

MOVE THE CONSTITUTION

NAME:

1. The platform shall be registered as **MOVE** and it shall also be known by itsname **MOVE***(hereinafter referred to as the platform)*.

The name of the party is the **MOVE** (hereinafter referred to as 'the platform').

The MOVE / platform will register for and take part in the elections and political activities in the local, provincial as well as national spheres of government in the Republic of South Africa.

2. The Executive Committee of the platform (hereinafter the 'EC') may from time to time designate an alternate Registered or National Office.

AIMS:

3. The Republic of South Africa became a democracy on 27 April 1994 when the first fully representative democratic election was held. A lot has been achieved in addressing the structural inequalities embedded in our country through apartheid.

Notwithstanding this progress, there is still the / a considerable need for representative leadership and good governance. Leaders must be able to operate on the ideals of a trustee form of leadership where they represent the interests of those that have entrusted them in office with their votes. Therefore, leaders must be able to operate as independents that are accountable to the voters that have elected them.

MOVE is committed to ensuring a representative democracy where leaders espouse the interests of those that have elected them and are accountable to the electorate first.

We seek to build bridges for South Africans to walk across regardless of their background, creed, religion or ethnicity. If one has a meaningful contribution to make, there must be an engagement in this regard.

MOVE seeks to be as accessible as possible to represent the interests of South Africans. **MOVE** seeks to reimagine political culture by prioritizing servant leadership.

We will build a patriotic South Africa that is that is innovative, competitive, just and equitable, sustainable, forward-thinking, and employed and which advances social, economic and spatial justice.

OBJECTIVES:

4. To achieve these objectives **MOVE** shall:
 - 4.1. Maintain its registration as a political party under the laws of the Republic of South Africa;
 - 4.2. adhere to and promote the values contained in the Constitution of the Republic of South Africa;
 - 4.3. promote the values of **servant leadership, diligence and dedication** and to give life to these values in our communities;
 - 5.3 champion the **socio-economic rights** of all South Africans; and
 - 5.4 to **inspire active citizenry**.

I removed a comment of Mr DJ Manthosi where he remarked that the numbering of the document requires attention.

MOVE VALUES:

Our Members and Supporters subscribe to the following MOVE values:

- 6.1 **Servant Leadership:**
Politicians must fulfil their role as servants of the people. Remembering the call to altruism involved with answering the call.
- 6.2 **Diligence:**
Doing our best to be steady, earnest, and energetic in our efforts to serve
- 6.3 **Dedication:**
Demonstrating our unwavering commitment to bettering South Africa.

STATUS, LEGAL PERSONALITY AND POWERS

7. The platform is a body corporate and shall be capable of suing and being sued.
8. The platform 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 authorised by this Constitution as well as legal activities normally associated with a body corporate.
9. The Platform shall only be legally bound in the exercise of its competencies set out in this Constitution by a person or persons authorized in advance, in writing, by the President of the Executive Committee or a person or Platform formation delegated by him or her in writing.
10. The Executive Committee represented by the President of the

Executive Committee, carrying the mandate of the Executive Committee, may act on behalf of and legally bind the Platform in all matters. He or she may authorise in writing another member of the Platform to act on the Party's behalf in all legal proceedings by and against the Platform.

11. No other member or formation of the Platform may act on behalf of and legally bind the Platform. Any person or persons who purport to do so in contravention of the provisions of this Constitution, shall be personally liable therefor, and such decision or action shall be considered misconduct.
12. The President of the Executive Committee or someone authorised by him or her in writing represents the Platform in all legal proceedings by or against the Platform.
13. All monies and goods received and collected in the name of the Platform vest in the Platform itself.
14. Income and assets of the Platform are not distributable to members or office bearers, except as reasonable compensation for services rendered.
15. The President may nominate a delegate to act on it's behalf in all litigation and take steps and do all things as he/she may deem necessary in this regard.
16. The abovementioned authority may be delegated to any member of the platform or legal representative in writing.

