



BATHO PELE MOVEMENT

**INTERIM
CONSTITUTION**

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PREAMBLE

Batho Pele Movement was founded in 2021 with a fundamental goal to make Batho Pele principles work for the people through service delivery.

Batho Pele Principles were initially introduced as a political initiative by South Africa's first democratic President, Nelson Mandela's administration on 01 October 1997. The aim of this initiative was to get public servants to be service orientated, strive for excellence in service delivery and commit to continuous service delivery improvement.

Since October 1997, the aim and objective of the Batho Pele set of principles has not been reached. This leaves the people that they were meant to serve at a disadvantage and with little hope for the future.

The South African political space is one riddled with internal party politics and corruption, this takes the focus away from the core mandate, which is to put "People First". We therefore have resolved to stay away from party politics and corruption and practice Batho Pele principles in conjunction with our values in order to bring the true meaning of democracy to the People – Batho – Abantu.

We will establish a political culture that promotes transparency, accountability and economic development.

Democracy is government of the people, by the people and for the people.

DEFINITIONS

In this constitution, unless a different meaning appears from the context, the following words have the meanings ascribed to them:

“The Party” – Batho Pele Movement (BPM)

“BPM” – Batho Pele Movement

“NEC” – National Executive Committee of the Party

“Effective Member”- An individual who has been a member of the Party in good standing for 30 days or longer.

“Emancipation”- Liberate, free from restrictions, controlling influence and bondage.

“Vulnerable Groups”- Those that experience a higher risk of poverty and exclusion when compared to other people in society.

“Factionalism” – Individuals within political party that share common political purpose that differs from the rest of the Party.

“Core Mandate”- What the main focus of the Party is.

“Impartial”- Not favouring one side more than the other.

“Impediment” –

“Quorum”- The minimum number of members that must be present at a meeting to make meeting proceedings valid.

ARTICLE 1: ORGANISATIONAL IDENTITY

1.1 THE NAME

- 1.1.1. The name of the Party is Batho Pele Movement (hereinafter referred to as “BPM” or where appropriate “the Party”).
- 1.1.2. Batho Pele is a Sesotho / Setswana phrase that translates to “People First”.

1.2 THE LOGO

- 1.1.3. The colours of BPM are purple, orange, black and white.
- 1.1.4. The logo is described in detail in annexure 1 of this document.

1.3 HEADQUARTERS

- 1.1.5. The headquarters of the Party will be in the Eastern Cape province and will have other offices as determined by the NEC and Provincial Co-ordinators.

1.4 LEGAL PERSONALITY

- 1.4.1 The Party is a body corporate with perpetual succession.
- 1.4.2 The Party is capable of suing and being sued in its own name and it may own, purchase, sell, hire, lease, mortgage, pledge or in any other way acquire, alienate or deal with movable and immovable property and may perform all legal activities authorized by this Constitution as well as legal activities normally associated with a body corporate.
- 1.4.3 The NEC is the only body that may act on behalf of the Party and legally bind the Party in all matters.
- 1.4.4 The Chairperson of the NEC, or any person duly authorised, in writing, by the National Leader may act on behalf of the Party in all legal matters by or against the Party.
- 1.4.5 All monies received and collected on behalf of the Party will vest in the Party.
- 1.4.6 Income and assets of the Party are not distributable to members and/or office bearers except as reasonable compensation, approved by the NEC.

ARTICLE 2: THE CHARACTER AND CULTURE OF BPM

- 2.1 BPM is a people-centred, non-racial and non-sexist democratic liberation movement that has been established to drive the service delivery vehicle through Batho Pele principles.
- 2.2 BPM contests elections as a nationally registered political party.
- 2.3 BPM in its composition and functioning shall be democratic, non-racial and non-sexist as it is against any form of discrimination.
- 2.4 BPM will support the emancipation of vulnerable groups and ensure that their voices are heard and are represented at levels within the organisation.
- 2.5 BPM is against all forms of violence and does not believe in the use of violence as means to attain political, social, economic or religious objectives.
- 2.6 BPM considers democracy as a core value, to the extent that its policies are determined by community representatives and the leadership is accountable to the people in line with this constitution.
- 2.7 BPM firmly believes in freedom of speech, freedom of expression and free circulation of ideas within the movement.
- 2.8 BPM recognises and respects the diversity of its members.
- 2.9 BPM is against all forms of factionalism, rumour mongering, slander and character assassination.
- 2.10 BPM shall cooperate closely with religious bodies in the country and shall recognise the spiritual needs of its members who are believers.

ARTICLE 3: ORGANISATIONAL VALUES

3.1. CORE VALUES

BPM has 4 core values that are the fundamental beliefs, ideals and practices that will shape the character and conduct of the Party and its representatives for the benefit of the people.

These values are interdependent, meaning that it is only in combination that the core mandate of putting “People First” can be achieved.

These 4 core values are Accountability, Responsibility, Respect and Diversity.

