guilty of misconduct then –
- d) That member must withdraw from the meeting; and
- e) The meeting has the right to suspend that member for as long as the meeting deems fit.
- f) The provisions of this sub-section shall not apply:
- g) Where a duly seconded motion is moved to overrule or rescind the Administrators ruling; and
- h) The motion is carried by a majority of the members present.
- i) In the event of a motion being moved in terms of this subsection –
- j) The mover of such a motion is limited to making a statement in support of the motion; and
- k) The chairperson has a right to reply limited to 5 minutes in each case.

4 FINANCES

4.1 General

The funds of the Stokvel are made up of all monies received by means of affiliation fees, levies, donations, functions and by any other means within the framework of this Constitution.

4.2 Purpose of funds

- a) The funds of the Member must be applied solely in the mandated of purchasing property and investing and aims and objectives subject to the decision of **the National Property Assembly (AGM)**, NPWC or the Administrator
- b) Funds contributed for a specific purpose must be used for that purpose and no other except as otherwise decided by the Administrator.
- c) No profits or gains may be distributed to any person.

4.3 Banking Accounts

- a) The Treasure General/Administrator must deposit funds received into the Stokvels's bank account within 3 days of receipt.

12.2 No person may open a banking account in the name of the "Property Lifestyle Stokvel" or/and Trade in the Stokvel/Associations, "PROPPERTY LIFESTYLE STOKVEL" or any other similar name without –

- a) The explicit written authority of a resolution of the National Property Working Committee on an official Member letterhead signed by at least 3 EXECUTIVE BOARD Members and Administrator; and
- b) subsequent verbal confirmation to the bank or financial institution concerned by either the National Treasurer or Secretary General.

4.4 Member

- a. Member must pay a registration fee to the Stokvel which may increase annually.
- b. The Administrator together with the Executive Board, subject to the directives of the NPWC, determines the amount of the fee.
- c. Member must pay their fees in respect of each month on or before the 7th day of the following month.
A member that dismember or is expelled shall have no claim on the funds or assets of the sStokvel-Association

4.5 Financial Years

The financial year is from 1 January to 31 December.

4.6 Financial Committee

4.6.1 The financial Committee (FC) is composed of:

- a) Administrator
- b) The National Treasurer;
- c) National Secretary General;
- d) and 2 Members who have Financial Background

4.6.2 Finance committee members must meet at least every second month to.

4.6.3 The National General Treasurer is the chairperson of finance committee

12.6.4 Finance Committee reports directly to the National Property Working Committee and must be responsible for –

4.6.4.1. Assisting the National Treasurer;

4.6.4.2. Preparing financial reports for the EXECUTIVE BOARD's and Administrator;

4.6.4.3. Recommending amendments to financial policy;

4.6.4.4. Monitoring the Stokvel's Accounts and querying unusual expenditure;

4.6.4.5. Making recommendations to the National Property Working Committee regarding financial requests from member;

4.6.4.6. Proposing ways of making the Stokvel/Association self-sufficient; and

4.6.4.7. Preparatory work regarding the Stokvel/Association budget.

4.7 Reporting

- a. Finance Committee must prepare an income and expenditure report for each meeting of the Executive Board.
- b. This report must include a clear statement of any unbudgeted expenditure.

12.8 Signatories

- a. The National Property Working Committee must appoint the President/Administrator, First Deputy President/Administrator, Chairperson, Treasurer, General Secretary and a member from the finances committee signatories to the National Stokvel – Association Account

12.9 Banking Account.

- a. 12.9.1 Administration Fees shall be paid to oGatsheni Account, as the Administrator and Managing structure of the Stokvel day to day operations. And enhancing the effectiveness running of the office but no Premiums should be paid to the account.
- b. 12.9.2 Three signatories must authorize any cheque or payment(s)

5 NATIONAL PROPERTY WORKING COMMITTEE”

5.1 Purpose, powers and duties

- a) The **National Property Working Committee**("NPWC") must adopt general and specific policy measures by means of resolutions which further the aims and objectives of the Member.
- b) **The National Property Working Committee**("NPWC") considers and decides on –
- c) credential of members to the **National Property Assembly (AGM)**("NPA");
- d) The agenda;
- e) Reports from the Administrator;
- f) Reports from the Secretary, Subcommittee Chair of the Member;
- g) Reports of a financial nature National Property Assembly (AGM), namely audited financial statements;
- h) The nomination and election of the Association/Stokvel Executive;
- i) Amendments to the Member's Constitution; resolutions; and any other matter that may be deemed to be in the interest of the Member.