POLICY

7. Subject to Clause 11, the highest policy making body shall be the National Conference in session.

PARTY LEADERSHIP & DECISION MAKING

8. The platform has been established as **MOVE** in January 2023
 - 8.1. The platform intends to contest for seats in the 2024 National and Provincial Government elections and this Constitution shall be the platform's first constitution, subject to amendment at the first National Conference of the platform.
 - 11.2 An inaugural Executive Committee will be established amongst the platform's initial members.
 - 11.3 The Executive Committee (EC) will comprise:
 - 11.3.1 President**

- 11.3.2 (a) The President of the PLATFORM is the head of the structure and is known as the President of the PLATFORM.
- 11.3.3 (b) The President: –
- 11.3.4 ensures and oversees the execution and implementation of PLATFORM responsibilities, programmes and activities;
- 11.3.5 convenes and presides over all meetings of the PLATFORM and its Executive Committee;
- 11.3.6 may attend, and, address all meetings of committees, governance structures, sub-committees, sub-councils and other bodies and organizations under the authority of or affiliated with the PLATFORM and communicate the views of the PLATFORM to such committees, governance structures, sub-committees, sub-councils and other bodies and organizations; and
- 11.3.7 is responsible for maintaining sound relations with the media, persons and bodies outside the University: Provided that the President may delegate this responsibility to the Spokesperson.
- 11.3.8 (c) During any period of absence of the President or inability to perform his/her duties for whatever reason, the Deputy President acts as President.
- 11.3.9 (d) During any period of absence of the President and Deputy President or inability to perform their duties for whatever reason, the PLATFORM Secretary General acts as President.
- 11.3.10 Deputy President**
- 11.3.11 The Deputy President: (a) diligently deputises for the President and assists and supports the President in executing his/her responsibilities, powers, duties and functions and fulfils any such functions and duties as may from time to time be assigned to him/her by the PLATFORM or the Executive Committee of the PLATFORM; and
- 11.3.12 (b) is responsible for seeing to it that the constitution of a structure under the authority of the PLATFORM is tabled at a PLATFORM meeting after the constitution has been referred to
- 11.3.13 Secretary-General**
- 11.3.14 The PLATFORM Secretary is the administrative officer of the PLATFORM and: –
- 11.3.15 (a) co-ordinates the day-to-day management of operations and activities of the PLATFORM;
- 11.3.16 (b) acts as the secretary of PLATFORM meetings and is responsible for performing and regulating minute taking of all PLATFORM and Executive Committee of the PLATFORM meetings including the distribution of agendas and minutes and the communication of decisions and for co-ordinating the maintenance of the archives of the PLATFORM;
- 11.3.17**

- Deputy Secretary**
- 11.3.18 Assists and supports the PLATFORM Secretary in executing his/her responsibilities, powers, duties and functions as well as any such functions and duties that may from time to time be assigned to him/her by the PLATFORM or the Executive Committee of the PLATFORM.
- 11.3.19 Treasurer-General**
- 11.3.20 (a) The PLATFORM Treasurer is responsible for open and transparent financial administration of the PLATFORM in accordance with the financial policies, policy documents, rules and regulations of the Platform and is accountable to the relevant Platform
- 11.3.21 administration is to include: –
- 11.3.22 budgetary responsibilities in keeping with the approved PLATFORM plan of action,
- 11.3.23 recording and controlling of all financial transactions,
- 11.3.24 allocation of funds to structures entitled thereto in accordance with the approved budget, after consulting the relevant structure. The Treasurer must thereafter release a public statement on the rationale use for the allocation of funds,
- 11.3.25 the raising of funds whenever necessary in accordance with Platform policy and regulations in this regard, and
- 11.3.26 financial reporting.
- 11.3.27 National Organizer shall:**
- 11.3.28 Ensure that all structures of the platform implement the political programmes;
- 11.3.29 Assist in platform development and growth;
- 11.3.30 Drives the process of organizational development;
- 11.3.31 Report possible threats to the President
- 11.3.32 Manage the platform membership database;
- 11.3.33 Identify and develop target areas for growth
- 11.3.34 Assess and verify platform structures;
- 11.3.35 Assess growth of the platform;
- 11.3.36 Supervise Provincial committees, if any;
- 11.3.37 Arrange program of visits to all Provinces for the President;
- 11.3.38 Assist in the development of digital structures
- 11.3.39 Prepare regular reports for the EC.