3.1 Accountability, we aim to:

3.1.1 Establish and maintain a high standard of professionalism and ethics in public service.

3.1.2 Value honesty, transparency and always strive to act in the best interests of the public.

3.1.3 Account to the public with regards to how we utilise public funds.

3.2 Responsibility, we aim to:

3.1.4 Educate people to become action-oriented and take responsibility for what happens within their communities.

3.1.5 Educate people to be responsible citizens that take care of the infrastructure within their communities.

3.1.6 Ensure that public servants are accountable and committed to the communities they serve.

3.1.7 Ensure that public servants fulfil their assigned duties and stay true to the core mandate of the Party in line with this constitution.

3.3 Respect, we aim to:

3.1.8 Honour the rights, dignity, democracy, gender equality, the rule of law and the diversity of the people.

3.1.9 Recognise the people as electors and employers of public representatives.

3.1.10 Ensure that the rights and freedoms of all people are respected.

3.1.11 Treat those marginalized by poverty, social status, gender or disability the same way as others.

3.4 Diversity

The Archbishop Desmond Tutu coined the term “Rainbow Nation” to describe post-apartheid South Africa. It is a metaphor used to denote the coming together of all different people who live in South Africa regardless of race, ethnic or social origin, gender, sexual orientation, age, disability, religion, culture or language.

3.4.1 We will respect, protect and promote the people of our country as a unit.

3.4.2 We will enshrine the rights of the diverse people of our country and affirm the democratic values of human dignity, equality and liberation.

3.5 ADDITIONAL VALUES

3.5.1 Active Citizenry

3.5.1.1 We will encourage citizens to be involved in government decisions in order to make public participation meaningful.

3.5.1.2 We will encourage inclusivity where everyone regardless of position, status, creed or race, has a sense of belonging and an equal chance to exercise their rights.

3.5.1.3 We will empower citizens to exercise their right to access government services and all other activities and programmes that are aimed at bettering their lives.

3.5.1.4 We will empower citizens by initiating and supporting activities that will bring economic and social opportunities to the them.

3.5.1.5 We will be agents of positive change in our respective communities.

3.5.2 Poverty eradication

3.5.1.6 The Covid-19 pandemic has caused major damage to our economy and more people have found themselves part of the unemployment rate statistics. Our policies are aimed at resuscitating the ability of the people to actively participate in the economy.

3.5.1.7 We will initiate and support activities that are aimed at improving access to quality education and programmes that empower entrepreneurial development, so that people do not solely depend on social grants for income.

3.5.1.8 We have a duty to make sure that poverty alleviation funds, activities and programmes reach the people that they are meant for.

3.5.3 Good Governance

- 3.5.3.1 To value principles of good governance, transparency and accountability.
- 3.5.3.2 To encourage efficient use of resources in order to meet the needs of the people.
- 3.5.3.3 To Uphold policies that bring to life the aspirations of our country's Constitution and bring improvement to the livelihoods of the people.
- 3.5.3.4 To facilitate a clean, accountable public service which upholds the Constitution of the country.
- 3.5.3.5 To strengthen Chapter 9 institutions by ensuring their independence and impartiality in exercising their powers.
- 3.5.3.6 To provide services efficiently, in an excellent manner to our communities.

3.5.4 Rule of Law

- 3.5.4.1 To strengthen an impartial legal system that protects the human rights and civil liberties of all South Africans particularly vulnerable groups.
- 3.5.4.2 To Recognise that all citizens are subject to the Constitution and all are equal before the law.
- 3.5.4.3 Corruption has undermined the democracy of our people and has been a major impediment to their development, therefore those charged with corruption should be dealt with according to the law.
- 3.5.4.4 To empower Law Enforcement Agencies in order to ensure that all criminals are put behind bars and that gender-based-violence is eradicated.
- 3.5.4.5 To support and initiate corrective mechanisms for restoring the rule of law.
- 3.5.4.6 Illegal and undocumented immigrants' laws should be enforced in order to protect the economy.

ARTICLE 4: PARTY FORMATION

The Party will operate with the National Executive Committee, a Political Authority Wing and an Administrative Authority wing.

4.1. NATIONAL EXECUTIVE COMMITTEE

The National Executive Committee will be composed as follows:

- 4.1.1 National Leader
- 4.1.2 National Chairperson
- 4.1.3 Deputy National Chairperson
- 4.1.4 Secretary General
- 4.1.5 National Treasurer

FUNCTIONS OF THE NATIONAL EXECUTIVE COMMITTEE

- a) Formulate and implement current programmes of the Party within the framework of Party policy and ensure that provinces, municipalities, regions, sub-regions and branches and all other party structures carry out the decisions of the party.
- b) To ensure that all party structures function democratically and effectively.
- c) To receive reports, supervise the work of and delegate functions to other party structures as it deems fit.
- d) Monitor, control and give guidance to all elected Party officers holding public positions.
- e) Receive reports from the administrative wing of the Party in connection with their portfolios.
- f) Review party programmes relating to membership recruitment.
- g) Review advocacy programmes e.g. rallies, processions, public gatherings.
- h) Discuss framework of Party activities and review the progress of Party programmes.