5.1.2 The NATIONAL PROPERTY ASSEMBLY makes decisions –

- a) On motions and resolutions which have been duly seconded;
- b) By simple majority vote unless otherwise provided in this Constitution.

5.2 Composition

5.2.1 ***The NATIONAL PROPERTY WORKING COMMITTEE -NPWC*** must be composed of the –

- a) President also the Administrator;
- b) First Deputy-President/Administrator;
- c) Chairperson;
- d) Treasurer;
- e) General Secretary;
- f) Deputy General Secretary;
- g) National Project and Events Officer
- h) Provincial Chairperson(s) and Local Leaders (Cluster Leaders)
- i) 3 x Additional Members

5.2.2 Each Provincial leader must inform the General Secretary of the Member in writing of the total number and the names of the members at least –

1. 3.2.3.1. one month before any ordinary congress; or
2. 3.2.3.2. one week before a special congress.

5.2.3 ***The National Property Working Committee***("NPWC") is entitled to request reasonable proof of the size of the membership on which Member has decided the size of their delegation.

5.3 Meetings

5.3.1 ***Ordinary National Property Assembly (AGM)***

National Property Assembly (AGM) shall ordinarily meet once a year.

- a) The Administrator in consultation with the National Property Working Committee decides on the date of the National Property Assembly(AGM).
- b) An agenda must be attached to the notice.

5.3.2 Special National Congress (AGM)

The President-Administrator must call a special ***National Property Assembly (AGM)*** if

- a) The National Property Working Committee passes a resolution calling for the meeting; or
- b) Not less than 1/3 of the member in good standing submit a written request to the Secretary General for the attention of the President-Administrator calling for the meeting.

5.3.3. If the President-Administrator fails to call a special ***National Property Assembly (AGM)*** then the National Property Working Committee is empowered to nominate a convener of the special ***National Property Assembly (AGM)***

5.3.4 The President/Administrator decides on the notice period, but not less than 14 days written notice must be given to each affiliate.

5.3.5 An agenda must be attached to the notice.

5.4 Quorum

5.4.1 The quorum for meetings of the **National Property Assembly (AGM)** must be at least 2/3 of the member in good

Standing provided that –

- a) Membership is 60%
- b) The majority of those are members; and the members are those who have had their names submitted to the General Secretary.
- c) If after 3 hours of the time fixed for the meeting, a quorum is not present, the meeting must stand adjourned to a time and place decided upon by the President/Administrator, provided that the meeting must be held within (1) month.
- d) The General Secretary must send written notice to member of the adjourned meeting.
- e) The members present at the adjourned meeting form a quorum.

5.5 A NATIONAL EXECUIVE BOARD

5.5.1 The Presidents and Administration Position is a lifetime position that shall not be contested as the president is the founder of the Stokvel-Association. The President and First Deputy President shall be members/Directors of oGatsheni Architectural & Engineering and they shall compose of the structure of the Stokvel- Association leadership.

5.5.1.1 President/Administrator;

5.5.1.2. First Deputy President/Administrator;

5.5 B. Election of EXECUTIVE BOARD

5.5.1 The **National Property Assembly (AGM) elects** people to the following National Office Bearers' ("EXECUTIVE BOARD's") positions from members

- a) Chairperson; and
- b) Secretary General; and
- c) Deputy Secretary General
- d) Treasurer General.
- e) National Projects and Events Officer
- f) 3 x Additional Members

5.5.2 The **NATIONAL PROPERTY ASSEMBLY (AGM)** - elects people to the following **EXECUTIVE BOARD's** positions:

5.5.3 Only members in good standing are eligible for election to the positions of; Chairperson General Secretary, Deputy Secretary and Treasurer.

5.5.4 Nominations for EXECUTIVE BOARD's positions have to be submitted to the Administrator/ or independent body appointed for the purpose of receiving such nominations.

