

CONSTITUTION
OF THE
NATIONAL FREEDOM PARTY



**AS ADOPTED ON 2 DECEMBER 2011 AT THE FIRST ELECTIVE NATIONAL CONFERENCE OF THE
NATIONAL FREEDOM PARTY, HELD AT PIETERMARITZBURG, KWAZULU-NATAL**

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1. PREAMBLE

Due to the on-going inability of government and other political entities to deal with social problems faced by our society including, but not limited, to:-

- the lack of service delivery
- the continuous absence of economic emancipation
- the failure to alleviate poverty
- the constant increase in unemployment
- the complete collapse of healthcare
- the proliferation of crime
- the inadequate education system
- the abuse and neglect of woman and children
- the failure of local government
- the inability to provide adequate housing
- the prevalence of maladministration and corruption in all spheres of Government

and due to the overwhelming demand from all our communities in South Africa for meaningful and real change, the National Freedom Party is hereby constituted.

2. FOUNDING PROVISIONS

2.1 Vision

To uphold and defend the Constitution of the Republic of South Africa, to adhere to and implement the provisions thereof, and to strengthen our democracy.

To promote, secure and motivate a society that is not only politically emancipated but also to ensure that, through empowerment and meaningful service delivery, substantive economic emancipation is achieved.

To embrace and defend the core values of integrity, respect, justice, solidarity and self-discipline within the Party.

2.2 Aims & Objectives

- 2.2.1 It is the ideal of the Party to ensure that all South Africans be given the opportunity and means to achieve political and economic freedom through transparent and accountable democratic processes.
- 2.2.2 It is the objective of the Party to restore, retain and enhance the belief in a strong family unit with particular emphasis on the respect for differing cultural values and ethics of all our people.
- 2.2.3 It is the cornerstone of its policy that the Party undertakes through its members and structures, to introduce, develop, promote and initiate effective service delivery programmes together with built in checks and balances to ensure a more meaningful and improved life for all our people.
- 2.2.4 It is a fundamental goal of the Party to introduce discipline, transparency and accountability into the governance of our nation and to ensure that the goals aspired to in this, and in the South African Constitution, be attained through disciplined implementation.

2.3 Name, Emblem & Colours

- 2.3.1 The name of the Party is the National Freedom Party, hereinafter referred to as the NFP.
- 2.3.2 The name shall not be translated.
- 2.3.3 The abbreviation NFP will be used in all official languages of the Republic of South Africa.
- 2.3.4 The emblem and colours of the NFP are as described and contained in Schedule “A”.

2.4 Legal Person

- 2.4.1 The NFP is a body corporate with perpetual succession.
- 2.4.2 The NFP, as a juristic person, is capable of suing and being sued in its own name, may purchase, hire, lease, mortgage, pledge or in any other way acquire, own, alienate or deal with moveable and immoveable property, and may perform all legal and lawful activities as provided for by this Constitution and such legal activities ordinarily associated with a body corporate.
- 2.4.3 Only the National Office Bearers, as described in sections 5.3.1 and 5.3.2 shall have the authority to bind the NFP or to create any legally binding relationship. Any other person purporting to bind the NFP must provide a written authorization from two of the National Office Bearers, one of which must be the Secretary-General, and which authorization must expressly indicate the extent of the prior authority granted.

2.5 Ratification of Constitution

- 2.5.1 This Constitution shall become effective after ratification by two-thirds of the delegates attending and voting at the first Elective National Conference of the NFP.
- 2.5.2 Upon ratification, this Constitution shall replace any previous Constitutions of the NFP, and shall be the only Constitution binding on the NFP and its members.

2.6 Amendment of Constitution

- 2.6.1 This Constitution, once in force, may only be amended by approval of two-thirds of the delegates attending and voting at a General National Conference or Special National Conference or Elective National Conference, provided that:-
 - 2.6.1.1 written Notice of Intent to propose an amendment to the Constitution had been forwarded to the Office of the Secretary-General at least three months prior to the commencement of a General, Elective or Special National Conference;
 - 2.6.1.2 such proposed amendment had been circulated in writing at all levels and structures within the NFP for discussion at least two months before the commencement of the General, Elective or Special National Conference;

- 2.6.1.3 delegates to the General, Elective or Special National Conference had been given sufficient opportunity to debate the proposed amendment at the Conference;
- 2.6.1.4 such amendment does not:-
- a) have the effect of making the Party dysfunctional;
 - b) have the effect of dissolving the Party, unless such a proposal had been fully discussed at the Conference;
 - c) have the effect of making the Party a subsidiary of another Party unless the proposal had been fully discussed at the Conference and such political association shall be of two entities with equal status and for the benefit and furtherance of the Party's objectives.

3. MEMBERSHIP

3.1 Criteria

- 3.1.1 Full membership of the NFP shall be open to all South African citizens or permanent residents above the age of 18, irrespective of race, gender, marital status, ethnic- or social origin, sexual orientation, disability, religion, conscience, belief, culture and language, who voluntarily agrees to accept the principles, policies and programs of the NFP, and undertakes to abide by the provisions of this Constitution. Junior membership for persons under the age of 18 years shall be provided for in the NFP Youth Movement and the National Student's Movement (NASMO).
- 3.1.2 A member may enrol at any time of the year, and such membership shall be valid from the date of acceptance until the date for annual renewal of membership. Should a member join for the first time within the 3 months before the date of renewal of membership, such membership will be valid for the next year.
- 3.1.3 All members must affiliate with a Branch of the NFP, within the boundaries of the Municipal Ward where such member is registered to vote, and exercise their rights and privileges as members through their Branches and its elected leadership and representatives. Where no Branch exists, a prospective member may acquire membership from the Constituency, District or Provincial office in which that applicant is resident.
- 3.1.4 A member may not be a member of another political party.
- 3.1.5 Public Representatives from other parties may only be accepted as members of the NFP with the prior approval of the National Executive after consultation with the relevant Provincial Executive, provided that the Branch Executive must also be consulted in respect of a local government representative.
- 3.1.6 The NFP may, at the discretion of the National Working Committee, provide for life membership of the Party as an honour to an individual who has made a significant contribution to the Party.

3.2 Rights

- 3.2.1 Members are entitled to exercise all rights associated with membership, which include:-
 - 3.2.1.1 to fully and actively participate in the discussion, formulation and implementation of the a policy of the NFP;
 - 3.2.1.2 to receive and impart information on all aspects of NFP policy and activities, to offer constructive criticism of any member, official, policy programme or activity of the NFP within its structures;
 - 3.2.1.3 to participate in elections and be elected or appointed to any committee, structure, commission or delegation of the NFP; subject to the provision of section 5.2.7
 - 3.2.1.4 to submit proposals or statements to the Branch, Constituency, District, Province or National Executive, provided such proposals or statements are submitted through the appropriate structures.

3.3 Duties

- 3.3.1 Members have an obligation to:-
 - 3.3.1.1 abide by the Constitution of the NFP;
 - 3.3.1.2 personally pay their annual membership fees as determined by the National Executive Committee from time to time;
 - 3.3.1.3 renew their membership annually as determined by the National Executive Committee from time to time;
 - 3.3.1.4 actively take part in the activities of their Branches;
 - 3.3.1.5 ensure they are registered as voters in the Municipal Ward where they ordinarily reside and where they have taken membership;
 - 3.3.1.6 conduct themselves as NFP members in their political activities with dignity and a sense of tolerance toward opposing views, giving effect to the provision that everyone has the right to associate freely in furtherance of the ideal of a free and democratic country.

3.4 Membership Application

- 3.4.1 Membership applications must be made in writing by completing and signing the prescribed membership application form.
- 3.4.2 Payment of membership fees must accompany the application.
- 3.4.3 Membership cards will be issued to members of the NFP whose application for membership had been accepted.

3.5 Suspension

3.5.1 Membership shall be suspended when:-

3.5.1.1 a member fails to pay the annual membership renewal fee, provided that if the full-prescribed fee is paid within the first three (3) months of the following membership year, the suspension shall automatically be lifted and membership shall continue as if membership fees were paid on time;

3.5.1.2 prima facie evidence is available of criminality or of gross misconduct or violation of the NFP Constitution;

provided that:-

a) such suspension has been confirmed by the National Executive Committee of the NFP before it comes into effect;

b) if the suspended member is an employee of the NFP, such suspension will require a mandatory suspension of the member from employment and will operate without pay. Should the member subsequently be found not guilty, payment for the period of suspension shall be made to the member together with interest at the equivalent of the prime rate per annum in effect at the time of suspension, minus statutory and other deductions due and/or applicable.

3.6 Termination

3.6.1 Membership of the Party shall end when:-

3.6.1.1 a member submits a written resignation to the Party;

3.6.1.2 a member fails to pay the prescribed annual membership fees on due date, save for the provision of section 3.5.1.1 above;

3.6.1.3 a member is expelled from the Party after the finalization of a disciplinary hearing and all subsequent appeals, if applicable;

3.6.1.4 a member becomes a member of another party,

3.6.1.5 a member publicly declares his or her resignation or intention to resign from the Party or intention to join another Party;

3.6.1.6 a member canvasses or encourages other members to resign from the Party or to join another Party;

3.6.1.7 a member is convicted, and such conviction is confirmed after an appeal if applicable, of a serious criminal offence as described in Schedules 1, 2, 5, 6 and 7 of the Criminal Procedure Act 51/1977, in an open court of law.

3.6.2 A member, who ceases to be a member of the Party, loses all privileges of Party membership and, if that member is a public representative, he or she also loses the office which he or she occupies by virtue of his or her membership, with immediate effect.