4.1.1 NATIONAL LEADER

The National leader will be the political head, Chief Principal Officer and Principal Public Representative of the Party and the leader of all activities of the organisation.

4.1.1.1 DUTIES OF THE NATIONAL LEADER

- a) To uphold and defend the constitution and values of the Party.
- b) To ensure that the Administrative Authority wing of the Party functions in line with this Constitution, Party values and fulfils the duties assigned to it.
- c) To promote principles of democratic discourse, participation and equality of all members within the Party.
- d) Will supervise all office bearers in the structures and on reasonable grounds may suspend any member or representative of the Party and report to the NEC.
- e) Is the spokesperson of the Party on major issues and is the custodian of the Party name and logo.
- f) Under the overall supervision of the NEC, will orientate and direct the activities of the Party.
- g) Has a meaningful and decisive role to play in the selection of candidates for the Party.

4.1.2 NATIONAL CHAIRPERSON

4.1.2.1 DUTIES OF THE NATIONAL CHAIRPERSON

- a) To perform the duties of the Leader in the event that the leader is unable to.
- b) To assist the Leader in the exercise of his/ /her powers, functions, and duties as provided for in this constitution.
- c) To be overall overseer of the general health and state of the Party.
- d) To be the overall overseer of the implementation of the policies and decisions adopted at National Conference.
- e) To be the principal overseer and office responsible for conflict avoidance, management and resolution of conflicts between Party Officers and within Party structures.
- f) To monitor and oversee that all internal Party elections are conducted as defined in this constitution and that each election is in line with the values and policies of the Party.
- g) To oversee the general conduct of all elected officials and to ensure that resources distributed to constituencies are accounted for and administered in line with this constitution, values and policies of the Party.
- h) Presides over and chairs all national gatherings and meetings of the Party.
- i) To engage with external stakeholders and fraternal organisations as delegated by the National Leader and/or NEC.

- j) To convene any meeting whether ordinary or extraordinary.

4.1.3 DEPUTY NATIONAL CHAIRPERSON

4.1.3.1 DUTIES OF THE DEPUTY NATIONAL CHAIRPERSON

- a) To act on behalf of the National Chairperson whenever he / she is absent or is unable to perform his / her duties.
- b) To perform functions assigned to him / her by the National Chairperson, the NEC or the Leader.

4.1.4 SECRETARY GENERAL

Is the chief administrative officer of the political wing of the Party.

4.1.4.1 DUTIES OF SECRETARY GENERAL

- a) Communicates the decisions of national structures to the rest of the structures in the organisation including all communication regarding conferences and national meetings.
- b) Under the authority and supervision of the Leader and the NEC, organise NEC meetings, National Conference and ensure that minutes of these meetings are recorded and kept secure.
- c) Perform functions and duties as assigned to him / her within the provisions of this constitution by the Leader or the NEC, in the performance of these duties shall be accountable to the Leader.

4.1.5 NATIONAL TREASURER

Is the custodian of all Party assets, funds and monies, is the Chief Fundraiser of the Party and is responsible for the oversight of the financial management of the Party. The oversight must be conducted in accordance with the financial policies of the Party, as determined by the NEC.

4.1.5.1 DUTIES OF NATIONAL TREASURER

- a) Under the supervision of the Leader and in consultation with the NEC, open and operate the Party bank account along with two nominated members of the NEC.
- b) Keep and maintain financial records reporting and audit purposes.
- c) Prepare and present the annual budget to the NEC.
- d) Prepare periodic income and expenditure statements, annual and other budgets of the Party for presentation to the NEC.

- e) Head the Financial department of the Party.
- f) Co-ordinate and supervise fundraising activities of the Party.
- g) Perform functions and exercise powers as may be assigned to him / her by the Leader and generally in the performance of his duties will be accountable to the Leader.

4.3 THE POLITICAL AUTHORITY WING

The Political wing of the Party will be composed of coordinators at national, provincial, regional, sub-regional and branch level headed by the Political Head.

The political authority wing of the Party will be composed as follows:

- 4.2.1 Provincial Coordinator
- 4.2.2 Regional Coordinator
- 4.2.3 Sub regional Coordinator
- 4.2.4 Branch Coordinator

FUNCTIONS OF POLITICAL AUTHORITY WING

At National level the Party must establish the NEC as stipulated in this Constitution.

At Provincial level the Party must establish a provincial conference for every contested province in South Africa and establish coordinators as per Party Constitution.

Branches are the basic organisational structures of the Party and every member of the Party must be a member of a branch where he or she exercises the rights and privileges of being a member through the branch and elected representatives.

4.2.1 PROVINCIAL CO-ORDINATOR

4.3.4.1 FORMATION

Provinces will be divided into 9 Provinces as per the country's geographical division.