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- 12.2.1
- 12.2.2 National Policy Officer**
- 12.2.3 Collect, organize and disseminate policy issues to different Members and supporters;
- 12.2.4 Work closely with national researchers to establish new policy and verify existing policy;
- 12.2.5 Compile policy booklet for distribution to members and supporters;
- 12.2.6 Organize and oversee policy workshops
- 12.2.7 Ensure that Party policies are implemented in National, Provincial and Local governments

- 12.2.8 Spokesperson**
12.2.9 Subject to all relevant legislation, of this Constitution is responsible for overseeing all print and electronic media statements that fall within the mandate of the PLATFORM.
- 12.2.10 Engages the media on issues relation to the platform in the absence of the President
- 12.2.11 Executive Committee Member**
12.2.12 Assists in overseeing the daily implementation of Executive policies and making sure that the Executive is establishing and maintaining MOVE governance practices
- 12.2.13

- 12.3 The EC shall have all the powers and functions required to give effect to this Constitution and to achieve the aims and objectives of the platform.
- 12.4 The EC shall have the powers to establish interim provincial coordinating committee and to appoint members to act in those committees.
- 12.5 The EC shall have the power to establish a Membership and Supporters Screening Committee to verify applications.
- 12.6 The EC shall have the power to remove and replace its members from time to time.

MEMBERSHIP

- 9. Membership shall be open to all South African citizens who are 16 years or over / older and who:
 - 12.1 Subscribe to the aims and principles contained in the Constitution of the Republic of South Africa;
 - 12.2 subscribe to the aims, objectives, values and policies of the platform;
 - 12.3 Undertake to abide by the Constitution of the platform;
 - 12.4 may not be a member of any other Party;
 - 12.5 Apply to be a member of the Party;
 - 12.6 Membership shall be valid until a member resigns or their membership is terminated.

APPLICATIONS FOR MEMBERSHIP

- 10. Persons wanting to become members of the platform shall:
 - 13.1 Apply in a prescribed manner as determined by the EC from time to time;
 - 13.2 Membership shall be subject to a cost determined by the EC

NOTIFICATION OF ACCEPTANCE

- 11. Successful applicants may be notified of their acceptance by the EC or a delegated official.

TERMINATION OF MEMBERSHIP

- 12. A member who repudiates the Constitution of the platform, joins another party, canvassed for or who assists or associates with the establishment of another party automatically terminates his membership with the platform.

Or when:

- 12.1. He/She resigns in writing or orally, addressed to any structure of the platform.
- 12.2. His/her membership has been terminated in terms of any provisions of this Constitution.
- 12.3. Stands or accepts nomination against an official candidate of the platform in any public election.
- 12.4. Canvasses Party Members to resign from the platform.
- 12.5. Canvasses Party Members to join or support another Party.

SUSPENSION OF MEMBERSHIP

- 13. The President or EC through consensus may at any time suspend the membership of any person who is suspected of having transgressed the provisions of this constitution or is in breach of any rule in the Code of Conduct.