4. PARTY STRUCTURE

4.1 General

4.1.1 The Party will be structured as follows:-

4.1.1.1 A National Working Committee (NWC) and National Executive Committee (NEC) at National level, elected at an Elective National Conference;

4.1.1.2 A Provincial Working Committee (PWC) and Provincial Executive Committee (PEC) at Provincial level, elected at an Elective Provincial Conference;

4.1.1.3 A District Working Committee (DWC) and Executive Committee (DEC) at District level, elected at an Elective District Conference;

4.1.1.4 A Constituency Working Committee (CWC) and Constituency Executive Committee (CEC) at Constituency level, elected at an Elective Constituency Conference;

4.1.1.5 A Branch Executive Committee (BEC) at Branch level, elected at an Elective Branch Meeting.

4.1.1.6 Autonomous structures:-

a) A Women's Movement, to be known as the National Freedom Party Women's Movement (NFPWM) and constituted in accordance with the provisions of section 10.1;

b) A Youth Movement, to be known as the National Freedom Party Youth Movement (NFPYM) and constituted in accordance with the provisions of section 10.2;

c) A Student Movement, to be known as the National Student's Movement (NASMO) and constituted in accordance with the provisions of section 10.3.

4.2 General National Conference

4.2.1 The General National Conference (GNC) in session is the supreme decision making and governing body of the NFP.

4.2.2 There shall be a General National Conference (GNC) held at dates to be determined by the National Working Committee.

4.2.3 A Special National Conference (SNC) will be held if:-

4.2.3.1 The NEC requests the National Working Committee in writing to call a Special National Conference (SNC) and the National Working Committee approves such a request by virtue of a majority vote at a meeting of the National Working Committee; or

- 4.2.3.2 The majority of the Provincial Executive Committees requests a Special National Conference (SNC) in writing and the National Working Committee approves such a request by virtue of a majority vote at a meeting of the National Working Committee.
- 4.2.4 An Elective National Conference (ENC) must be held every 5 years where National Office Bearers and the National Working Committee will be elected.
- 4.2.5 The rules and procedures for a General National Conference (GNC), a Special National Conference (SNC) and those for an Elective National Conference (ENC) shall be the same, save for the provisions relating to the election of National Office Bearers and the National Working Committee at an Elective National Conference contained in this Constitution. Where the rules and procedures are silent, the General National Conference (GNC) shall determine its own procedures in accordance with democratic principles.
- 4.2.6 The NEC is responsible for facilitating the arrangements for a General National Conference (GNC), an Elective National Conference (ENC) and a Special National Conference (SNC), and may appoint an ad hoc committee to discharge this duty.
- 4.2.7 All structures of the NFP, including the Auxiliary structures, must be notified of the date of the General National Conference (GNC) or Elective National Conference (ENC) at least six (6) months before such Conference takes place.
- 4.2.8 In the event of an Elective National Conference (ENC), nominations for the position of National Office Bearers of the National Executive Committee shall, in terms of the provisions contained in section 6.5.2.3, be submitted by all Provincial Working Committees in writing at least three (3) months prior to the Elective National Conference (ENC) taking place, and shall be submitted in writing to the National Executive Committee.
- 4.2.9 Should the Provincial Working Committees fail to submit nominations as provided for above, the National Executive Committee shall have the power to reconsider and adjust the time-frame for such submissions.
- 4.2.10 The National Executive Committee shall record and collate all the written submissions for election as National Office Bearers, and invite written consent from all such nominated candidates.
- 4.2.11 Voting for the elected National Office Bearers on the National Executive Council as provided for in section 5.3.1.1 shall be by secret ballot.
- 4.2.12 Voting for directly elected members of the National Working Committee, as provided for in section 5.1.1.2, shall be by show of hands.
- 4.2.13 An Independent Electoral Oversight body may be called upon to monitor the election of National Office Bearers.
- 4.2.14 General National Conference (GNC) will have the Functions and Powers to:-
- 4.2.14.1 Decide, amend and determine the policy and programs of the NFP by simple majority and to amend the Constitution of the NFP in accordance with the provisions of section 2.6;

- 4.2.14.2 Receive and discuss the reports of the NEC which shall include the President's Address, the Secretary-General's report, the National Treasurer's report, as well as reports on the work and activities of the Women's Movement, Youth Movement, Student Movement and/or any other reports commissioned by, and for, General National Conference;
- 4.2.14.3 Overturn any decision made by any structure or office bearer within the NFP, including decisions made by the NEC and NWC, as well as decisions made by the autonomous structures of the NFP which has a direct adverse effect on the NFP, its functioning and its public image;
- 4.2.14.4 Elect the National Office Bearers as provided for in section 5.3.1.1, and the elected members of the National Working Committee as provided for in section 5.1.1.2;
- 4.2.14.5 Appoint any commission or committee and assign to such committee specific tasks and duties on terms as the General National Conference deems fit by simple majority.

4.3 General Provincial Conference

- 4.3.1 All Provinces shall hold a General Provincial Conference (GPC) at dates to be determined by the respective PEC's. An Elective Provincial Conference (EPC) must be held every 5 years.
- 4.3.2 The rules for a General Provincial Conference (GPC) and for an Elective Provincial Conference (EPC) shall be the same as for the General National Conference (GNC) and for an Elective National Conference (ENC), save for the provisions relating to the election of Provincial Office Bearers at an Elective Provincial Conference (EPC) contained in this Constitution.
- 4.3.3 The PEC is responsible for facilitating the arrangements for a PGC/EPC and may appoint an ad hoc committee to discharge this duty.
- 4.3.4 General Provincial Conference (GPC) will have the Functions and Powers to:-
 - 4.3.4.1 Elect, by secret ballot, the Provincial Office Bearers as provided for in section 6.4.1.1;
 - 4.3.4.2 Receive and discuss the reports of the PEC which shall include the Provincial Chairperson's Address, the Provincial Secretary's report, the Provincial Treasurer's report, as well as reports on the work and activities of the Provincial Women's Movement, Provincial Youth Movement and/or any other reports commissioned by, and for, General Provincial Conference;
 - 4.3.4.3 Appoint any commission or committee and assign to such committee specific tasks and duties on terms as the General Provincial Conference (GPC) deems fit;
 - 4.3.4.4 Develop guidelines to implement instructions and directives from National level.

4.4 General District Conference

- 4.4.1 All Districts shall hold a General District Conference (GDC) at dates to be determined by the respective District Executive Committees. An Elective District Conference (EDC) must be held every 3 years.
- 4.4.2 The rules for a General District Conference (GDC) and for an Elective District Conference (EDC) shall be the same as for the General National Conference (GNC) and for an Elective National Conference (ENC), save for the provisions relating to the election of District Office Bearers at an Elective District Conference (EDC) contained in this Constitution.
- 4.4.3 The DEC is responsible for facilitating the arrangements for a GDC/EDC and may appoint an ad hoc committee to discharge this duty.
- 4.4.4 General District Conference will have the Functions and Powers to:-
 - 4.4.4.1 Elect, by secret ballot, the District Office Bearers as provided for in section 7.4.1.1;
 - 4.4.4.2 Receive and discuss the reports of the DEC which shall include the District Chairperson's Address, the District Secretary's report, the District Treasurer's report, as well as reports on the work and activities of the District Women's Movement, District Youth Movement and/or any other reports commissioned by, and for General District Conference;
 - 4.4.4.3 Appoint any commission or committee and assign to such committee specific tasks and duties on terms as the General District Conference deems fit;
 - 4.4.4.4 Develop guidelines to implement instructions and directives from National and Provincial level.

4.5 General Constituency Conference

- 4.5.1 All Constituencies shall hold a General Constituency Conference (CGC) at dates to be determined by the respective CEC's. An Elective Constituency Conference (ECC) must be held every 3 years.
- 4.5.2 The rules for a General Constituency Conference (GCC) and for an Elective Constituency Conference (ECC) shall be the same as for the General National Conference (GNC) and for an Elective National Conference (ENC), save for the provisions relating to the election of Constituency Office Bearers at an Elective Constituency Conference (ECC) contained in this Constitution.
- 4.5.3 The CEC is responsible for facilitating the arrangements for a GCC/ECC and may appoint an ad hoc committee to discharge this duty.
- 4.5.4 General Constituency Conference (GCC) will have the Functions and Powers to:-
 - 4.5.4.1 Elect, by secret ballot, the Constituency Office Bearers as provided for in section 8.4.1.1;

- 4.5.4.2 Receive and discuss the reports of the CEC which shall include the Constituency Chairperson's Address, the Constituency Secretary's report, the Constituency Treasurer's report, as well as reports on the work and activities of the Constituency Women's Movement, Constituency Youth Movement and/or any other reports commissioned by, and prepared for, General Constituency Conference;
- 4.5.4.3 Appoint any commission or committee and assign to such committee specific tasks and duties on terms as the General Constituency Conference deems fit;
- 4.5.4.4 Develop guidelines to implement instructions and directives from National, Provincial and District level.

4.6 General Branch Meeting

- 4.6.1 All Branches shall hold a General Branch Meeting (GBM) at least once a year and an Elective Branch Meeting (EBM) every 2 years in accordance with the provisions of the "Inauguration of Structures" Protocol.
- 4.6.2 Written minutes of regular Branch Meetings, General Branch Meetings or Elective Branch Meetings must be taken.
- 4.6.3 The first item on the Agenda of an Elective Branch Meeting must be a report by the outgoing Chairperson and thereafter, the election of Office Bearers of the Branch Executive Committee, as provided for in section 9.3.1.1, must take place.
- 4.6.4 All members of the Branch are eligible to vote, subject to the provisions and requirements of Section 3.
- 4.6.5 Voting at a General or Elective Branch Meeting, save for the provision in section 4.6.6 below, shall be by show of hands, unless one third of the members present at the GBM elect to vote by secret ballot after a proposal made at the GBM, seconded by at least 10% of members attending and voting. Should such a call be seconded, the presiding committee must put the call to the vote by show of hands, and if 1/3 of the members attending and voting elect to hold a secret ballot, then such election shall be by secret ballot.
- 4.6.6 Voting for members of the Branch Executive Committee at an EBM shall only be by secret ballot.
- 4.6.7 Once the Branch Executive Committee has been elected at an EBM, the outgoing Committee will be replaced with immediate effect, and the meeting will proceed as per the Agenda.
- 4.6.8 A copy of the results and the decisions of the GBM or EBM, together with the register of members attending and the Agenda of the meeting must be submitted in writing to the Constituency Executive Committee and National Executive Committees respectively, within seven (7) days of such Meeting having taken place.