4.2.1.2 DUTIES OF THE PROVINCIAL COORDINATOR

- a) To build the Party, maintain its reputation and ensure that organisational commitments are furthered within the Province.
- b) To manage and coordinate Provincial Party activities.
- c) To organise elections of Regional Coordinators and where necessary organise ward and branch elections.

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- d) To oversee the establishment, functionality, compliance and the work of Regions, Sub-regions and Branches within the province.
- e) To implement values and policies of the Party within the province, subject to the NEC's supervision.
- f) To carry out all functions and duties as assigned by the NEC and this constitution.

4.2.2 REGIONAL CO-ORDINATORS

4.2.2.1 FORMATION

Each province will have a number of regions which will be determined by the NEC together with the Provincial Coordinator.

4.2.2.2 FUNCTIONS OF REGIONAL COORDINATORS

- a) Regions will be demarcated alongside district or metropolitan municipalities, or on any demarcation as decided by the NEC and the Provincial Co-ordinator.
- b) Regions must convene a regional people's conference annually and elect Sub-region and Branch co-ordinators to carry out the work of the Party within the region.
- c) Regions must guide and monitor the establishment of all coordinators at Sub-regional level.
- d) Shall meet at least once every two (2) months in regional general meeting or as determined by the Provincial co-ordinator and the NEC.

4.2.4 BRANCH CO-ORDINATORS

4.2.4.1 FORMATION

- a) Will consist of a minimum of 50 members provided not more than five branches will be established in one ward without the permission of the Province and the NEC.
- b) No member will be a member of more than one branch.
- c) **A branch will be dissolved if:**
 - i. Its membership drops below 50 for a period of six months
 - ii. It is decided by majority vote at a meeting of which 14 days' notice has been given to all branch members.

4.2.4.2 FUNCTIONS OF BRANCH CO-ORDINATORS

- a) To meet as soon as possible after its election and allocate functions and duties among themselves.
- b) To elect ward community representatives.
- c) To carry out the work of the Party in their areas in line with the Party Constitution and policies within their areas.
- d) Report on their work to their respective Regional Co-ordinators.
- e) To engage in activities aimed at growing the Party in line with the Party Constitution and policies.
- f) To manage membership in their respective areas.
- g) Every member of the party shall belong to a Branch, which is the basic structure of the organization.
- h) A Branch will consist of a minimum of 50 members.
- i) Will meet at least once every month in a branch general meeting.
- j) The quorum for a Branch Meeting including Annual Branch meetings or any other branch meetings where nominations for elections take place or decisions are being taken, shall be 50% (fifty per cent) plus 1 (one) of the total paid-up members of the Party in that branch.

4.3 ADMINISTRATIVE AUTHORITY WING (to be appointed by the NEC)

This wing will head the administrative and implementing authority of the Party.

The administrative wing will be composed as follows:

- 4.3.1 Chief Operations Officer
- 4.3.2 Communications Manager
- 4.3.3 Financial Manager
- 4.3.4 Director of Policy

FUNCTIONS OF ADMINISTRATIVE AUTHORITY WING

- a) To implement the administrative decisions of the NEC
- b) To recommend party policies and programmes to the NEC.
- c) To formulate and implement the current
- d) Recruit and terminate contracts of employees.

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- e) Submit reports to the NEC.
- f) Establish departments and set up committees with the approval of the NEC.
- g) To maintain bank accounts and books of accounts and keep an asset register of Party assets.
- h) Maintain accurate registers of all Party members
- i) Keep and maintain all important Party documents, papers, contract and records.

4.3.1 CHIEF OPERATIONS OFFICER

4.3.1.1 DUTIES OF CHIEF OPERATIONS OFFICER:

- a) Attend to administrative issues including asset register maintenance, acquisition and disposal of properties
- b) Provide administrative leadership in the Party.
- c) To report directly to the Leader of the Party.

4.3.2 COMMUNICATIONS MANAGER

4.3.2.1 DUTIES OF COMMUNICATIONS MANAGER:

- a) Develop, co-ordinate and supervise the communication and media strategies of the Party.
- b) Ensure that party policies are adequately communicated and explained to the public.
- c) Prepare press releases and advertisement materials of the Party
- d) To perform any other duties delegated by the NEC or the Leader.

4.3.3 FINANCIAL MANAGER

4.3.3.1 DUTIES OF FINANCIAL MANAGER:

- a) Prepare party budgets.
- b) Prepare and recommend all budgets, Party revenue and expenditure schedules.
- c) Prepare financial reports for NEC meetings through the National Treasurer.
- d) Prepare financial statements and records of the Party.
- e) Prepare the annual budget of the Party.
- f) To prepare investment strategies for the Party.
- g) Is responsible for fundraising for the Party.