MEMBERS, SUPPORTERS & THE DIGITAL WORLD

- 14. Only members can serve on representative and other structures of the platform and be public representatives of the platform.
- 15. If the membership of a public representative is terminated, he/she ceases to be a member of the platform and the relevant authorities must be notified of the vacancy which has arisen.
- 16. Platform members may as far as possible hold only one leadership position in the structures.
- 17. The platform embraces a new and modern culture of politics – a culture of virtual and digital engagement and activity.
- 18. The EC will establish a digital platform for members to participate in the platform's activities through digital structures.
- 19. The EC shall from time-to-time determine whether digital structures will be established in provincial or other formations.
- 20. Digital structures will provide members with the opportunity to be actively involved in the activities, policy discussions and campaigns of the platform
- 21. The platform will also maintain a data-base of supporters who register with the platform for the purposes of receiving information, communication or assisting the platform with its activities.

ROLES & FUNCTIONS

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23. EC Shall:

- 32.1 Implement any decisions taken at the EC meetings;
- 32.2 Prepare regular reports for the EC;
- 32.3 Assist generally with the day to day affairs of the Party on Nationallevel.
- 32.4 Keep minutes of meetings held.

CANDIDATE SELECTION FOR PUBLIC OFFICE

- 24. The EC shall be the Electoral College, or shall have the power to establish a separate Electoral College, and shall have the right to finalise all representative lists for the purposes of electing members to public office. In the event of a dispute the President shall appoint an appeal committee for a final decision. The EC shall establish a process to deal with any conflict of interest that may arise when a member of the EC is also a candidate applicant. The President shall have the right to finalise candidate lists for the purposes of electing members to public office.
- 25. Approved candidates for any public office must sign and agree to abide by a contract, made between themselves and the EC, on the agreed basis by which they go forward as candidates.
- 26. This agreement shall contain (but without limiting the terms of the agreements):
 - 35.1 An agreement to uphold and abide by the Constitution of the platform;
 - 35.2 An agreement to promote and abide by the policy of the platform;
 - 35.3 The position concerning leaving the platform; and
 - 35.4 Grievance and disciplinary measures.

CONSENSUS DECISION-MAKING

- 36 All decisions by any committee, working group or any other body overseen by the platform, may be made by consensus. The following procedure apply when reaching consensus:
- 36.1 A Motion must be tabled in writing
 - 36.2 If consensus on a motion is not achieved after reasonable attempts, a vote can be taken. A motion shall be carried with a 50% + 1 majority of the votes cast. Those who do not agree with the decision may have their objections included in the minutes recorded but shall be bound by the decision taken.

CAUCUS

- 37 The role of Parliamentary Caucus is to organize and co-ordinate the platform's parliamentary activities. The Caucus shall exist for the period that the platform has Members of Parliament
- 38 The Caucus shall comprise:
- 38.1 The President ;
 - 38.2 All persons elected as Members of Parliament
 - 38.3 Any representative of the EC appointed by the EC and agreed to by Parliamentary Caucus; and
 - 38.4 Such other persons as the National Caucus may appoint as members or as provided for in the Constitution.
- 39 The Caucus shall make such rules for its conduct as it sees fit, in accordance with the objectives of the platform.
- 40 The President of the platform and MPs shall be the voting members of Parliamentary Caucus.

- 41 Any platform member may attend a Caucus meeting, subject to the rules contained in the Caucus Agreement.
- 42 Members of Provincial Legislatures and Councillors of Metros, Districts and Local Municipalities of the platform shall also establish Caucuses and shall generally operate and be guided by the practices, policies and rules of the National Caucus which will have authority over the lower caucuses