4.7 Delegates

- 4.7.1 The composition of Delegates to the respective General, Elective and Special Conferences at National, Provincial, District and Constituency level, as well as eligibility to participate at Elective Branch meetings, will be determined and

amended from time to time as may be necessary by the National Executive Committee, and be contained in the “Inauguration of Structures” Protocol.

4.8 Gender and Minority Equity

4.8.1 Where possible, a twenty five percent (25%) gender and minority equity representation should be maintained when electing members to the different Offices and Structures of the NFP at Branch, Constituency, District, Provincial and National level.

4.9 Electoral Committee

4.9.1 The Secretary-General, assisted by the National Organiser and the National Administrator, shall set up an Electoral Committee of not more than nine (9) members.

4.9.2 The Electoral Committee shall have the duty to:-

4.9.2.1 invite and accept nominations from the Branches, Constituencies, Districts and Provinces for the election of the relevant Executive Committees, including the National Executive Committee;

4.9.2.2 prepare for the election of Office Bearers at the National Elective Conference in conjunction with the relevant Executive Committees;

4.9.2.3 coordinate and oversee the electoral process at the National Elective Conference and pronounce the results;

4.9.2.4 assist and provide guidance to the Structures of the NFP in the election of relevant Branch, Constituency, District and Provincial Executive Committees;

4.9.2.5 encourage Structures to give due consideration to gender and minority equity as provided for in section 4.8.1;

4.9.2.6 prepare and submit to the Secretary-General reports on all electoral processes and outcomes at Branch, Constituency, District, Provincial and National levels;

5. NATIONAL STRUCTURE

5.1 National Working Committee

5.1.1 The National Working Committee shall consist of no more than 100 members and constituted as follows:-

5.1.1.1 seventeen (17) members of the National Executive Committee as constituted in section 5.2.1;

5.1.1.2 forty (40) members elected directly at the Elective National Conference;

5.1.1.3 twenty (20) members appointed by the President of the Party;

- 5.1.1.4 all the Chairpersons of the Provincial Executive Committees;
 - 5.1.1.5 the National Secretary of the Women’s Movement and five (5) additional members of the Women’s Movement;
 - 5.1.1.6 the National Secretary of the Youth Movement and five (5) additional members of the Youth Movement;
 - 5.1.1.7 the National Secretary of the Student’s Movement and one (1) additional member of the Student’s Movement.
- 5.1.2 The National Working Committee may be convened at the discretion of the National Executive Committee, provided that the NEC must convene the National Working Committee at least four times in every twelve months from the date of the previous Elective National Conference, or more often when necessary.
- 5.1.3 The National Working Committee will have the Functions and Powers to:-
- 5.1.3.1 Develop, determine, evaluate and review the implementation of all policies and programs of the NFP;
 - 5.1.3.2 Receive and discuss reports of the NEC;
 - 5.1.3.3 Ratify, change or rescind any decision taken by any of the structures or Office Bearers of the NFP, except decisions taken by the General National Conference or Autonomous structures, unless a decision taken by an Autonomous structure has a direct adverse effect on the NFP, its functioning and/or its public image;
 - 5.1.3.4 Have the power to discuss any issue it deems necessary taking into account the Policies and directives of the General National Conference;
 - 5.1.3.5 Have the right to fill vacancies that have arisen in the NEC, provided that such vacancies do not exceed 50% of the NEC;
 - 5.1.3.6 Have the power to dissolve or expel a Provincial Executive Committee or Provincial Office Bearer if such had been suspended by the NEC upon recommendation of a Disciplinary Tribunal as provided for in section 14;
 - 5.1.3.7 Preside over appeals from the sanctions of the Disciplinary Tribunals of the Provinces;
 - 5.1.3.8 Arrange, or actually sit, for hearings of the Disciplinary Tribunals for the Office Bearers of the Provincial and National structures.

5.2 National Executive Committee

- 5.2.1 The National Executive Committee shall consist of:-
- 5.2.1.1 National Office Bearers, elected and appointed, as provided for in sections 5.31 and 5.3.2;
 - 5.2.1.2 President of the Women’s Movement;

5.2.1.3 President of the Youth Movement;

5.2.1.4 President of the Student's Movement;

5.2.1.5 A minimum of two (2), and a maximum of five (5) members appointed in terms of sections 5.2.2 and 5.2.3 below.

5.2.2 The President may, within four (4) weeks of an Elective National Conference, appoint up to, but no more, than three (3) additional members to serve on the National Executive Committee. These appointees are optional, but should possess particular skills and expertise to enable the NEC to discharge its duties effectively and efficiently.

5.2.3 The President must, within four (4) weeks of an Elective National Conference, appoint two additional positions which are mandatory, and must represent minority interest.

5.2.4 All members of the NEC as provided for in section 5.2.1 shall have full participation and voting rights in all decisions made by the NEC.

5.2.5 NEC meetings shall be convened by the Chairperson who is ordinarily responsible for meetings of the NEC in consultation with the President.

5.2.6 The National Executive Committee will have the Functions and Powers to:-

5.2.6.1 Operate as the highest organ of the NFP between General National Conferences with the authority to lead the organization, subject to the provisions of this Constitution;

5.2.6.2 Generally to:-

- a) Give effect to the decisions and instructions from National Conference and the National Working Committee;
- b) Co-ordinate the issuing of instructions and directives to provinces, and receive reports from the provinces;
- c) Oversee, implement and direct the work of the NFP and all its structures, and coordinate same with the National Office Bearers of the Auxiliary Structures;
- d) Establish such committees as considered appropriate with specific tasks;
- e) Manage and control the national and international property and assets of the NFP;
- f) Draft and issue documents and policy directives as and when necessary;
- g) Draft, develop and amend the Protocols of the Party which will provide guidelines for the general management of the Party and Party structures;

- h) Be able to suspend, but not to expel nor dissolve, a Provincial Executive Committee or a Provincial Office Bearer after a recommendation to such effect by a Disciplinary Committee duly constituted in terms of section 15;
- i) In consultation with the President, be able to suspend, demote, dismiss or restore any member or Party structure after due consideration of the facts presented to it, subject to ratification by the NWC;
- j) Subject to this Constitution, to take decisions and make regulations, binding on all party structures, concerning aspects of membership, administration, organisation, finance, discipline and other matters affecting the welfare of the Party;
- k) in consultation with the respective Province, District or Constituency, set and monitor performance targets for each Province, District and Constituency;
- l) in consultation with the National Working Committee, appoint and provide direction to an ad hoc committee to prepare for National, Provincial and Local Government elections, including by-elections;
- m) exercise the right to ratify, change or rescind any decision taken by any of the structures or Office Bearers of the NFP, except decisions taken by the General National Conference, National Working Committee or Autonomous structures, unless a decision taken by an Autonomous structure has a direct adverse effect on the NFP, its functioning and/or its public image, and such decision of the NEC be subject to ratification by the NWC or General National Conference, whichever is convened first.

5.2.7 A person nominated for election to the NEC, in terms of section 5.3.1 must, in addition to requirements for membership, be a paid up member of the NFP for a minimum of five consecutive years to qualify for election to the NEC of the NFP.

5.2.8 The NEC shall meet regularly and whenever the President or the National Chairperson, in consultation with the President, so determines, or when at least one half of its members request a meeting.

5.2.9 A quorum on the NEC exists if a simple majority is in attendance and decisions taken are valid if 50% plus one of the members present voted in favour thereof. Written proxies may not be given for a vote.

5.2.10 The NEC may invite one or more persons to attend, but not to vote, at any of its meetings.

5.3 National Office Bearers

5.3.1 The elected National Office Bearers of the NFP shall be:-

5.3.1.1 President, Deputy President, National Chairperson, Deputy National Chairperson, Secretary-General, Deputy Secretary-General.

5.3.2 The appointed National Office Bearers of the NFP shall be:-

5.3.2.1 National Treasurer, National Organiser, National Administrator.

5.3.3 The Office of the first President of the NFP will be held for two consecutive terms; thereafter the office of President shall be contested every five years.

5.3.4 The elected Offices of the NEC shall be contested every five years, save for the provision of section 5.3.3 above.

5.3.5 The appointment of National Office Bearers as provided for in section 5.3.2.1 shall be for a fixed term to coincide with the term of elected Office Bearers and must be regulated by contract in the event that such appointed Office is a remunerated position.

5.4 Duties and Functions of Office Bearers

5.4.1 The duties and functions of the National Office Bearers shall be as follows:

5.4.1.1 The President shall:-

- (a) be the political Leader of the NFP and the leader of the house at a General, Elective or Special National Conference;
- (b) present to the General or Elective National Conference and National Working Committee a comprehensive statement of the state of the Party and the political situation generally;
- (c) guide and direct the activities of the NFP in conjunction with the National Executive Committee;
- (d) have inalienable rights and powers to ensure proper management of the Party and fidelity to the founding principles and philosophy of the Party;
- (e) have the powers to:-
 - (i) Attend the meetings of the National and Provincial structures so as to give political direction and guidance to such structures;
 - (ii) Be the Spokesperson of the Party at National level, or to delegate such responsibility;
 - (iii) Take decisions on behalf of the Party when the NEC is unable to do so;
 - (iv) Oversee the functioning of all Party structures in conjunction with the NEC;
 - (v) Form or appoint ad hoc committees or standing committees on any matter in consultation with the NEC;

- (vi) Exercise a casting vote in matters where the NEC or NWC is in deadlock, and where such casting vote will translate into the power of a veto at the General National Conference where it can only be overridden by a two-thirds majority vote in that General National Conference.