4.3.4 DIRECTOR OF POLICY

4.3.4.1 DUTIES OF DIRECTOR OF POLICY:

- a) To oversee research for and on behalf of the Party in all matters concerning Party policy.
- b) To ensure that the Party has updated policies at all times.
- c) To ensure that policies are well co-ordinated and aligned to each other
- d) To ensure that party policies are disseminated and publicized.
- e) Develop the manifesto and any other such document of the Party.

ARTICLE 5: OPERATIONAL FRAMEWORK

5.1 NOMINATION AND SELECTION

- 5.1.1 The NEC must adopt regulations for the nomination, selection and appointment of candidates.
- 5.1.2 Regulations for the nomination and selection of candidates for the National Assembly must provide for a national list and may also provide for provincial lists.
- 5.1.3 Any member of the Party wishing to make themselves available for election or appointment as any office-bearer in any structure in the Party or as a public representative, must be an effective member of the Party. Only the NEC, with approval of the National Leader can deviate from this.

5.2 VOTING PROCESS

- 5.2.1 Voting at all meetings held within the structures of the Party is done by a show of hands, unless a secret ballot is required by the person presiding or by at least 50% + 1 of the members present.
- 5.2.2 Decisions at all meetings are taken by a majority of members present and voting.
- 5.2.3 A tele-conference shall only be regarded as a meeting if a quorum of the participants is present and if notice of such a tele-conference has been given to the members.
- 5.2.4 The presiding officer at a meeting has a casting vote, only if they are a member of that Body.

5.2.5 The Ballots for office bearers' election must be kept by the Party for at least 30 days, except in circumstances where an appeal has been lodged, the ballots will be kept until the appeal has been disposed of.

5.2.6 Objections to the outcome of the office bearers' elections must be lodged within 48 hours after the announcement of results.

5.3 PARTY CODE OF CONDUCT

Annexure 2 attached herewith is the Party Code of Conduct.

ARTICLE 6: MEMBERSHIP

6.1.1 INDIVIDUAL MEMBERSHIP

- a) South African citizens or permanent residents who are 16 years of age and above may apply to become members of the Party through the administrative procedures set out by the party.
- b) A branch will grant membership to an applicant but may in appropriate circumstances issue an applicant with provisional membership.
- c) Membership cards will be issued immediately to individuals who have followed the correct administrative procedures subject to payment of the prescribed membership fee.
- d) All persons who take membership agree to abide by the Constitution and any other binding document of the Party by virtue.
- e) All persons who take membership agree to adhere to the rules and regulations set out by and within the structures of the Party by virtue.
- f) All persons can apply for membership any time of the year. Membership will be valid for a period of a year from the date that a complete application is received.
- g) Membership becomes effective 30 days from the date a complete application was received. A complete application consists of the necessary forms, supporting documents and the annual subscription payment.
- h) Once membership becomes effective, members are eligible to serve within the structures of the Party unless their membership has been terminated or is in pending status.
- i) Once membership becomes effective, members have a right to vote at all meetings for the period of a year.
- j) Membership will be officially audited from the 1st January of the year annually. The governing body may request a membership audit when they deem it necessary.

- k) Members who renew membership when their membership has expired will be subject to the 30 days before their membership becomes effective again if their membership date lapsed more than 30 days. If their membership lapsed within 30 days, they will be subject to a 7-day period before their membership becomes effective.
- l) Only an effective member of the Party may stand for election into the structures of the Party.
- m) Any applicant whose application for membership has been rejected, reserves the right to appeal to the NEC, whose decision shall be final.

6.1.2 PROVISIONAL MEMBERSHIP

- a) Any person wishing to re-join the party after a lapse of time may be granted provisional membership only, this means that they may attend meetings but will not be eligible vote, hold any party position or stand for election on any party structure.
- b) Provisional membership rights commence from the date a provisional membership card is issued to the applicant.
- c) Provisional membership shall not exceed a period of 12 months

6.1.3 ASSOCIATE MEMBERSHIP

- a) Professional associations, cooperative societies, churches and other civic organisations which subscribe to the party's values and accept this constitution are eligible for associate membership of the Party.
- b) Application for Associate Membership shall be made to the NEC through the Secretary General.
- c) Associate members will pay an annual fee and an associate member who has not paid the prescribed membership fee by the fixed date shall not have standing in the Party.
- d) The NEC may refuse to grant associate membership to any applicant.
- e) The NEC may cancel associate membership if it deems the Associate Member no longer eligible or the Associate Member has objectives or activities that bring the Party to disrepute or are inconsistent with this constitution or any other binding document of the Party.

- f) Associate Members will participate in all Party meetings and programmes but will not have the right to vote.
- g) Will not be represented in any meeting by a person who belongs to another political Party.