FINANCES

- 43 The EC may:
 - 43.1 Open a bank account in the name of the platform and shall have designated signing powers on electronic and other bank documents.
 - 43.2 Receive monies on behalf of the platform; and
 - 43.3 Make payments, whether by electronic transfer, cheque or by any other means.
- 44 The Platform Treasurer shall act at the direction of the EC. At the first meeting of the EC it will decide by resolution on the following matters:
 - 44.1 How money will be received by the platform;
 - 44.2 Who will be entitled to produce receipts;
 - 44.3 How expenditure commitments will be budgeted for by the platform
 - 44.4 What bank accounts will operate for the ensuing year, including the purposes of and access to accounts;
 - 44.5 Who will be allowed to authorize the production of cheques and the identities of cheque signatories and who will be entitled to authorize electronic payments;
 - 44.6 Who will be allowed to authorize the ordering of goods and services;
 - 44.7 Investment of money by the platform, including what type of investment will be permitted; and
 - 44.8 The type and frequency of financial reporting required during the year.
 - 44.9 The EC may invest surplus funds as it sees fit, if the investment does not conflict with the platform's objectives.
45. The EC may delegate any of the Treasurer's functions to any person as it sees fit.
46. Treasurer's report must be prepared and all books and records kept must

be completed and up-to-date for presentation at the Conference, according to acceptable accounting principles.

AMENDMENTS TO THE CONSTITUTION

47. The EC shall have the right to amend the Constitution which shall remain ineffect until the Conference.

DISSOLUTION

48. 75% of the members entitled to vote at the Conference of the platform may resolve that the platform be dissolved, and may also direct the method of disposing of the assets and property of the platform after its dissolution, and matters incidental thereto.
49. A notice of the resolution and its confirmation shall be sent to all parties and institutions required in law to be notified.
50. The property of the platform shall upon dissolution be transferred to such political parties or societies having objectives similar to those of the platform within South Africa.

51. CODE OF CONDUCT

51.1. PREAMBLE

51.1.1 In order to ensure that the representatives / members fulfill their obligations to the platform and that the platform realises the principles which the electorate endorsed and that the platform thus serves its constituency, the following Code of Conduct is established.

- 51.1.2 The platform has and shall canvass for support and shall strive to procure the election of its representatives representing the platform and thus its representatives at various forums, including the National and Provincial Legislatures and local government councils.
- 51.1.3 It is accordingly necessary to ensure that the platform has structured mechanisms of accountability to the electorate, and to fulfill the principles of the platform. In fulfilling this representatives must be accountable to the platform and thus to their constituency.

51.2. DEFINITIONS

- 51.2.1 "Forum" means any Local, National, Provincial or National Council of Provinces' office to which a representative maybe appointed in order to represent the platform.
- 51.2.2 "Interest" means any business or other interest which any representative, or any spouse, partner or business associate of such representative, whether business or otherwise, may have in any matter which is relevant to the platform.
- 51.2.3 "Meeting" means any meeting of:
- 51.2.3.1 The platform
 - 51.2.3.2 the forum and caucus to which such representative has been elected;
 - 51.2.3.3 Any committee or subcommittee of the platform or the forum.
- 51.2.4 "Representative" means any member of the platform delegated or nominated to represent the platform in a Public Office.
- 51.2.5 "EC" means the Executive Committee of the Party.
- 51.2.6. "Partner" means any spouse or any person who permanently lives with another person as if married.

51.2.7. "Platform" means the MOVE party.

- 51.2.8. "Member" shall mean any person who has complied with the provisions of this constitution with regards to membership
- 51.2.9. "Privileged or confidential information" includes any information:
 - 51.2.9.1. Determined by the platform or the forum to be privileged or confidential;
 - 51.2.9.2. Discussed in closed session by the platform or the forum;
 - 51.2.9.3. Disclosure of which would violate any person's right to privacy; and/or
 - 51.2.9.4. Declared to be privileged, confidential or secret in terms of law.
- 51.2.10 "Misinformation" shall have the following meaning:
 - 51.2.10.1 The spreading of malicious reports about the behavior of representatives/or members;
 - 51.2.10.2 The divulging of personal information about representatives/or members;
 - 51.2.10.3 Participating in communications concerning other members and or representatives based on rumor, hearsay or scandalous information; and/or
 - 51.2.10.4 A person who habitually spreads intimate or private rumors or facts about representatives/or members.
 - 51.2.10.5 The indulging into the private life of representatives or members.