5.4.1.2 The Deputy President shall:-

- (a) assist the President, deputise for him or her when necessary and carry out whatever functions are entrusted to him or her by the General National Conference, the National Working Committee, the President, or the NEC.

5.4.1.3 The National Chairperson shall:-

- (a) be the custodian of the policies adopted and decisions taken by the General National Conference and National Working Committee, and will ensure that all structures of the NFP:-
 - (i) implement decisions taken at the National level, and
 - (ii) operate within the parameters of policy set out by the General National Conference, the National Working Committee and the NEC;
- (b) preside over the General National Conference;
- (c) in consultation with the President, call and chair the meetings of the National Working Committee and the meetings of the NEC;
- (d) carry out any additional tasks or functions, as are delegated to him or her by the General National Conference, National Working Committee or NEC.

5.4.1.4 The Deputy National Chairperson shall:-

- (a) assist the National Chairperson in exercising his or her functions and deputise for him or her when necessary;
- (b) carry out any additional tasks or functions, as are delegated to him or her by the General National Conference, National Working Committee or NEC.

5.4.1.5 The Secretary-General shall:-

- (a) be the Chief Executive Officer of the NFP, and all departments shall report on their activities and be accountable to the Secretary-General;
- (b) communicate the decisions of the NFP leadership to all structures;
- (c) conduct the correspondence of the NEC and send out notices of all Conferences and meetings at national level;

- (d) prepare annual reports for General National Conference on the state of the organisation and administration of the NFP, and such other reports as may be required by the NEC and the National Working Committee;
- (e) enforce the provisions of the Constitution of the Party;

5.4.1.6 The Deputy Secretary-General shall:-

- (a) assist the Secretary-General in exercising his or her functions and deputise for him or her when necessary;
- (b) carry out any additional tasks or functions, as are delegated to him or her by the National Conference, National Working Committee or NEC.

5.4.1.7 The National Treasurer shall:-

- (a) be appointed by the President, in consultation with the elected National Office Bearers and ex officio members of the NEC;
- (b) be the chief custodian of the funds and property of the NFP;
- (c) receive, record and bank all monies on behalf of the NEC;
- (d) as mandatory signatory, together with any two members of the NEC, operate a banking account;
- (e) be responsible for the keeping of such books of account as is necessary to record clearly the financial position of the NFP;
- (f) submit to the General National Conference a report showing the Income and Expenditure Account and Balance Sheet of the NFP for the period since the previous General National Conference;
- (g) present to the General National Conference and National Working Committee a comprehensive statement of the state of the finances of the NFP when required;
- (h) provide a monthly report to the NEC reflecting the income and expenditure of the Party;
- (i) be responsible, together with the National Finance Committee, for working out and executing plans for fund raising;
- (j) advise the National Working Committee on the appointment of Auditors of the Party;
- (k) prepare and submit such budgets to the NEC as may be required;
- (l) ensure that the Party complies in all aspects with legislation applicable to the financial management of a political organization;

- (m) generally, abide by and assist the NEC in the drafting and amendment of the “Financial Management” Protocol and such other Protocols as the NEC might require.

5.4.1.8 The National Organiser shall:-

- (a) be appointed by the President, in consultation with the elected National Office Bearers and ex officio members of the NEC;
- (b) attend to the organisation and mobilisation of Party structures in preparation for the General National Conference;
- (c) be responsible for increasing the membership of the Party;
- (d) prepare and present regular reports to the General National Conference and National Working Committee on the state of the membership of the NFP and the growth or decline of the Party;
- (e) supervise and coordinate the work of the Provincial Organisers if applicable;
- (f) in consultation with the National Treasurer, prepare and submit such budgets to the NEC as may be required;
- (g) generally, abide by and assist the NEC in the drafting and amendment of the “Inauguration of Party Structures” Protocol and such other Protocols as the NEC might require.

5.4.1.9 The National Administrator shall:-

- (a) be appointed by the President, in consultation with the elected National Office Bearers and ex officio members of the NEC;
- (b) attend to the day-to-day general administration of the Head Office of the Party;
- (c) monitor the administration of all structures of the Party;
- (d) provide the Secretary-General and the NEC with regular reports on the administration of the Party and its structures;
- (e) advise the Secretary-General and the NEC on the appointment and dismissal of paid officials, employees or agents of the Party, as well as the appointment of the Legal Representatives of the Party on an ad hoc basis;
- (f) in consultation with the National Treasurer, prepare and submit such budgets to the NEC as may be required;
- (g) generally, abide by and assist the NEC in the drafting and amendment of the “Administrative Management” Protocol, and such other Protocols as the NEC might require.

5.5 Incapacity of Office Bearers

5.5.1 In the event of death and/or permanent incapacity or vacation of office of the:

5.5.1.1 President, then:-

(a) the Deputy President shall assume the position of Acting President until such time as the next General National Conference meets where a new President will be elected,

(b) provided that:-

(i) such General National Conference will not have the status of an Elective General Conference unless such Conference has been scheduled to be an Elective National Conference in terms of section 4.2.4;

(ii) the procedure for the nomination and election for a National Office Bearer in terms of sections 4.2.8-11 is followed.

5.5.1.2 Deputy President, then:-

(a) the NEC shall, as soon as possible, appoint an Acting Deputy President until such time as the next General National Conference meets to elect a new Deputy President, with the same provision as contained in section 5.4.10.1 (b).

5.5.1.3 National Chairperson, Secretary-General, then:-

(a) the respective Deputy, shall assume the position of the National Office in an Acting capacity until such time as the next General National Conference meets to elect a new National Office Bearer, with the same provision as contained in with the same provision as contained in section 5.4.10.1 (b).

5.5.1.4 Deputy National Chairperson, Deputy Secretary-General, then:-

(a) the NEC shall, as soon as possible, appoint a member of the National Working Committee as an Acting Deputy of the relevant office, until such time as the next General National Conference meets to elect a new National Office Bearer, with the same provision as contained in section 5.4.10.1 (b).

5.5.1.5 National Treasurer, National Organiser, National Administrator, then:-

(a) the NEC shall, as soon as possible, appoint a suitable permanent replacement.

5.5.1.6 In the temporary absence of the President and the Deputy President, the National Chairperson shall assume the functions of the President.

6. PROVINCIAL STRUCTURE

6.1. Provinces

- 6.1.1 for the purpose of NFP structures, Provinces will correspond with the provincial boundaries as demarcated in the South African Constitution, being Limpopo, North West, Gauteng Mpumalanga, KwaZulu-Natal, Free State, Northern Cape, Eastern Cape, Western Cape;
- 6.1.2 will determine the seat of the Provincial Head Office at their respective first Elective Provincial Conferences.

6.2 Provincial Working Committee

- 6.2.1 The Provincial Working Committee acts with the authority and power of the General Provincial Conference, when the General Provincial Conference is not in session, subject to the powers of Party Structures at National level.
- 6.2.2 The Provincial Working Committee may be convened at the discretion of the Provincial Executive Council, provided that the PEC must convene the Provincial Council at least once every twelve months from the date of the Elective Provincial Conference.
- 6.2.3 The Provincial Working Committee shall consist of:-
 - 6.2.3.1 The Provincial Executive Committee as provided for in section 6.3.1;
 - 6.2.3.2 all District Chairpersons and Secretaries;
 - 6.2.3.3 the Provincial Secretary of the Women's Movement, together with four (4) additional Women's Movement nominees;
 - 6.2.3.4 the Provincial Secretary of the Youth Movement, together with four (4) additional Youth Movement nominees.
 - 6.2.3.5 the Provincial Secretary of NASMO, together with two (2) additional NASMO nominees.

6.3 Provincial Executive Committee

- 6.3.1 The Provincial Executive Committee shall consist of:-
 - 6.3.1.1 Provincial Office Bearers elected and appointed as provided for in section 6.4.1.;
 - 6.3.1.2 Provincial Chairperson of the Women's Movement;
 - 6.3.1.3 Provincial Chairperson of the Youth Movement;
 - 6.3.1.4 Provincial Chairperson of NASMO;
 - 6.3.1.5 A minimum of one (1), and a maximum of three (3) members appointed in terms of section 6.3.2 below.

- 6.3.2 The members of the Provincial Executive Committee, as constituted in sections 6.3.1.1-5 must, within four weeks of an Elective Provincial Conference, appoint one (1) additional member to represent minority interests as determined by the geographical particularity of each Province, and may appoint up to two (2) additional members who possess particular skills and expertise to enable the PEC to discharge its duties effectively and efficiently.
- 6.3.3 All members of the PEC as provided for in section 6.3.1 shall have full participation and voting rights in all decisions made by the PEC.
- 6.3.4 PEC meetings shall be convened regularly by the Provincial Chairman in consultation with the Provincial Secretary.

6.4 Provincial Office Bearers

- 6.4.1 The elected Provincial Office Bearers of the NFP shall be:-
- 6.4.1.1 Provincial Chairperson, Deputy Provincial Chairperson, Provincial Secretary, Deputy Provincial Secretary, Provincial Treasurer, Provincial Project Coordinator.
- 6.4.2 The functions and duties of the Provincial Office bearers as provided for in section 6.4.1 above will be regulated by the “Office Bearers” Protocol.
- 6.4.3 No member of a Provincial Executive Committee may hold Office on an Executive Committee at higher level of the structures of the NFP, including office within the Autonomous structures of the NFP. Should a member of a Provincial Executive Committee be so elected to serve as Office Bearer on an Executive Committee on a higher level, the office s/he occupied becomes vacant and must be filled in accordance with the provisions of the “Office Bearers” Protocol.