5.5.5 Nominations for these positions must be duly seconded, and the **NATIONAL PROPERTY ASSEMBLY L (AGM)** - votes by secret ballot.

3.5.6 If only one candidate is nominated for a position, then no ballot is necessary and that candidate must be declared duly elected.

5.6 Period of office

The Executive Board holds office for a period of 3 years and thereafter until the next election.

5.7 Resolutions

5.7.1 Resolutions to be moved at a **NATIONAL PROPERTY ASSEMBLY L (AGM)** shall be submitted in writing and delivered to the General Secretary for circulation to affiliated Stokvel/Associations not less than thirty (30) days before the NATIONAL CONGRESS(AGM) is held, provided that the National Congress(AGM) shall have the right to consider special resolutions.

5.7.2 Unless otherwise provided herein, every matter for consideration by the **NATIONAL PROPERTY ASSEMBLY L (AGM)** shall be on motion duly seconded, and shall be decided by the majority of the members present.

5.8 General

5.8.1 The EXECUTIVE BOARD's shall hold their positions on the NPWC and EB.

5.8.2 The Administrator in consultation with NPWC determines the General Secretary and Administrators' Office personnel's remuneration and conditions of employment.

6. NATIONAL PROPERTY WORKING COMMITTEE – EXECUTIVE BOARD

6.1 Purpose, powers and duties

- a) The National Property Working Committee("NPWC") must adopt general and specific policy measures which further the aims and objects of the Member by means of resolution between meetings of ***National Property Assembly (AGM)***
- b) in particular, but without limiting the generality of this, the NPWC shall:
- c) Consider, process and/or determine- credentials of delegates;
- d) The agenda;
- e) Reports from Administrator;
- f) Reports from EXECUTIVE BOARD's;
- g) The nomination and election of acting EXECUTIVE BOARD's; and
- h) . Any other matter that may be deemed to be in the interest of the Member other than amending the constitution.

6..2 assess resolutions; implement resolutions that have been adopted and draft resolutions on urgent matters.

Composition

- a) The NPWC must be composed of the –
- b) . EXECUTIVE BOARD's;

6.3 Meetings

- a) The NPWC shall ordinarily meet at least once between ordinary meetings of the NATIONAL CONGRESS(AGM) and that meeting should take place in the year preceding the year in which the NATIONAL CONGRESS(AGM) will meet.
- b) The Administrator and EB decides on the date of the NPWC.
- c) Quorum
- d) The quorum for meetings of the NPWC must be at least 2/3 of the member in good standing

7 ADMINISTRATOR AND NATIONAL EXECUTIVE BOARD POWERS

7.1 Purpose, powers and duties

- a) The Administrator ("Overseer") with assistance of Executive Board manages the affairs of the Member Between meetings of the NATIONAL PROPERTY ASSEMBLY L (AGM) and NPWC and has such powers and duties which customarily vest in an executive body, which Includes in relation to -
- b) Policy -giving broad direction of National Congress(AGM) concerning organizational, property and educational issues within the Member;

7.1.2 Membership -

- a) Admitting or refusing to admit applications for membership to the Member;

7.1.3 Employment –

- a) Creating positions of employment within the Stokvel-Association ;
- b) Determining conditions of employment;
- c) Property, finances and the annual report –
- d) Approving the Member's budget;
- e) Determining budgetary guidelines;. Establishing and funding projects and activities in a **NATIONAL PROPERTY ASSEMBLY L (AGM)** with the aims and objects of the Member;
- f) Considering and approving the annual audited financial NATIONAL CONGRESS (AGM) – National Assembly statements
- g) **NATIONAL PROPERTY ASSEMBLY L (AGM)** - National Assembly balance sheet and annual report; and
- h) Submitting the documents referred to in sub-clause above to the **NATIONAL PROPERTY ASSEMBLY L (AGM)**
- i) Opening and operating a bank account in the name of the Stokvel into which all Premiums and Investments monies raised in the name of the Member shall be placed, and to administer such funds;
- j) acquiring, either by purchase, lease or otherwise, any movable or immovable property on behalf of the Member and selling, letting, mortgaging or otherwise dealing with or dispose of any movable property belonging to the Member; and
- k) Appointing auditors of the Stokvel- Association.