51.3. NOTIFICATION OF THESE PROVISIONS

The EC must ensure that each representative when taking office is given a copy of this Code which must be signed and accepted by the representative concerned, and that a copy of the Code may be made available in every room or place where the representatives meet.

51.4. GENERAL CONDUCT/ DISCIPLINE OF REPRESENTATIVES AND MEMBERS

51.4.1 A representative/ member shall:

- 51.4.1.1 Act at all times in the best interest of the platform and in such a way that the credibility and integrity of the platform are not compromised;
- 51.4.1.2 Loyally execute the lawful policies of the platform;
- 51.4.1.3 Perform the functions of office in MOVE faith, diligently, honestly and in a transparent manner.
- 51.4.1.4 Act in such a way that the spirit, purpose and objectives of the platform, including the decisions of the EC and the Constitution of the platform are promoted;
- 51.4.1.5 Behave at all times in such a manner that his/her actions or conduct is not detrimental to the interest of the platform and does not bring the platform and/or its leadership into disrepute. Without derogating from the aforesaid, may not be a party to any form of gossip and lies.
- 51.4.1.6 Assist relevant structures in platform building
- 51.4.1.7 Act impartially and treat all people equally without favor or prejudice; and
- 51.4.1.8 Perform the functions of office having due regard and respect for the values and principles of non-racialism and non-sexism.

51.5. COMMITMENT TO SERVING THE PUBLIC INTEREST

51.5.1 A representative must:

- 51.5.1.1 Foster a culture of commitment to serving the public.
- 51.5.1.2 Promote and seek to implement the basic values and principles of the constitution of our country
- 51.5.1.3 Participate in the activities of the relevant caucus and respective committees and in so doing to promote the Party.

51.6. ATTENDANCE

- 51.6.1 A representative / member must attend every meeting, except when:
- 51.6.2 Leave of absence has been duly granted; or
- 51.6.3 Required in terms of this Code to withdraw.

51.7 SANCTIONS FOR NON-ATTENDANCE

- 51.7.1 The platform may impose a fine not exceeding R1000-00 on a representative for:
 - 51.7.1.1 Failing to attend any meeting; or
 - 51.7.1.2 Failing to remain in attendance at such a meeting.
- 51.7.2 A representative / member who is absent from three or more consecutive meetings may be removed from office as a representative and/or have his/her membership of the platform suspended or terminated.

51.8 DISCLOSURE OF INTERESTS

- 51.8.1. A representative must:
 - 51.8.1.1 Make full and complete disclosure to the platform and/or any forum to which s/he is appointed of any direct or indirect personal or private financial interest; and
 - 51.8.1.2 Withdraw from the proceedings of the platform or the forum when that matter is considered, unless the platform or the forum decides that the representative's direct or indirect interest in the matter is trivial or irrelevant.
- 51.8.2. This section shall also apply to an interest or benefit which a representative, or a spouse, partner, business associate or close family member, has or acquires in common with other members of the public in general.

51.9. DECLARATION OF INTERESTS

51.10.1 When elected or appointed, a representative must within 30 days declare in writing on the prescribed form, to the EC the following financial interests held by that representative:

- 51.10.1.1 Shares and securities in any company;
- 51.10.1.2 Membership of any close corporation;
- 51.10.1.3 Interest in any trust;
- 51.10.1.4 Directorships;
- 51.10.1.5 Partnerships;
- 51.10.1.6 Other financial interests in any business undertaking;
- 51.10.1.7 Employment and remuneration;
- 51.10.1.8 Interest in property;
- 51.10.1.9 Pension; and
- 51.10.1.10 Subsidies, grants and sponsorships by any organization.

51.10.2 Any change in the nature or detail of the financial interests of a representative must be declared in writing to the EC annually..

- 51.10.3 The EC must determine which of the financial interests may be made public having regard to the need for confidentiality and the public interest for disclosure.