6.5 Functions of the Provincial Working Committee and Provincial Executive Committee

- 6.5.1 A Provincial Working Committee and Provincial Executive Committee must:-
- 6.5.1.1 assume responsibility for the effective co-ordination of the affairs of the Party at Provincial level and in particular ensure that all Party structures within its sphere of jurisdiction, adequately achieve the Party’s objectives up to Provincial level;
- 6.5.1.2 ensure that all structures function properly and in terms of the requirements of the National Constitution, and ensure that all structures of the Party in the province are regularly elected;
- 6.5.1.3 prescribe, in consultation with the NEC, systems, procedures, duties and functions to the NFP structures in its jurisdiction that are in harmony with the general provisions in this Constitution and will help to ensure democracy, transparency and good governance;
- 6.5.1.4 make it possible for the National Working Committee and the National Executive Committee to provide leadership in campaigns and endeavours of a national nature with the cooperation and support of the provinces;

- 6.5.1.5 take responsibility for the administrative and financial affairs of the province;
- 6.5.1.6 consider recommendations made by District Committees for the approval or disapproval of the establishment of new Branches and/or Constituencies;
- 6.5.1.7 execute all instructions and mandates received from National level.
- 6.5.2 Provinces have the duty to nominate members for National Office and shall do so by:-
 - 6.5.2.1 inviting nominations from all structures of the NFP down to Branch level, and including the Provincial structure of the Auxiliary structures in their respective provinces, six (6) months prior to the Elective National Conference, or General National Conference in the event of a vacancy;
 - 6.5.2.2 determining, through rules developed by the respective Provincial Working Committees, how such nominations are processed;
 - 6.5.2.3 providing the National Executive Committee with a short-list of candidates for the different National Office positions to elect from at an Elective General Conference, at least three (3) months before such Conference takes place.

7. DISTRICT STRUCTURE

7.1 Districts

- 7.1.1 a District will, for the purpose of the establishment of NFP structures, correspond with the District Municipal Boundaries as determined by Statute;
- 7.1.2 will determine the seat of the District Head Office at their respective first Elective Provincial Conferences
- 7.1.3 A Metro Municipality constitutes a District.

7.2 District Working Committee

- 7.2.1 The District Working Committee shall consist of:-
 - 7.2.2.1 The District Executive Committee as constituted in section 7.3.;1
 - 7.2.2.2 all Public Representatives at National, Provincial and District level who ordinarily resides within the jurisdiction of a District;
 - 7.2.2.3 all Constituency Chairpersons and Secretaries;
 - 7.1.2.4 the Secretary of the Women's Movement and three (3) additional Women's Movement nominees;
 - 7.1.2.5 the Secretary of the Youth Movement and three (3) additional Youth Movement nominees.

- 7.2.3 The District Working Committee may be convened at the discretion of the District Executive Committee, provided that the DEC must convene the District Working Committee at least once every twelve months from the date of the Elective District Conference.

7.3 District Executive Committee

- 7.3.1 The District Executive Committee shall consist of:-
- 7.3.1.1 District Office Bearers elected as provided for in section 7.4.1.1;
 - 7.3.1.3 District Chairperson of the Women’s Structure;
 - 7.3.1.4 District Chairperson of the Youth Structure;
 - 7.3.1.5 A minimum of one, and a maximum of three members appointed in terms of section 7.3.2 below.
- 7.3.2 The members of the District Executive Committee, as constituted in sections 7.3.1.1-4 must, within four weeks of an Elective District Conference, appoint one additional member to represent minority interests as determined by the geographical particularity of each District, and may appoint up to two (2) additional members who possess particular skills and expertise to enable the DEC to discharge its duties effectively and efficiently.
- 7.3.3 All members of the DEC as provided for in section 7.3.1 shall have full participation and voting rights in all decisions made by the DEC.
- 7.3.4 DEC meetings shall be convened by the District Chairman in consultation with the District Secretary.

7.4 District Office Bearers

- 7.4.1 The elected District Office Bearers of the NFP shall be:-
- 7.4.1.1 District Chairperson, Deputy District Chairperson, District Secretary, Deputy District Secretary, District Treasurer, District Project Coordinator.
- 7.4.2 The functions, duties and related provisions regarding District Office bearers as provided for in section 7.4.1 above will be regulated by the “Office Bearers” Protocol.
- 7.5 The duties and functions of the District Committee and District Executive Committee will be as directed by the Provincial Council in terms of section 6.5.1.3.
- 7.6 No member of a District Executive Committee may hold Office on an Executive Committee at higher level of the structures of the NFP, including office within the Autonomous structures of the NFP. Should a member of a District Executive Committee be so elected to serve as Office Bearer on an Executive Committee on a higher level, the office s/he occupied becomes vacant and must be filled in accordance of the provisions of the “Office Bearers” Protocol.

8. CONSTITUENCY STRUCTURE

8.1 Constituencies

8.1.1 For the purpose of the establishment of NFP structures, a Constituency will correspond with the Local Municipal Boundaries as determined by Statute.

8.2 Constituency Working Committee

8.2.2 The Constituency Working Committee shall consist of;

8.2.2.1 The Constituency Executive Committee as constituted in section 8.3.1

8.2.2.2 all Public Representatives at Constituency level;

8.2.2.3 all Branch Chairpersons and Secretaries;

8.2.2.4 the Constituency Secretary of the Women's, Movement and two (2) additional nominees of the Women's Movement;

8.2.2.5 the Constituency Secretary of the Youth, Movement and two (2) additional nominees of the Youth Movement

8.2.3 The Constituency Committee may be convened at the discretion of the Constituency Executive Council, provided that the CEC must convene the Constituency Committee at least once every twelve months from the date of the Elective Constituency Conference.

8.3 Constituency Executive Committee

8.3.1 The Constituency Executive Committee shall consist of:

8.3.1.1 Constituency Office Bearers elected as provided for in section 8.4.1;

8.3.1.3 Chairperson of the Constituency Women's Movement;

8.3.1.4 Chairperson of the Constituency Youth Movement;

8.3.1.6 A minimum of one, and a maximum of three members appointed in terms of section 8.3.2 below

8.3.2 The members of the Constituency Executive Committee, as constituted in sections 8.3.1.1-4 must, within four weeks of an Elective Constituency Conference, appoint one (1) additional member to represent minority interests as determined by the geographical particularity of each Constituency, and may appoint up to two (2) additional members who possess particular skills and expertise to enable the CEC to discharge its duties effectively and efficiently.

8.3.3 All members of the CEC as provided for in section 8.3.1 shall have full participation and voting rights in all decisions made by the CEC.

8.3.4 CEC meetings shall be convened by the Constituency Chairman in consultation with the Constituency Secretary.

8.4 Constituency Office Bearers

8.4.1 The elected Constituency Office Bearers of the NFP shall be:

8.4.1.1 Constituency Chairperson, Constituency District Chairperson, Constituency Secretary, Deputy Constituency Secretary, Constituency Treasurer, Constituency Project Coordinator

8.4.2 The functions, duties and related provisions regarding Constituency Office bearers as provided for in section 8.4.1.1 above will be regulated by the “Office Bearers” Protocol

8.5 The duties and functions of the Constituency Committee and Constituency Executive Committee will be as directed by the Provincial Council in terms of section 6.5.1.3.

8.6 No member of a Constituency Executive Committee may hold Office on an Executive Committee at higher level of the structures of the NFP, including office within the Autonomous structures of the NFP. Should a member of a Constituency Executive Committee be so elected to serve as Office Bearer on an Executive Committee on a higher level, the office s/he occupied becomes vacant and must be filled in accordance of the provisions of the “Office Bearers” Protocol.

9. BRANCH STRUCTURE

9.1 Branches

9.1.1 For the purpose of the establishment of NFP structures, a Branch will correspond with the Municipal Ward Boundaries within Local Municipalities as determined by Statute.

9.1.2 Sub-branches may be formed to coincide with Voting District boundaries within a Municipal Ward, provided that such sub-branches will have no executive powers or status and will be regulated by the provisions contained in the ‘Inauguration of Structures’ Protocol.

9.2 Branch Executive Committee

9.2.1 The Branch Executive Committee shall be elected at an Elective Branch Meeting in accordance with the “Inauguration of Structures” Protocol.

9.2.2 The Branch Executive Committee shall consist of:-

9.2.2.1 Branch Office Bearers elected as provided for in section 9.3.1;

9.2.2.2 Chairperson of the Branch Women’s Movement;

9.2.2.3 Chairperson of the Branch Youth Movement;

9.2.2.4 A minimum of one (1), and a maximum of three (3) members appointed in terms of section 9.2.3 below.

9.2.3 The Branch Executive Committee, as constituted in sections 9.2.2.1-3 must, within four (4) weeks of an Elective Branch Meeting, appoint:

9.2.3.1 up to, but no more, than two (2) additional members to serve on the Branch Executive Committee in terms of section 9.3.1.4. These appointees are optional, but should possess particular skills and expertise to enable the BEC to discharge its duties effectively and efficiently, and

9.2.3.2 one (1) additional position is mandatory, and must represent minority interest as determined by the demographic particularity of the Branch, if minorities are present within the boundaries of such Branch. Should no minorities be present within a Branch, this additional position falls away.

9.2.4 All members of the BEC as provided for in section 9.3.1 shall have full participation and voting rights in all decisions made by the BEC.

9.2.5 BEC meetings shall be convened by the Branch Chairman in consultation with the Branch Secretary, provided that the BEC meeting must be convened at least once a month from the date of the previous General or Elective Branch Meeting.