7.1.5 Structures –

- a) Establishing sub committees and determining their nature, membership and scope;
- b) Approving, rejecting or amending recommendations from sub committees of the Stokvel-Association; and. making regulations co **NATIONAL PROPERTY ASSEMBLY L (AGM)** concerning the composition, meetings, Executive board, Leadership and role of the locals

- c) Establishing or dissolving Province Committee, leadership, Cluster Leaders, Provincial General Meeting;
- d) Further delegating powers to the Province Committee (and Provincial General Meeting(AGM)

7.1.7 Leadership –

- a) Filling vacant **NATIONAL PROPERTY ASSEMBLY L (AGM)** in the positions of EXECUTIVE BOARD's; and
- b) Adopting or amending, a leadership Code of Conduct;

7.1.8 Legal

- a) authorizing legal or other assist NPWC to Stokvel in terms of the aims and objectives of the Stokvel; and
- b) . Instituting and/or defending legal proceedings in the name of the Member OR association,
- c) Appointing attorneys to act on behalf of the Member or Association and appointing any person to sign any document in connection therewith on behalf of the Member;

7.1.9 Miscellaneous

- a) Assisting the General Secretary in the exercise of his/her duties;
- b) Dealing with matters specially delegated to it by the NPWC;
- c) Referring decisions having major policy implications to the NPWC or NATIONAL CONGRESS (AGM).

7.2 Composition

- a) The National Property Working Committee must be composed of the -
- b) President/Administrator, Secretary General, Treasure General ;
- c) Chairperson and Provincially Secretary of each province e; and representatives from member such that there are Locals

7.3 Meetings

- a) Ordinary meetings
- b) The National Property Working Committee must meet at least four times a year.
- c) The Secretary General consults the Administrator and decides on the dates, and agenda for the meeting.
- d) The Secretary General notifies all members, not less than 21 days prior to date of the meeting.
- e) No meeting of the National Property Working Committee may be invalidated only because any member did not receive the notice and agenda.

Special meetings

- f) The NPWC or not less than 1/3 of the member on requisition, can request a special meeting of the NPWC.
- g) The General Secretary must give not less than 7 days' notice to the affiliate Stokvel/Associations of the special meeting.
- h) The meeting may only discuss those issues which necessitated the calling of this meeting.

7.4 Quorum

- a) The quorum must include representation by at least –
- b) Half of the member in good standing; and
- c) Half of the delegates who must be members of member.

- d) If after 2 hours of the time fixed for the meeting, a quorum is not present, the meeting must stand adjourned.
- e) The General Secretary must decide on a time and place, provided that the meeting must be called and held sometime between 14 to 21 days thereafter.
- f) The General Secretary must send written notice to member of the adjourned meeting.
- g) The members present at the adjourned meeting form a quorum.

7.5 Decision making

7.5 The meeting makes a decision if

- a) The motion is duly seconded; and
- b) A simple majority of people vote in favour thereof unless otherwise provided for in this Constitution.
- c) The decisions are made by show of hands or by ballot if the meeting so decides.
- d) If less than a simple majority vote in favour of a motion, or as otherwise provided for in this Constitution, then the motion lapses.
- e) If the National Property Working Committee cannot meet because of circumstances beyond its control, a decision can be made by way of a resolution signed by a simple majority of the member or as otherwise provided for in this Constitution.
- f) In case of Disputes the Administrator has the final say

8 NATIONAL EXECUTIVE BOARD “NEB”

8.1 The President-Administrator

8.1 The President is the head and chief directing officer of the Stokvel-Association and the leader of the house at a National Property Assembly. He or she shall:

- a. Shall hold this office with Pride and Dignity
- b. Present to the National Property Assembly a comprehensive statement of the state of the nation and the situation generally.
- c. Make pronouncements for and on behalf of the executive outlining and explaining the policy or attitude of the Stokvel on any question.
- d. Shall make decisions fit and within the best interest of the Stokvel.
- e. Shall have a Veto vote that he may use twice in a year if he/she sees fit.
- f. Preside over meetings of the Executive Board in conformity with the Constitution, by-laws and rules of procedure adopted by the NPWC.
- g. Under the overall supervision of the Executive Board, orient and direct the activities of the Stokvel.
- h. Shall Appoint his Deputy President and Administrational Staff
 1. Be an ex-officio member of the NPWC
 2. Appoints his/her Deputy and Administration staff as his prerogative