51.12. REWARDS, GIFTS AND FAVORS

- 51.12.1. A representative may not request, solicit or accept any reward, gift or favor for:
 - 51.12.1.1 Voting or not voting in a particular manner on any matter before the platform or a forum;
 - 51.12.1.2 Persuading the platform or the forum in regard to the exercise of any power, function or duty;
 - 51.12.1.3 Making any representation to the platform or a forum; or
 - 51.12.1.4 Disclosing privileged or confidential information of the Party and/or the forum.

51.13. UNAUTHORISED DISCLOSURE OF INFORMATION

A representative may not without the permission of the platform or the forum disclose any privileged or confidential information of the platform or the forum to any unauthorized person or members of the Media.

51.14. INTERVENTION IN PLATFORM BUSINESS

- 51.14.1 A representative may not, except as provided by law:
 - 51.14.1.1 Interfere in the management or administration of any of the affairs of the platform unless duly mandated to do so;
 - 51.14.1.2 Give or purport to give any instruction to any employee of the platform except when authorized to do so
 - 51.14.1.3 Obstruct or attempt to obstruct the implementation

- of any decision of the platform or a committee of the platform;
- 51.14.1.4 Encourage or participate in any conduct which would cause or contribute to maladministration in the platform; or
- 51.14.1.5 Hold any Press Conference or make any statement in the Press which has not been authorized by the platform or without having first obtained approval from the EC to do so.

51.15. PROPERTY

A representative may not use without prior permission, take, acquire or benefit from any property or asset owned, controlled or managed by the platform to which that representative has no right.

51.16. DUTY OF REPRESENTATIVES

If any representative, on reasonable suspicion, is of the opinion that a provision of this Code has been breached, such person must forthwith report such breach to the EC.

51.18 SEXUAL HARASSMENT

- 51.18.1 The occurrence of Sexual Harassment intrudes on the fundamental human rights of a person and contravenes the South African Constitution; this in turn challenges the integrity of the platform.
- 51.18.2 Sexual Harassment is all forms of conduct, of a sexual nature, that is unwelcome and unsuitable, and can be offensive, humiliating or intimidating, with a possible negative effect on the working environment Sexual Harassment can include physical, verbal or non-verbal actions and includes a vast range of circumstances, from offensive gestures to rape.
- 51.18.3 VERBAL FORMS: Querying a person's sex life, telephone calls, emails SMS's with a sexual suggestion, incessant offensive or chauvinist jokes/comments, undesirable propositions for dates, comments concerning a person's appearance, or anything of a similar nature.
- 51.18.4 NON-VERBAL FORMS: Gestures with a sexual connotation, goggling,

repeated undesired flirtation, or anything of a similar nature.

- 51.18.5 VISUAL FORMS: Displaying pornographic photos, cartoon, objects, or anything of a similar nature that creates a hostile environment.
- 51.18.6 PHYSICAL FORMS: Unwelcome contact through patting, stroking, pinching, petting, kissing, pawing, assault, molesting and rape, or anything of a similar nature.
- 51.18.7 QUID PRO QUO FORMS: Sexual bribery such as, the promise of a promotion in return for sexual favors and sexual extortion such as, refusing to promote a person if they do not consent to sexual favors. This includes, but is not restricted to all person using any of these methods to achieve promotion.
- 51.18.8 Equally men and women may be the victims of sexual harassment. Sexual harassment may happen in the same way between members of the same sex as between members of the opposite sex. The perpetrators may be senior, equal or junior in position.
- 51.18.9 All members / representatives / staff shall abide by the Sexual Harassment Policy / Code as adopted by the EC. The policy shall define all forms of offensive conduct in the respect of sexual harassment.
- 51.18.10 Failure to comply with shall result in disciplinary procedures.