9.3 Branch Office Bearers

9.3.1 The elected Branch Office Bearers of the NFP shall be:-

9.3.1.1 Branch Chairperson, Deputy Branch Chairperson, Branch Secretary, Deputy Branch Secretary, Branch Treasurer, Branch Project Coordinator, and Branch Publicity Coordinator.

9.3.2 The functions, duties and related provisions regarding Branch Office bearers as provided for in section 9.3.1 above will be regulated by the "Office Bearers" Protocol.

9.4 The duties and functions of the Branch Executive Committee will be as directed by the Provincial Council in terms of section 6.5.1.3.

9.5 No member of a Branch Executive Committee may hold Office on an Executive Committee at a higher level of the structures of the NFP, including office within the Autonomous structures of the NFP. Should a member of a Branch Executive Committee be so elected to serve as Office Bearer on an Executive Committee on a higher level, the office s/he occupied becomes vacant and must be filled in accordance of the provisions of the "Office Bearers" Protocol.

10. AUTONOMOUS STRUCTURES

10.1 The National Freedom Party Women's Movement (NFPWM):

10.1.1 shall be open to all women of 18 years and older who are members of the NFP;

10.1.2 must have the same basic structure as the NFP at National, Provincial, District, Constituency and Branch level;

10.1.3 will function as an autonomous body within the overall structure of the NFP, of which it is an inalienable and integral part, and with representation at all levels of the NFP as provided for in this Constitution;

- 10.1.4 will have its own Constitution, rules and regulations, and programs of action provided that these are congruent with the Constitution and Policies of the NFP, and that such Constitution and/or any Amendments thereto be approved by the General National Conference as being in accordance with the provisions contained herein before it becomes effective. If a dispute arises as to the interpretation of any provision of the NFPWM Constitution or if that Constitution is silent upon the issue, the provisions of this Constitution must prevail;
- 10.1.5 has the principal duty of promoting and advancing the rights of women, both within and outside of the NFP, and to work towards the eradication of social ills affecting women in particular;
- 10.1.6 is expected to work tirelessly to promote the Aims, Objectives, Policies and general interest of the NFP, and to coordinate with the NFP in matters of mutual importance, including but not limited to general, provincial and local government elections, preparations for Conference and other interests;
- 10.1.7 has an obligation to mobilise women to join the Party;
- 10.1.8 must design, arrange and present workshops to deal with issues affecting women in general;
- 10.1.9 should encourage women to fully participate in all spheres of Government and government Structures.

10.2 The National Freedom Party Youth Movement (NFPYM):

- 10.2.1 is open to all men and women who are full members or junior members of the NFP and who are younger than the age of 35;
- 10.2.2 must have the same basic structure as the NFP at National, Provincial, District, Constituency and Branch level:
- 10.2.3 will function as an autonomous body within the overall structure of the NFP, of which it is an inalienable and integral part, and with representation at all levels of the NFP as provided for in this Constitution;
- 10.2.4 will have its own Constitution, rules and regulations, and programs of action, provided that these are congruent with the Constitution and Policies of the NFP, and that such Constitution and/or any amendments thereto be approved by the General National Conference as being in accordance with the provisions contained herein before it becomes effective. If a dispute arises as to the interpretation of any provision of the NFYM Constitution or if that Constitution is silent upon the issue, the provisions of this Constitution must prevail;
- 10.2.5 has the principal duty of promoting and advancing the interests of the youth, both within and outside of the NFP, and to work towards identifying and eradicating social ills affecting the youth and in society;
- 10.2.6 is expected to work tirelessly to promote the Aims, Objectives, Policies and general interest of the NFP, and to coordinate with the NFP in matters of mutual importance, including but not limited to mobilising the youth for national, provincial and local government elections, preparations for Conference, and other interests which is to the benefit of the NFP and the youth in general;

- 10.2.7 has an obligation to mobilise young people to join the Party;
- 10.2.8 must design, arrange and present workshops to deal with issues affecting the youth in general;
- 10.2.9 should encourage youth members to fully participate in all spheres of Government and government Structures.

10.3 The National Student Movement (NASMO):

- 10.3.1 is open to all men and women who are full members or junior members of the NFP, and who are registered as a learner or student at a Secondary School, or at a registered Tertiary, Higher and/or Further Education Institution within the Republic of South Africa;
- 10.3.2 must, where possible, have a similar basic structure as the NFP;
- 10.3.3 will function as an autonomous body within the overall structure of the NFP, of which it is an inalienable and integral part, and with representation at such levels of the NFP as provided for in this Constitution;
- 10.3.4 will have its own Constitution, rules and regulations, and programs of action, provided that these are congruent with the Constitution and Policies of the NFP, and that such Constitution and/or any amendments thereto be approved by the General National Conference as being in accordance with the provisions contained herein before it becomes effective. If a dispute arises as to the interpretation of any provision of the NASMO Constitution or if that Constitution is silent upon the issue, the provisions of this Constitution must prevail;
- 10.3.5 has the principal duty of promoting and advancing the interests of students and learners, both within and outside of the NFP, and to work towards identifying and eradicating social ills affecting students and learners in society;
- 10.3.6 is expected to work tirelessly to promote the Aims, Objectives, Policies and general interest of the NFP, and to coordinate with the NFP in matters of mutual importance, including but not limited to mobilising the students and learners for national, provincial and local government elections, SRC elections, preparations for Conference, and other interests which is to the benefit of the NFP and learners and students in general;
- 10.3.7 has an obligation to mobilise learners and students to join the Party;
- 10.3.8 must design, arrange and present workshops to deal with issues affecting learners and students in general;
- 10.3.9 should encourage it's members to fully participate in all spheres of Government and government Structures.

11. PUBLIC REPRESENTATION

11.1 Caucuses

- 11.1.1 NFP members who hold Public Office in any sphere of governance at National, Provincial or Local level are required to be members of their respective appropriate Caucuses, to function within its rules and to accept its decisions in accordance with the general provisions of this Constitution.
- 11.1.2 Each Caucus shall elect a Chairperson and Whip from amongst its own members, save for the provisions of sections 11.1.3 and 11.1.4.
- 11.1.3 The President is the Leader of the Parliamentary Caucus if he/ she is a Member of Parliament. The Premier is similarly the Leader of the Caucus in the relevant Provincial Legislature and the Mayor is the Leader of the relevant Municipal Caucus, where these positions are held by NFP members.
- 11.1.4 The Chief Whip of any Legislative body or Municipal Council, if that position is held by a NFP member, is automatically the Whip of the relevant Caucus.
- 11.1.5 Each Caucus shall function and takes decisions in total confidentiality.
- 11.1.6 Members must at all times adhere to and support decisions of the relevant Caucus and must not differ publicly from any decision once it has been taken.
- 11.1.7 Members must attend Caucus meetings punctually and no member is excused from attending a caucus meeting except with prior approval of the Whip.
- 11.1.8 Members must at all times diligently perform their duties in their relevant forums, their duties towards the voters and particularly their duties towards Party supporters and to the level and standard required by the Party as set out in the applicable code.
- 11.1.9 Caucuses are responsible for the proper functioning of the Party in the relevant forum.
- 11.1.10 The Chairperson of the Caucus will designate Portfolio spokespersons.
- 11.1.11 The President, a Provincial Chairperson or the relevant Caucus Leader or Chief Whip may refer a member of any Caucus to the National Disciplinary Tribunal for an enquiry on a charge of misconduct in terms of this Constitution.
- 11.1.12 A Caucus may, by majority decision, suspend a member from attending meetings of that Caucus, pending the outcome of an enquiry.
- 11.1.13 Each Caucus must draft and accept a set of Caucus Rules unless exempted by the National Executive Committee.
- 11.1.14 All Caucus Rules must be submitted to the National Working Committee for verification that they are consistent with this Constitution and for approval, thereafter they shall come into force.

11.2 Planning, Monitoring and Evaluation Committee

11.2.1 The National Working Committee shall establish a Planning, Monitoring and Evaluation Committee to:-

11.2.1.1 provide political oversights over Party members, appointees of the Party, political Office Bearers and Public Representatives at all three levels of Government;

11.2.1.2 ensure that, where applicable, Public Representatives fulfil their respective responsibilities and obligations to the Party, its members and institutions of government, where appropriate;

11.2.1.3 assist the Party in holding its Public Representatives accountable to it and the electorate for their performance and conduct;

11.2.1.4 assist the NEC in drafting, developing and amending a “Public Representatives” Protocol to enable the Planning, Monitoring and Evaluation Committee to execute its functions effectively and efficiently.

11.2.2 In the exercise of its mandate the Planning, Monitoring and Evaluation Committee shall:-

11.2.2.1 ensure that the Party representatives function at an optimal level and within the political culture of the Party;

11.2.2.2 coordinate with the Deployment Committee in the deployment, redeployment and removal of Party representatives at all levels of the Government;

11.2.2.3 investigate alleged breaches of code of conduct and infringements of any law or regulation by the Party’s public representatives in the performance of their responsibilities, and to refer these to disciplinary processes where necessary;

11.2.2.4 implement disciplinary decisions from various disciplinary tribunals with regard to Public representatives;

11.2.2.5 attend to any other matters of political relevance that may be referred to it by the NEC;

11.2.2.6 report to the National Executive Committee regularly.

11.3 Deployment Committee

11.3.1 The National Working Committee shall establish a Deployment Committee to:-

11.3.1.1 coordinate the identification of individual members of the NFP as suitable candidates for Public Representation;

11.3.1.2 deploy members to various Party structures and nominate candidates (after consultation with relevant stakeholders) as Public Representatives and make recommendations for the deployment of senior managers at all three levels of government;

11.3.1.3 liaise with the Independent Electoral Commission, after consultation with the Planning, Monitoring and Evaluation Committee and the NEC, with regard to the deployment, redeployment and removal of Public Representatives;

11.3.1.4 ensure that gender and equity considerations are implemented in the identification, deployment and redeployment of Public Representatives at all levels of Government;

11.3.1.5 assist the NEC in drafting, developing and amending a “Public Representatives” Protocol to enable the Deployment Committee to fulfil its tasks.