8.2.1 Deputy President/Administrator

The Deputy President shall assist the President, deputies for him or her when necessary and carry out whatever functions are entrusted to him or her by the National Conference, the President or the Executive Board. He or she shall be an ex-officio member of the NPWC

8.2.2. Acting President-Administrator

- a) The NPWC and National Property Working Committee appoints an Acting President/Administrator if the President/Administrator and both Deputy

President-Administrators are temporarily unable to exercise the powers and duties of the President/Administrator.

- a) The Acting President-Administrator holds office until –
- b) The President/Administrator or one of the Deputy President-Administrators are available; or

8.3 The Chairperson

The Chairperson has the following powers and duties -

- a) To preside over meetings of the **National Property Assembly** NPWC;
- b) To conduct the meetings a NPWC Cording to the provisions in this Constitution;
- c) To sign the minutes of meetings of the **NATIONAL PROPERTY ASSEMBLY and NPWC**
- d) To generally supervise the affairs of the Member between meetings of the **NATIONAL PROPERTY ASSEMBLY (AGM)** and the Administrator in conjunction with other Executive Board Members.

- e) Remain the custodian of the decisions taken by the National Conference and ensure that all organs of the Stokvel-Association implement these decisions and operate within the parameters of policy set out by Conference.
- f) Carry out such additional tasks as the Conference or Executive Board may instruct.
- g) Be an ex-officio member of the NPWC.

**** In the absence or incapacity of the National Chairperson, the President shall assume his or her functions.**

8.4 Secretary General

The Secretary General is responsible for -

- a) the keeping of books and a NPW Counts as may be required by the EB; corresponded and notices Including –
- b) tabling correspondence where necessary, at National Property Working Committee meetings;
- c) sending out notices and minutes of all meetings of the NATIONAL CONGRESS(AGM), NPWC, National Property Working Committee and other related committees and sub-committees;

Reports Including

- d) .he circulation of the auditor's report to the Executive Board;
- e) general co-ordination and supervision including –
- f) office work and administration of the affairs and activities of the Member;
- g) and
- h) the supervision of staff and the Provincial Secretaries,
- i) Other duties including tasks issued by the **National Property Assembly (AGM), NPWC and EB.**
- j) Prepare annual reports on the work of the Executive Board and the NPWC and such other documents which may, from time to time, be required by the Administrator, Executive Board and the NPWC.
- k) In the absence of the President or the Deputy President, the Secretary General shall assume the functions of the President.
- l) All departments, save those falling directly under the President, shall report on their activities to the Secretary General.
- m) Be an ex-officio member of the NPWC.

8.5 Deputy Secretary General

- a) The Deputy General Secretary is responsible for performing the functions and duties as Contemplated in sub clause 9.4above –

8.6 Treasurer

The Treasurer is responsible for –

- a) to preside over meetings of the Finance
- b) the supervision of the financial affairs of the Member; and
- c) such other duties as may reasonably require by the NATIONAL CONGRESS(AGM), NPWC or the Executive Board.

Receive and bank all monies on behalf of the EB and shall, together with Administrator any two members of the EB, operate a banking account.

8.7 National Projects and Events Officer

- a) To organize and coordinate meeting venue in consultation of Secretary General
- b) To facilitate events and organize
- c) To host national and provincial and local events
- d) To have a programme of activities
- e) To see to the plan of action
- f) Organize seminars, training and workshop
- g) Liaison with events companies and create network

8.8 Additional Members

- a) To assist Executive Board and NPWC deemed fit or on the request authorized by the Administrator/Chairperson

8.9 Removal of officials

8.9.1 The National Property Working Committee may suspend or dismiss the Secretary General , Chairperson or any member of the Executive board, Provincial or Locals except of the President and his/her Deputy, if in the opinion of the National Property Working Committee the official

- a) has committed misconduct;
- b) has neglected his / her duties;
- c) has acted in a manner detrimental to the Stokvel; or
- d) Has acted in a manner which conflicts with this Constitution.
- e) Bring the Stokvel in disrepute.