6.2 MEMBER OBLIGATIONS AND DUTIES

- 6.2.1 To accept and conform to this constitution, Party policies, Party values and Party rules and regulations.
- 6.2.2 To conduct oneself in a manner that is not prejudicial to the interests of the Party.
- 6.2.3 To pay membership fee as determined by the Party.
- 6.2.4 To promote and defend the vision, values, objectives and policies of the Party.
- 6.2.5 To register as a voter, vote for and support the Party during elections.
- 6.2.6 To take an active part in local branch activities.
- 6.2.7 To take all the necessary steps to understand the identity, culture, policies and programmes of the Party.
- 6.2.8 To observe discipline, not engage in any forms of violence, behave honestly and carry out loyal decisions of the Party.
- 6.2.9 To stand for genuine democratic change, the rule of law, equal rights and justice in South Africa.
- 6.2.10 Failure to uphold the member duties enlisted in this constitution may result in disciplinary action being taken against the member.

6.2.11 Every individual Party member has the right to:

- a) Vote in Party elections
- b) Stand for and if elected hold any office in the Party in line with this constitution.
- c) Participate in all meetings and programmes of the Party, provided that they are effective members of the Party.

6.3 TERMINATION, REFUSAL AND SUSPENSION OF MEMBERSHIP

- 6.3.1 Termination, refusal of membership, suspension and re-admission of membership will be at the discretion of the NEC.
- 6.3.2 In the event that a member is found guilty of misconduct and the panel recommends the termination of that member's membership, that membership may only be terminated by the NEC, after a disciplinary hearing.

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- 6.3.3 The NEC may suspend a member of the Party from any or all of the Party's activities, pending the institution or finalisation of an investigation and/or a disciplinary hearing into their conduct.
- 6.3.4 A member of the Party's membership will be suspended if that member is under investigation by the SAPS, relevant Party structure or any law enforcement agency, pending the outcome of that investigation.
- 6.3.5 Membership will cease if a member of the Party:
 - 6.3.6 Joins another political party (termination will be automatic under this circumstance).
 - 6.3.7 Sends written notice of resignation to the relevant Party structure.
- 6.3.8 A member is expelled from membership in accordance with the provisions of this constitution or if two-thirds majority of the NEC members agree that the member's continued membership is detrimental to the Party in any manner or form. The NEC will inform the member of the consideration in writing and the member will have an opportunity to respond before the NEC takes the final decision.

ARTICLE 7: CONFERENCES

7.1 NATIONAL CONFERENCE

7.1.1 THE FUNCTIONS AND POWERS OF THE NATIONAL CONFERENCE

- a) To supervise the implementation of policies, values and programmes of the Party.
- b) To approve the audited financial statements of the Party and appoint or re-appoint auditors.
- c) To repeal or amend the constitution.
- d) The National Conference is the highest decision-making body of the party convened by the NEC every 24 to 36 months or as decided by the NEC.
- e) The programme and Constitution of the Party will be determined and decided at this event.
- f) The NEC will have the right and power to review, ratify, alter or rescind any decision taken by any structure or official of the Party.

- g) The composition of the National Conference, all of whom possessing voting rights, will consist of:**
- i. All members of the National Executive Committee
 - ii. Provincial Coordinators of all the Provinces.
 - iii. Elected members delegated from regional structures
 - iv. Elected members delegated from branch structures
 - v. The National Conference shall elect the NEC and 4 additional members.
- h) Have the power to elect or appoint any commission or committee and assign specific tasks and duties to such commission or committee.
- i) Shall be tasked with the review and adoption of all of the Party's policies.
- j) Receive reports by Policy Head on national Party policies.
- k) Review progress of the Party between Conferences.
- l) A notice convening the conference shall be sent to all attendees by the Secretary General at least two months before the date of the conference.
- m) A notice convening the conference shall be published once in a newspaper, thirty days before the conference.

ARTICLE 8: DISCIPLINARY PROCEDURES

8.1 The NEC will receive a complaint and evaluate the matter.

8.2 Should the NEC decide that the matter or dispute needs to proceed to a hearing, they will appoint a panel that will set a date to hear the matter and advise the involved parties of the set date.

8.3 On the set date, they will hear and receive evidence, hear arguments from both parties and reach consensus and make a recommendation to the NEC to decide on.

ARTICLE 9: FOUNDING NATIONAL LEADER

The Founding National Leader is the Chief Principal Officer of the Party and is ultimately accountable for the vision, strategy, commissions and omissions of the Party and will have the final say on all Party matters.

9.1 Because the Party is being launched within a running election year and for the sake of logistical decision making, there will be no challenges to any positions held within Party structures and formation.

ARTICLE 10: GENERAL

10.1 Should a vacancy occur in any structure of the Party by reason of death, resignation or expulsion, the relevant structure will have the power of co-opting another Party member into the vacant position until a meeting is held to elect a replacement.

10.2 Any Party representative or individual who holds a position within the Party shall be relieved of their duties if they fail to attend three consecutive meetings of the relevant structure without following the relevant reporting procedures.

10.3 The quorum for all meetings where nominations for elections take place or decisions are being taken, shall be 50% (fifty per cent) plus 1 (one) of the total members that are eligible to vote.