12. FINANCIAL MANAGEMENT

12.1 Bank Account

12.1.1 The Party shall have a bank account which shall be controlled by the NEC at the Head Office through the National Treasurer.

12.2 Surplus Funds

12.2.1 Any surplus funds for the Party shall be invested with a registered and recognised Financial Services Provider.

12.3 Paid Employees

12.3.1 Only employees shall be paid in accordance to their employment contracts.

12.4 Funds received

12.4.1 All funds received shall be deposited into the Party’s bank account in accordance with the Financial Management Protocol, and receipts shall be issued.

12.5 Head Office Expenses

12.5.1 Payments for the operational and necessary costs of Party Head Office shall be effected through the Head Office where the National Treasurer and Secretary-General, in consultation with the National Administrator, shall be responsible.

12.6 Financial Management Protocol

12.6.1 The NEC shall be responsible for drafting a “Financial Management” Protocol to regulate the financial management of all the NFP structures, and in doing so, should invite the participation of the National Treasurer to assist with the drafting, developing and amendment of the Protocol.

12.7 Assets

12.7.1 The NEC shall be vested with the powers to act on behalf of the Party in the acquisition, hiring or disposing of assets and any kind of property at all levels. Such property shall always be the property of the NFP, and no official, member or employee shall enjoy any benefits from such assets or property.

12.8 Dissolution of Party

12.8.1 In the event that the Party is dissolved, the Party's acquired assets and/or property shall be donated to another organisation. That beneficiary organisation shall be decided upon in the Special National Conference summoned to decide on the winding up of the Party. A simple majority shall suffice to decide on the beneficiary organisation.

13. ADMINISTRATIVE MANAGEMENT

13.1 General Administration

13.1.1 The Secretary-General, together with the National Administrator, shall ensure the smooth administration of the NFP, and to this effect, to create and maintain a solid administrative foundation based on technology and recognised office practices and in compliance with all appropriate Labour Legislation.

13.2 Administrative Management Protocol

13.2.1 The NEC shall be responsible for drafting an "Administration Management" Protocol to regulate the administrative management of all the NFP structures, and in doing so, should invite the participation of the National Administrator to assist with the drafting, developing and amendment of the Protocol.

14. GENERAL PROVISIONS

14.1 Amakhosi

14.1.1 The NFP acknowledge and respects the role and function of Traditional Leadership and is committed to cooperate, where possible, with traditional leaders.

14.1.2 The Party shall have a "Forum of Cultural and Spiritual Elders" that shall accommodate Traditional Leaders within the Party. Such a Forum shall be chaired by the National Deputy Chairperson. The President shall be part of the Forum to give it the necessary status and dignity it deserves.

14.1.3 The purpose of the Forum shall be to engage and accommodate the Traditional Leadership in the governance structures where the NFP holds power at all three levels of Governance.

14.2 Men's Forum

14.2.1 The NFP recognizes that men in South Africa share common concerns which are worthy of debate and discussion.

14.2.2 The Party shall convene a "Men's Summit" once a year, which Summit shall not have any executive powers, but will serve as a platform to discuss matters pertaining to men within the NFP.

15. DISCIPLINE

15.1 Disciplinary Policy

- 1.1 Discipline is to be effected fairly, consistently, progressively and promptly.
- 1.2 The maintenance of discipline is the responsibility of the Executive Committees of the various structures of the Party.
- 1.3 The principles of natural justice and fair procedure must be adhered to notwithstanding any criminal and/or civil action having been instituted.
- 1.4 Subject to the requirements of substantive and procedural fairness, the Disciplinary Tribunal has the right to determine the sanction to be applied, having regard to the seriousness of the offence and provided that the sanction is consistent with the provisions set out herein.
- 1.5 The Disciplinary Procedure must be made known to all Party members so that all members are aware, explicitly, of the standard of conduct for all Party members.
- 1.6 This procedure, as refined from time to time by the National Executive Committee, will define the disciplinary process read together with the rights and obligations of the Party membership.

15.2 Disciplinary Procedure

- 15.2.1 An accusation of misconduct against a member shall be brought in writing before the Chairperson of the Branch or his authorised representative, – to which the member is affiliated, for investigation. If the Branch Chairperson or his representative is satisfied that there is a *prima facie* cause to believe an act of misconduct has been committed, he may institute disciplinary proceedings.
- 15.2.2 Depending on the seriousness of the alleged misconduct, the Chairperson or his representative may refer the matter before either an Informal Branch Enquiry or the Constituency Disciplinary Tribunal that shall be administered by the Constituency's Executive Committee. An Informal Branch Enquiry proceeding shall be reserved for matters where the competent sanction is a verbal warning. In proceedings before an Informal Branch Enquiry, the member shall enjoy the same rights, as he would have before a Disciplinary Tribunal.
- 15.2.3 If in the opinion of the Branch Chairperson or his representative, the misconduct is serious and may result in a sanction of suspension, demotion (if in a position of the Party) or expulsion, a Disciplinary Tribunal shall be established to conduct the enquiry.
 - 15.2.3.1 In which event:
 - (i) The Branch Chairperson or his authorised representative shall send the case docket to the Constituency Executive Committee's (CEC) Chairperson who shall then constitute the Disciplinary Tribunal by appointing a suitably competent person to serve as the Presiding Officer;

- (ii) The CEC's Chairperson or his authorised representative shall also appoint a person to be referred to as the Prosecutor to represent the Party and to serve the function of prosecution.
- (iii) The Prosecutor shall within ten (10) days of his appointment, formulate and present the charges to be brought against the member. The charge(s) is (are) to be set out in a Notice Of Misconduct detailing:
 - (a) the alleged misconduct as is contemplated in section ;
 - (b) the time, date and venue at which the enquiry will be conducted;
 - (c) the name of the Presiding Officer and the Prosecutor;
 - (d) the fact that the member may appoint a representative of choice who may be a fellow member, and if this is not possible or desirable, any suitably qualified person, but not a practicing attorney or advocate;
 - (e) the fact that the member or his representative fails to attend the enquiry; it may be conducted *in absentia*
- (iv) The member should, whenever possible, acknowledge receipt of the Notice.
- (v) The Disciplinary Enquiry should commence on a date not less than five (5) days or more than fifteen (15) days calculated from the date of service of the Notice of Misconduct on the member.
- (vi) The period referred to in 2.7 above may be varied by agreement and failing agreement, either party may apply to the Disciplinary Tribunal for an extension of the period.
- (vii) The Disciplinary Tribunal, on good cause shown, may extend any period fixed by or under this clause provided a return date is fixed and made certain.

15.3 Conduct of the Enquiry

- 15.3.1 The hearing shall be conducted by the Presiding Officer who may determine the procedure to be followed subject to the following:
- 15.3.2 the rules of natural justice must be observed in the conduct of the proceedings;
- 15.3.3 unless otherwise agreed by the parties, the hearing must be adversarial in nature and character, and
- 15.3.4 the Presiding Officer in discharging this obligation is to exercise care, proceed diligently and act impartially.
- 15.3.5 The Prosecutor shall bear the duty to commence and the burden to prove each allegation(s) as set out in the Notice of Misconduct.
- 15.3.6 In discharging these duties, the Prosecutor shall be entitled to call before the Disciplinary Tribunal any witnesses and produce any books, documents or things; or present argument based on the evidence in support of any submission.

15.3.7 The member summoned before the Disciplinary Tribunal shall have the right to be heard in person or through a representative and to call before the Disciplinary Tribunal any witnesses and produce books, documents or things; and to

- (a) cross-examine any witness subject to legal objection called to testify on behalf of the Party and to inspect books, documents or things produced; and
- (b) present arguments based on the evidence in support of any submission.

15.3.8 The Presiding Officer shall have power to:

- (a) determine the procedure to be followed for the conduct of the enquiry that he deems appropriate with the minimum of legal formalities provided that the rules of natural justice shall be observed;
- (b) put question, without cross-examining, to the parties or their witnesses on any matter relevant to the issue;
- (c) proceed with the enquiry in the absence of a party who is in wilful default or fails to attend any meeting despite the expiry of a notice to attend;
- (d) make such interim determinations or rulings as he deems necessary;
- (e) propose to the parties compromise settlements in disposal of the whole or portion of the issues;
- (f) make a finding of fact after having considered the evidence;
- (g) invite and hear any plea in mitigation, aggravation or extenuation prior to deciding on the sanction to impose; and
- (h) impose, inter-alia, any of the following sanctions:
 - (i) written warning;
 - (ii) final written warning;
 - (iii) suspension from membership (with or without demotion or removal from a position held in the Party structures) for a determined period of time;
 - (iv) removal from a position of responsibility in the Party (with or without loss of membership);
 - (v) expulsion.

15.3.9 The Presiding Officer shall within ten (10) days of the last day of the hearing confirm in writing the finding of fact, sanction imposed and the reasons in support thereof and provide a copy of the determination to the CEC Chairperson or his representative and to the member or his representative.

15.4 Summary Procedure

- 15.4.1 If the Party and the accused member so agree in writing, the Summary Procedure as set out hereinafter may apply to the proceedings. The Presiding Officer shall, at such meeting(s) with the parties, as he deems necessary:
- 15.4.1.1 confirm that the matter is ready for adjudication;
 - 15.4.1.2 ascertain and record in writing, signed by himself and the parties, the facts on which the parties agree and those on which they disagree herein called the “issues”;
 - 15.4.1.3 receive from the parties such documents or copies thereof as they consider relevant to the determination of the issues;
 - 15.4.1.4 receive evidence or submissions, orally or in writing, sworn or un-sworn at joint meetings with the parties or, if the parties so agree, by the interchange of written statements or submissions, between the parties with copies to the Presiding Officer provided that each party shall be given reasonable opportunities of presenting evidence or submissions and of responding to those of the other;
 - 15.4.1.5 deliver a determination, in writing, within ten (10) days of the last day of the hearing or submission of the last document to the Presiding Officer, if there was no hearing.