8.9.2 The **National Property Working Committee or the National Property Assembly(AGM)** may suspend or dismiss the General Secretary or any other official except President –Administrator and his/hers Deputy. Only the President may remove his/her Deputy.

- a) For any other reason deemed sufficient.
- b) The official has the right to appeal to NATIONAL PROPERTY ASSEMBLYS (AGM).
- c) (AGM).
- d) The Secretary General and Deputy Secretary General may resign on 3 months' notice to The Administrator and or to the National Property Working Committee

- e) The National Property Working Committee may terminate the services of the General Secretary or Deputy General Secretary on 3 months' notice for reasons other than those warranting instant dismissal.
- f) The notice period of other officials are determined by their terms and conditions of employment.
- g) The National Property Working Committee may appoint a General Secretary or Deputy General Secretary in an acting capacity, until the election of a person to this position at the NATIONAL PROPERTY ASSEMBLYS (AGM).

9. STANDING ORDERS AND RULES OF PROCEDURE AT MEMBER

9.1 Removal of National Office Bearers

9.1, Chairperson, Secretary General, Deputy and Treasurer must vacate their seats during their term of office if –

They cease to be a member of the Leadership ;

- a) special NATIONAL PROPERTY ASSEMBLYS (AGM).so decides by resolution; or
- b) if a majority of the National Property Working Committee so decides by resolution.

9.2 The National Property Working Committee must fill vacancies from nominations which have been duly seconded in terms of the constitution

10. PROVINCIAL COMMITTEE

10.1 Powers and duties provincial

10.1.1 The Provincial Committee ("Pc") is a subordinate body to the NWPC:

The National Property Working Committee may

- a) designate powers to the PC;
- b) Confirm, amend or reverse its decisions;
- c) Limits its powers and duties by way of resolution.

10.1.32 The Provincial Committee must –

- a) Implement decisions of the Administrator **National Congress – National Assembly (AGM)** and NPWC
- b) Carry out the aims and objects of the Member with regard to the organization of workers in the Province;
- c) Facilitate and encourage co-operation between members in the Province;
- d) examine Provincial problems and co-ordinate activities and campaigns to address such problems;
- e) Consider reports of activities of member in the Province Meeting; and
- f) .Elect a Provincial Chairperson, Deputy Chairperson, and Secretary.

10.2 Composition

10.2.1 The PC must be composed of the –

- a) Provincial Chairperson;
- b) Secretary; and
- c) Deputy Chairperson (*if membership is greater than 60 members*)
- d) Each affiliate in good standing with the Member which has a cluster

10.3 Meetings

The PC must meet at least once before Provincial General Meeting –

- a) Convenes this General Meeting; and
- b) Must send written notice on thirty (30) days to all MEMBERS in the province.
- c) The PC may convene a Special Provincial General Meeting on fourteen days written notice.
- d) The notice must include the agenda for the meeting as well as the date, time and venue.

10.4 Quorum

10.4.1 The quorum for meetings of the PC must be at least 2/3 of the member in good standing

Provided that

- a) each member is represented by at least 1/3 of its delegates;
- b) the majority of those delegates are members of their Stokvel/Association; and
- c) The members are those who have had their names submitted to the **Provincial Secretary**.
- d) If after three (3) hours there is no quorum, the meeting must stand adjourned for seven (7) days.
- e) The Provincial Secretary must send notice of the adjourned meeting to the member.
- f) The members present at the adjourned meeting form a quorum.

10.5 Provincial Executive Members

10.5.1 PC elects the people to the following Provincial Committee Members positions

- a) Chairperson;
- b) Deputy Chairperson;
- c) Secretary.

10.5.2 PC elects the Office Bearers at least every three (3) years.

10.5.3 The position of the provincial Secretary is subject to the CEC's powers to ratify the Election and to determine the terms and conditions of employment.