51.19 RACISM

- 51.19.1 The platform champions a racism free society.
- 51.19.2 Any member or representative who makes a racist remark, commits a racist comment to writing, posts a racist remark on any social media platform, sends a racist comment by way of any electronic communication medium, makes or repeats a racist "joke" violates the fundamental values of the platform and commits a breach of this code of conduct.
- 51.19.3 Any member or representative who witnesses a racist incident committed by another member or representative shall be obliged to immediately correct that racist conduct and report the incident to the EC.
- 51.19.3 Any complaint about racism committed by a member or representative must be referred to the EC without delay.

51.20 DISCRIMINATION AND INTOLERANCE

- 51.20.1 The platform is a champion of the South African Constitution and promotes a South Africa free from discrimination and intolerance.
- 51.20.2 Any member or representative who discriminates against any person on the basis of his or her gender, religion, sexual orientation, culture, age,

language or disability violates the fundamental values of the platform and commits a breach of this code of conduct.

51.20.3 Any complaint about discrimination or intolerance committed by a member or Representative must be referred to the EC without delay.

52. BREACHES OF THE CODE

Any representative / member who commits any of the following acts shall be deemed to have committed a breach of the rules, provisions or policies of the platform:

- 52.1 Committing any offence in respect of which criminal charges are laid against such person;
- 52.2 Failing to obey or properly comply with any competent instruction from platform or any of its officials authorized to give such order;
- 52.3 Conducting himself/herself in such a way as would be calculated or likely to lower the esteem of in which the platform is held by the public.
- 52.4 Collecting funds for the platform when not authorized to do so;
- 52.5 Instituting false charges against any platform member
- 52.6 Making unauthorized statements to the media.
- 52.7 Disclosing confidential information to opposition parties or unauthorized persons.
- 52.8 Conducting himself/herself in a manner unbecoming a member of the platform.

53. The President may allow an investigation into the alleged offence.

54. A complaint of breach of any of the rules, provisions or policies of the platform, shall be forwarded to the President or the EC who may:

- 55.1 Suspend the member concerned pending a disciplinary hearing;
- 55.2 Convene a Disciplinary Committee; or
- 55.3 Delegate his/her functions under this paragraph in writing to any member of the platform, or competent body, person or institution.
- 55.4 Appoint a Disciplinary and Appeal Committee.
- 55.5 Make recommendations to the EC for final ratification.

55. The EC may have the right to call on the Disciplinary Committee to:
- 56.1 Call for an investigation and make a finding on any alleged breach of a provision of this Code; or
 - 56.2 To make appropriate recommendations to the EC.
 - 56.3 Issue a formal warning to the representative;
 - 56.4 Reprimand the representative / member.
 - 56.5 Request the platform to suspend the representative / member for any period;
 - 56.6 Impose a fine not exceeding R1000-00 on the representative / member;
 - 56.7 Request the expulsion of the member from the platform
 - 56.8 Request the relevant authority of the forum to remove the representative from office.
 - 56.9 The Disciplinary Committee shall make recommendations to the EC for a decision.

56. DISCIPLINARY PROCEDURE

- 57.1 A Disciplinary Committee as established by the EC or EC shall adopt such procedure as it deems expedient in order to conduct a disciplinary enquiry, and shall keep an accurate record of its proceedings.
- 57.2 On completion of its functions the Disciplinary Committee must make a finding on whether the charges against the member have been substantiated and may recommend:
 - 57.2.1 Expulsion from the platform;
 - 57.2.2 Suspension from the platform;
 - 57.2.3 Removal from any office held in the platform; or
 - 57.2.4 Any other corrective measure as it sees fit to recommend.

57. APPEAL PROCEDURE

- 58.1 Any person who has been disciplined may, within 5 working days of the sentence having been confirmed, appeal against the finding and/or sentence to the appeal authority appointed by the EC:
 - 58.1.1 The notice of appeal shall be in writing and shall state clearly the grounds of appeal.
 - 58.1.2 The receipt of the appeal shall not be interpreted as a suspension of the sentence.

END