15.5 Right of Resignation

- 15.5.1 A member who receives a Notice of Misconduct shall be entitled to resign from the Party, provided that:
- 15.5.1.1 the member does so prior to the handing down of a determination;
 - 15.5.1.2 the member consents in writing to the settlements of any money or dues to the Party;
 - 15.5.1.3 the member who has so resigned shall not be eligible for membership for a period of four (4) years.

In such an event the disciplinary enquiry shall not proceed.

15.6 Disciplinary Tribunal

- 15.6.1 In general a person appointed to serve as the Presiding Officer should be a member of the Constituency Executive Committee (CEC). However, if this is not possible or desirable, any other suitably qualified person may be appointed.
- 15.6.2 During the conduct of the enquiry, the accused member may make application on good cause shown for the recusal of the Presiding Officer.
- 15.6.3 The Presiding Officer shall not consult, confer or have casual contact with any of the parties or their representatives while handling a matter without the presence of the other party.

- 15.6.4 The determination of the Disciplinary Tribunal shall be final and binding on the member save that the member may lodge an appeal thereto.
- 15.6.5 In general a person appointed to serve as Prosecutor should be a person in the employ of the Party. However, if this is not possible or desirable, any suitably qualified person may be appointed.

15.7 Recording

- 15.7.1 Where possible, the proceedings of a Disciplinary Tribunal shall be recorded by means of a mechanical device, and where not possible, shall be recorded in writing by a scribe appointed by the Constituency Chairperson.
- 15.7.2 The Constituency Executive Committee (CEC) shall keep the record of the proceedings in safe custody and upon request, a copy thereof shall be provided to the member or his representative.

15.8 Non-Attendance

- 15.8.1 In the event of the failure by the member, or a duly appointed representative, to attend an enquiry or appeal without good cause, and after proper service of the Notice of Misconduct was effected, the enquiry may be conducted in absentia and discipline effected.

15.9 Right Of Representation

- 15.9.1 A member shall be entitled to representation at any enquiry by another Party member who is willing and able to represent the member and, if this is not possible or desirable, any suitably competent person. However, members of the District Executive Committee, Provincial Executive Committee and National Executive Committee and the corresponding Councils are prohibited from representing members during a Disciplinary Tribunal at a lower level.

15.10 Suspension

- 15.10.1 The Party, through the CEC, may at any time before or after the member has been charged with misconduct, suspend the member should the CEC Chairperson or his authorised representative be of the opinion that it would be detrimental to the interests of the Party if the member remain active in the position that the member holds.
- 15.10.2 If the CEC Chairperson intends to suspend a member he/ she shall give notice of such intention and afford the member with an opportunity to make representation as to why he/ she should not be suspended. The enquiry shall be done by mean of the Summary Procedure as provided herein.
- 15.10.3 The suspension shall be for a fixed and pre-determined period and at any rate shall not exceed a period of three (3) months. Should the member be a Public Representative of the Party, such suspension shall entitle the member to his/ her remuneration as a Party Public Representative. (A Party Public Representative is a Councillor, Member of the Provincial Legislature or a Member of Parliament).

15.11 Appeal

- 15.11.1 The member has the right to appeal against any disciplinary sanction, which has been given at a Disciplinary Tribunal/Enquiry.
- 15.11.2 An Appeal must be lodged within five (5) days of receipt of written notification of the disciplinary decision and the grounds of appeal must be clearly set out provided that the failure by a party to raise a ground of appeal shall not preclude that party from subsequently raising it before the Disciplinary Appeal Tribunal.
- 15.11.3 Appeals will be heard by the District Executive Committee (DEC) Chairperson, or any suitably qualified member of the DEC.
- 15.11.4 By agreement, an impartial arbitrator appointed may hear an Appeal by the parties to the appeal from a panel or list.
- 15.11.5 The Appeal will only be heard on the grounds of appeal submitted by the member and any amendment thereto and by having regard to the record of the proceedings and submissions and arguments based thereon. The Appeal should not entail the rehearing of the matter *de novo*
- 15.11.6 The Presiding Officer of the Appeal Disciplinary Tribunal shall have the power to confirm or set aside any decision, determination or finding and to reduce any sanction imposed.
- 15.11.7 The Presiding Officer of the Appeal Disciplinary Tribunal shall fix the time and date of the hearing which will take place within ten (10) days of date of appointment. In consultation with the parties, the Presiding Officer may vary the time and date and order a mutually convenient time, date and place.
- 15.11.8 The parties shall deliver to the other and to the Presiding Officer a brief statement of the case at least two (2) days prior to the hearing and no further pleadings shall be exchanged unless otherwise agreed.
- 15.11.9 The statement of case shall concisely set out facts upon which the party relies, the conclusions of law upon which the party relies and the relief which the party seeks.
- 15.11.10 The hearings will be conducted by the Presiding Officer whatever manner and procedure, including the Summary Procedure as set out in clause 4 above that will produce the most expeditious hearing of the matter.
- 15.11.11 The Appeal Disciplinary Tribunal shall make its determination, in writing, within ten (10) days from the last day of the hearing and provide a copy of the determination to the District Chairperson or his representative and to the Party or the Party representative.
- 15.11.12 Should the Party member be not satisfied with the decision of the District Appeal Tribunal, the member may appeal to the Provincial Executive Committee and subsequently to the National Executive Committee. The final arbiter shall be the National Council.

15.11.13 Members who hold office from the level of the District, Province and National levels shall be brought before the Disciplinary Tribunal constituted by the National Executive committee. They can only appeal to the National Working Committee.

16. CONDUCT AND SANCTIONS.

16.1 Standard of Conduct

16.1.1 Party members are expected to comply in every aspect with the Standard of Conduct so as to enhance the Party image and promote unity, peace and cooperation at all levels of the Party.

16.1.2 The kind of behaviour that shall result in an investigation whereby the Branch and Constituency Executive Committee shall institute a Disciplinary Tribunal shall include:

- (a) wilfully and wrongfully disclosing privileged Party information;
- (b) participating whether alone or with others in action that brings about factionalism, and serious divisions within Party ranks;
- (c) undermining the authority and functioning of the Party structures;
- (d) seeking to advance own interests by using the Party or any of its organs in an underhand way or by manipulation;
- (e) rude, abusive, insolent, provocative, intimidatory or aggressive behaviour to fellow members or Party office bearers and/or employees;
- (f) behaving in a manner that results in criminal action against the member; and the member ends up with a criminal conviction against him;
- (g) involvement in physical, mental and sexual abuse of men, women and children;
- (h) supporting a political party that is not in alliance with the NFP;
- (i) standing in elections against NFP members, or standing without the consent of the National Executive Committee or the National General Conference of the Party;
- (j) prejudice the actions of the legitimate structures of the NFP in any manner whatsoever;
- (k) promoting sexism, religious and political intolerance, regionalism/factionalism or any other form of discrimination;
- (l) false representation or deception within the Party with the intention of advancing one's selfish motives;
- (m) misappropriation of Party funds for whatever reason;
- (n) deliberate failure by elected office bearers or Public representatives in their duties or obligations;

- (o) deliberate non-compliance in paying Party dues;
- (p) joining another political party;
- (q) behaving in a corrupt manner that includes also the soliciting of bribes or other financial gain based on selfish motives;
- (r) deliberately disrupting of meetings and other activities of the Party to sow confusion or dysfunction of the Party;
- (s) engaging in behaviour that is deemed to bring the Party into disrepute;
- (t) recruitment of members who do not reside within the constitutional boundaries to influence the outcome of Branch, Constituency, District and Provincial Party elections;
- (u) influencing or attempting to influence the outcomes of conferences or other activities by offering inducements or any other forms of bribes.

16.2 Sanctions for Misconduct

16.2.1 In accordance with the Disciplinary Policy, any sanction that is imposed for misconduct will be intended to deter repetition of that behaviour. The sanction imposed must be based on the seriousness of the offence and considering the member's disciplinary record.

16.2.2 The imposition of discipline is progressive in that sanctions are to be applied with increasing severity with the repetition of the offence, as well as with the higher the level the member holds in the Party offices. Sanctions will generally be applied by first issuing a written warning and then a final written warning, except in cases of misconduct which would constitute grounds for immediate expulsion from the Party or the imposition of a final written warning.

16.2.3 All written warnings and suspensions are to be recorded by the Constituency Secretary and copies thereof sent to the National Secretary for record keeping.

16.2.4 A suspension from the Party shall be regarded as a sanction that is more serious than a final written warning.

16.2.5 As a guideline, a member may be expelled on the first occasion for, inter alia:

- (a) intimidation, fighting and/or assault;
- (b) any act of gross dishonesty or corruption;
- (c) gross insubordination; wilful and wrongful disclosure of privileged information;
- (d) any act of bribery or corruption;
- (e) any other act of misconduct which would constitute just cause for dismissal;
- (f) theft, unauthorised possession of the Party's property;
- (g) malicious damage to the Party's property.

"SCHEDULE A"

Colour	Textile Colour	Pantone Equivalent	RGB
Green	CKS 42 c Spectrum green (Natural vegetation – SA’s richness in Agriculture)	3415 c	#007C59
Black	CKS 401 c Blue Black (Black majority)		#000000
White	CK S 701 c National flag white (Peace)		#FFFFFF
Gold	CKS 724 c Gold yellow (SA’s mineral wealth)	1235 c	#FCB514
Orange	BBC57 Orange (Rising sun – vitality, hope, energy, light, bright future)		#FFE88C

White star (Excellence)



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