10.5.4 The positions of other full time or part time officials are subject to:

- a) Ratification by the Administrator;
- b) The Administrator's powers to ratify and determine the terms and conditions of employment. NPA

10.5.6 The election, removal from office and powers and duties of Administrator apply to the PC's with the necessary change in context.

10.5.7 Only members of member in good standing may stand for election to the positions of Chairperson, Deputy-Chairperson and Secretary.

10.5.8 The PC must liaise with their national counterparts and keep them informed about the affairs of the Province.

11 PROVINCIAL GENERAL MEETING - EXECUTIVE COMMITTEE

11.1 Purpose, powers and duties

- a) The PC manages the affairs of the Clusters between meetings of the PC.
- b) The PC must carry out the resolutions, instructions or requests of the Administrator
NATIONALPROPERTY ASSEMBLY (AGM) & NPWC**
- c) If there is a conflict between a resolutions, instructions or requests of the PC and the Administrator; then the PC must be bound by the National Property Working Committee subject to confirmation by the National Congress (AGM).

11.1.2 The PC must

- a) consider any matter submitted by an member;
- b) endeavor to settle disputes between members in the Stokvel;
- c) approve monthly financial statements by PCM's;

11.2 Composition

The PC must be composed of -

- a) The Members of the Provincial General Meeting (AGM) who are the Members of the PC.
- b) Provincial leaders from each cluster in the Provincial General Meeting such that there are –

11.3Meetings

11.3.1. Ordinary meetings

- a) The PC meets every two months.
- b) The PC meeting at the end of each calendar year confirms the dates for the PC meetings of the next year as in the national year planner.

The PC may change these dates –

- a) on good cause;
- b) With the prior consent of the majority of member; and
- c) The Provincial Secretary must give members at least 14 days' notice of the change.
- d) The Provincial Secretary must send to the PC at least 10 days before the meeting is due to take place

Notice of the meeting;

- a) The agenda;
- b) Minutes of the previous meetings and any other relevant documentation.

11.4 Quorum

- a) The quorum for meetings of the PC must be at least 2/3 of the member in good
- b) Standing provided that –
- c) If after one (1) hour there is no quorum, the meeting must stand adjourned for seven (7) days.
- d) The Provincial Secretary must send notice of the adjourned meeting to the member.
- e) The members present at the adjourned meeting form a quorum.

12 LOCALS – CLUSTER LEADERS

The Provincial Congress must aim to establish Local/ Cluster Leader which consist of all members of in that locality.

12.1.1 Each Local Committee ("LC") must be composed of –

- a) Chairperson
- b) Secretary

12.2 Meetings

- a) The LC must meet at least once a month or on the second month
- b) Each Local must decide on its meeting days, times and venue

12.3 Local Office Bearers

12.3.1 The Local Cluster elects the following officemembers to manage the affairs of the Local:

- a) Chairperson;
- b) Secretary.

12.3.2 The Local hold office for a period of 3 years and thereafter until the next election.

12.4 Powers and Duties The LOCAL COMMITTEE LOCALS CLUSTER LEADERS must –

12.4.1 Ensure the smooth running of the Stokvel/Association Local structures;

12.4.2 deal with any issue referred to it by the PC for decision or recommendation;

12.4.3 Raise the level of understanding of the Member policies amongst all members in the area where the Local operates;

12.4.4 Implement decisions of the Member;

12.4.5 Co-ordinate the activities of the Member with in the Local;

12.4.6 Appoint sub-committees;

12.4.7 Nominate member/s to attend PC meetings specifically to represent the interests of members in the Local; and nominate member/s to attend particular meetings, if instructed to do so by the PC.

13 RESIGNATIONS AND DISCIPLINE OF AN MEMBER

13.1 Resignation

- a) An member may Withdraw from the Leadership by giving to the National Property Working Committee–
- b) 3 months written notice; and its reasons for resigning.

13.1.2 The National Property Working Committee may waive the notice period.

13.2 Suspension or expulsion

13.2.1 The **NATIONALPROPERTY ASSEMBLY (AGM)** or the National Property Working Committee may suspend or expel a member for –

- a) Acting against the interests of the Stokvel and bringing the Club into Disrepute;
- b) Failing to attend more than 2 consecutive meetings of the National Property Working Committee without an apology acceptable to the Administrator or Chairperson ; or
- c) Failing to pay its membership fees.
- d) Bringing the Stokvel – Association into disrepute
- e) No such suspension or expulsion shall have effect unless the National Property Working Committee–
- f) has notified the affiliate in writing of the reasons for the suspension or expulsion; and
- g) Has granted the member permission to present its case to the NPWC.