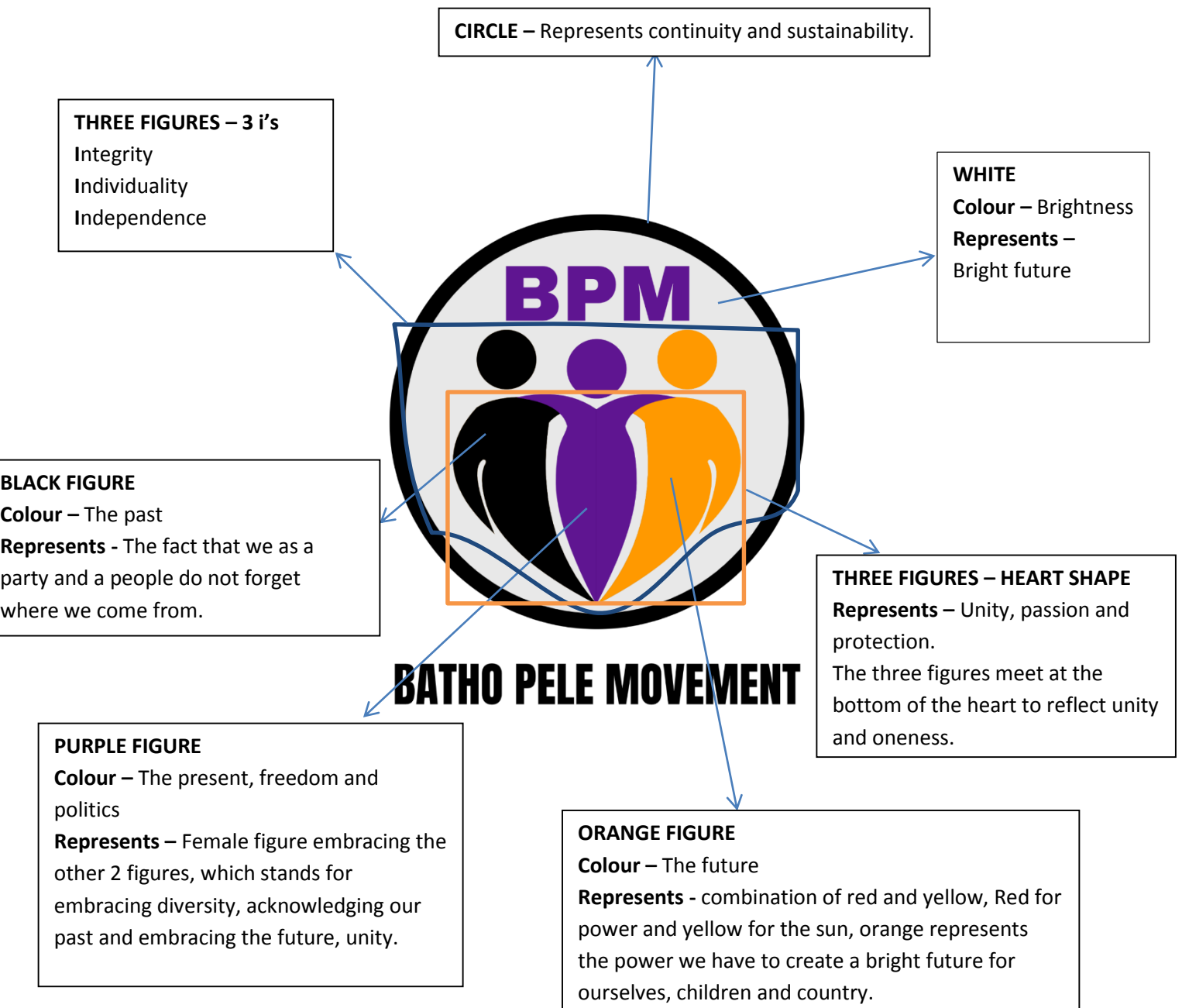
ARTICLE 11: AMENDMENTS, OVERSIGHTS AND OMISSIONS

11.1 This Constitution will be amended by way of a majority of votes at a sitting of the National Conference. Any amendments would necessitate a threshold of two-thirds of voting members of the National Conference delegates.

11.2 Before the post 2021 election National Conference, any and all aspects of this Constitution may be amended by the NEC.

11.3 In any place where the requirements of this constitution cannot be satisfied because of an omission, oversight or procedural problem, the NEC will have the power to make arrangements in line with this constitution and seek approval for such at the next National Conference.