13.3 Appeal

- a) The member must give notice **NATIONALPROPERTY ASSEMBLY (AGM)** and the decision of the **NATIONALPROPERTY ASSEMBLY (AGM)** is final and binding.
- b) Where the decision to suspend or expel is made by the **NATIONAL PROPERTY ASSEMBLY (AGM)** such decision shall be final and binding.

13.4 Financial and legal consequences

- a) Member who Withdraws or are expelled have no claim on the assets of the Stokvel - Association.
- b) The National Property Working Committees empowered to recover all monies owing by the member to the Stokvel -Association.

14 DISSOLUTION

- a. The Member may be dissolved by a resolution of the **NATIONAL CONGRESS (AGM)** supported by not less than $\frac{3}{4}$ together with the administrator and oGatsheni Directors of the meeting.
- b. The **NATIONAL CONGRESS (AGM)** must appoint a liquidator to wind up the affairs of the Member.
- c. The liquidator must take the necessary steps to liquidate the debts of the Member from its available funds and any other monies realized from any assets of the Member.
- d. The liquidator's fees and expenses must rank in order of preference -
 1. As though he/ she were a trustee of an insolvent estate; and
 2. As though the expenses were the costs of an insolvent estate.
- e. After the liquidator has paid the debts and if there are any remaining assets these assets shall be given or transferred to members -
 1. in good standing; and
 2. in proportion to subscriptions paid by them in respect of the 12 months Immediately preceding the date of the decision to dissolve the Member.

16 AMENDMENTS TO THE CONSTITUTION

- a) The Constitution may be repealed or amended by the **NATIONALPROPERTY ASSEMBLY (AGM)** A notice of the proposed amendment must be sent to the Secretary General and Administrator

The Secretary General must:

1. Circulate the notice to all member and members of the NATIONAL CONGRESS (AGM)
2. Include the proposed amendment on the next agenda.
3. A 70% majority of the **NATIONALPROPERTY ASSEMBLY (AGM)** must agree to the resolution to repeal or amend the Constitution.

17 INTERPRETATIONS

If there is any doubt as to the interpretation of any provision of this Constitution then -

- a) The Administrator and/or National Property Working Committee may make an interim ruling;
- b) The **NATIONALPROPERTY ASSEMBLY (AGM)** by majority vote, must make the final ruling.

18 DEFINITIONS

1. **Member – A** means - a member that has been admitted to membership of the Member in terms of Clause 2(2) and which is not more than six (6) months in arrears. Member is also – A "member" means a person, other than an official, who pays membership dues to an affiliate and is in good standing as prescribed by that affiliate's constitution.
2. **Members in good standing** – An "member in good standing" means an member which is not more than three months in arrears in affiliation fees to the Member.
3. **Member**– A "member" means a person representing an cluster on any committee or at any meeting of the Member. Such delegate shall be a member or an official of the members represented.
4. **Administer:** Is the Overseer of the Stokvel- Association and the founder of the Stokvel-Association / must be a Director or Representative of oGatsheni
5. **Executive Board**– means the President/Administrator, Deputy –President-Administrator, Second Deputy President/Administrator, Treasurer, Secretary General and Deputy I Secretary-general
6. **Office-Bearer** – An "office-bearer" means a person, other than an official, unless expressly allowed for in this constitution, which holds office in the Member nationally, regionally as specified in this Constitution.
7. **Stokvel/Association** – "Stokvel/Association" means, without limiting the ordinary meaning thereof, any organization member which:
 - a. has a constitution approved by the general membership; and
 - b) is controlled by its members through an elected committee of worker members;
 - c) is involved in achieving the Aims and Objects of the Member.
 - d) Identifies with and is committed to the principles set out in the preamble to this Constitution
8. **National Property Assembly**- Is a Congress or Conference with the gathering of all Association Members