ANNEXURE 1: PARTY LOGO



ANNEXURE 2

BATHO PELE MOVEMENT (BPM)

SOLEMN DECLARATION

I _____ of _____ belonging to the _____ branch in _____ do hereby solemnly declare that:

1. I have exercised my constitutional right to join Batho Pele Movement and therefore agree and accept to be bound by its constitution and pledge my allegiance to BPM, the Party constitution, values and policies as well as the Constitution of the country.
2. I will serve faithfully and diligently, with loyalty to BPM and the people of South Africa.
3. I will pursue the goals of attaining peaceful, democratic change in my country and subsequent transformation of my country.
4. I will abide by the values and code of conduct of the Party and will not partake in any violence, theft, corruption, rumour mongering or nay other activity inconsistent with BPM membership.
5. I will always defend, protect and respect the protection of human rights, democratic freedoms and the rule of law.
6. I will oppose and never practice violence, factionalism, clannism, sexism, tribalism and any other form of discrimination.
7. I will be transparent in my business transactions and never allow my personal interest to prevail over public interest.
8. I will accommodate criticism and observe the core values and additional values of the Party.
9. As a representative of the Party, I will pay the 10% compulsory monthly tithes as per this declaration, I further agree that failure to comply for two consecutive

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months' will lead to the Party dismissing me from my position without following a disciplinary process.

10. I agree that if I am elected as a public representative and I receive a salary, 100% of my first salary will be donated to the Party in one portion or I will make an arrangement to pay it in monthly instalments within the first three months of my appointment, concurrent with my compulsory monthly tithes.

11. I hereby irrevocably agree that this pledge of commitment constitutes a binding legal contract between myself and the Party. I further agree that in the event that I breach this declaration, Party constitution, Code of conduct or any other binding document of the Party, I will obey any notice from the NEC requiring me to vacate any position that I was placed into by the Party or members thereof.

12. In the event that I am expelled from the Party, I will obey any notice from the NEC requiring me to vacate any position that I was placed into by the Party or members thereof.

Full Names: _____

Date: _____

Signature: _____

ANNEXURE 3:

BATHO PELE MOVEMENT (BPM)

PARTY CODE OF CONDUCT

This code will apply as a binding document to all members, staff and public representatives of BPM.

OBJECTIVES OF PARTY CODE OF CONDUCT

1. To regulate the conduct of all officials holding public office.
2. To set and determine standards for the elected, appointed and deployed officials holding office.
3. To make all BPM officials accountable to ethical and moral standards in line with the values of the Party and ensure that the people are put at the centre of their conduct and operations.
4. To maintain public confidence and trust in the integrity of elected or appointed representatives of BPM.
5. To maintain the respect and confidence that society places on the elected or appointed representatives of BPM.
6. To foster consensus among elected officials of BPM by establishing common rules.
7. To provide means by which questions relating to proper conduct may be answered.

All elected, appointed or deployed representatives of BPM are expected to:

1. Uphold the BPM Constitution and be loyal to the Party values.
2. Not accept any gift or favour on behalf of BPM that may reasonably be seen to compromise their personal judgement or integrity, pose a conflict of interest, might give the appearance of an attempt to corruptly influence the member in the exercise of his / her duties or bring the Party into disrepute.
3. Be objective in carrying out public business and make choices on the basis of merit.
4. Promote and sustain Party values by leadership and by example and serve the Party in an unbiased and impartial manner and promote the unity and well-being of the Party.

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5. Not promote any matter, vote, bill, resolution or ask any questions in return for payment or favour.
6. Commit themselves through timely service to the development of the Party and continually endeavour to create confidence in the Party.
7. Stay true to the core mandate of the Party in line with this constitution.
8. Perform their duties in good faith, with honesty and transparency and endeavour to act in the best interests of the Party at all times.
9. Submit to the right of the Party to terminate their membership, to remove them from office in any executive or legislative sphere of government or office within the Party, or to be moved to a position deemed to be suitable by the Party, on the grounds of incapacity owing to poor performance and/or ill health, which includes but is not limited to incompetence and/or inefficiency and/or incapacity, in terms of the processes and procedures prescribed by the NEC.
10. To act in a way that does not compromise the credibility and integrity of the Party or brings the party into disrepute.
11. To not make disparaging remarks about the Party or its elected leadership with the intention of bringing the Party or its leadership into disrepute.
12. To disseminate only information that is in line with the Constitution and Policies of the Party.

An ordinary member, member of staff or public representative shall be guilty of misconduct if they:

1. Publicly oppose or repeatedly oppose the Party's policies or principles.
2. Deliberately acts in a way that negatively impacts the Party.
3. Are found guilty of any criminal offence by a court of law.
4. Brings the Party to disrepute in any manner.
5. Fail to carry out their duties.
6. Sexually harass any other person.
7. Misappropriate any funds of the Party.
8. Contravene the Party's policies in any manner.

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9. Put their interests above those of the Party and/or community that they represent.
10. Discriminate against any person on the basis of race, gender, pregnancy, social status, marital status, sexual orientation, age, disability, religion, beliefs, culture, language and birth.
11. Make false allegations of any form against the Party or any person.
12. No member of the Party, staff or public representative shall take any bribes, improper benefit, profit or advantage due to their capacity as a member, staff or public representative.

I _____, individually agree to abide by the values, rules and obligations of this Code of Conduct.

Signed: _____

Dated: _____