

# THE CONSTITUTION OF THE PROGRESSIVE PROFESSIONALS FORUM

(PPF)



AS ADOPTED AT THE 2<sup>ND</sup> NATIONAL CONFERENCE  
DURBAN – 15 -16 MARCH 2019

## TABLE OF CONTENTS

1. ORGANISATION.....	
2. THE VISION.....	
3. LEGAL PERSONA.....	
4 CHARACTER OF THE PPF.....	
5. OBJECTIVES OF THE PPF.....	
6. MEMBERSHIP.....	
7. ORGANISATIONAL STRUCTURE OF THE PPF.....	
8. FINANCE.....	
9. DISCIPLINE.....	
10. LIMITATION OF RIGHTS AND LIABILITIES.....	
11. LEGAL ACTIONS.....	
12. INDEMNITY.....	
13. AMENDMENT OF THE CONSTITUTION.....	
14. DISSOLUTION OF THE PPF.....	
15. DISPOSAL OF ASSETS.....	
16. DOMICILIUM.....	
17. ADOPTION OF THE CONSTITUTION.....	

## **1. ORGANISATION**

The organisation shall be called the **PROGRESSIVE PROFESSIONALS FORUM** and shall hereafter be referred to as ("the PPF").

## **2. VISION**

To be the think tank and resource professional base of South Africa.

## **3. LEGAL PERSONA**

3.1 Legal Persona of the PPF;

3.1.1 The PPF shall be a membership-based organisation that has a separate legal persona from its members with perpetual succession and shall be autonomous subject to the provisions of this Constitution.

3.1.2 The PPF's policies are determined by its members and adopted and changes to be affected at a National Conference.

## **4. CHARACTER OF THE PPF**

4.1.1 The PPF is a non-racial, non-sexist, non-xenophobic and non-Afro-phobic organisation of progressive professionals which subscribes to the objectives contained in this Constitution of the Republic of South Africa.

4.1.2 The PPF comprises of professionals, academia and entrepreneurs who align themselves with the progressive ideals as those enshrined in the Freedom Charter and finding expression in the Bill of Rights of the Constitution of the RSA.

4.1.3 The PPF as the progressive movement pursues the noble ideals of the national democratic revolution.

## **5. OBJECTIVES OF THE PPF**

5.1 To encourage, foster and nurture the progressive professional thinking through platforms, debates and progressive agendas.

5.2 To mobilize a wide spectrum of professionals, intellectuals, academics and entrepreneurs to facilitate and seize opportunities arising from the progressive and accelerated national and continental socio-economic agenda.

5.3 To assume the progressive overarching role of PPF in mobilizing and partnering with strategic leftist formations to deepen the transformation agenda within public and private sectors.

5.4 To inculcate and promote the values, morality, integrity and patriotism across the spectrum of progressive professionals.

5.5 To develop the patriotic cohort of progressive professionals, entrepreneurs, academics and intellectuals to positively and objectively partake in the progressive body politics of the country and the continent.

5.6 To foster a plough back culture among professionals, encourage role modelling and progressive political orientation for young professionals.

5.7 To inculcate a new thinking and mainstreaming of actions on environment, artificial intelligence and climate change.

## **6. MEMBERSHIP**

6.1 PPF membership shall be open to all South African professionals, intellectuals, academics and entrepreneurs irrespective of race, colour religion or creed who subscribe to the objectives and constitutional provisions of PPF.

6.2 The National Executive Committee ("NEC"), the Provincial Executive Committee ("PEC") and the Regional Executive Committee ("REC") shall actively recruit individuals who are professionals, academics, intellectuals and entrepreneurs who support the objectives of the PPF.

6.3 Membership forms shall be completed and accompanied by proof of payment of annual subscription fees.

6.4 PPF through the office of Secretary General upon processing the application shall then issue membership certificate or where concerns are raised by a particular application, the SG may require additional information from prospective member before such membership certificate is issued.

6.5 PPF members who fail to pay or renew their subscriptions for longer than one month after having been reminded of the lapse, will not be regarded as members in good standing and will cease from actively partaking in PPF activities including leadership roles, until they pay their arrears subscription. The PPF member who fails to renew membership shall upon renewal then be regarded as a new member who will have to observe the requirements of being elected into PPF structure.

### **6.6 Membership categories:**

The following categories of membership exist within the PPF:

#### **6.6.1. Ordinary membership**

This category of membership is open to all prospective members who are academics, intellectuals, professionals and entrepreneurs.

6.6.1.1 The duration of PPF membership shall be annual which though does not prevent a member from paying for a period longer than a year.

6.6.1.2 The national or special national conference of PPF shall be the only body which through conference resolutions will set and review membership fees.

#### **6.6.2 Corporate membership**

This is a category of membership which caters mainly for the corporate sector (small, medium or big business) and these members shall contribute to all meetings and PPF activities through their nominated representatives but shall not be entitled to vote.

#### **6.6.3 The membership of students of institution of higher learning**

The students of institutions of higher learning (with student cards) will be accepted as associate members free of charge and convert to full members once they have graduated. The associate members shall participate in and contribute in all meetings but shall not be entitled to vote.

### **6. 7 Approval and termination of membership**

6.7.1 Application for membership of the PPF shall be considered by the REC where such exists or by the PEC where a REC does not exist, or the NEC may from time to time decide upon applications and accept or refuse any application for membership provided such acceptance or refusal is subject to a review by the next higher structure of the PPF.

6.7.2 Corporate members are approved by the NEC and can participate in any Province and/or Region

6.7.3 The NEC may at any time for good cause shown and after following due process, terminate a membership provided that the NEC has given written notice setting out the reasons for such notice and has given such member a reasonable opportunity to reply thereto in writing.

6.7.4 If such member referred to in clause 6.7.3 above fails to submit a reply within

21 (twenty one) days of receipt of such notice that in the opinion of the NEC the member concerned will be deemed to have committed such offence and will forfeited her/his membership.

6.7.5 A notice shall be deemed to have been received by a member upon delivery thereof or within 10 (ten) working days after the posting thereof via registered mail, or whichever occurs first. The NEC will consider electronic notification as sufficient notification if it complies with this provision, 6.7.5.

#### **6.8 Membership is terminated by:**

6.8.1 The death of a member;

6.8.2 Written notice of termination addressed by the member to the Secretary of the REC in whose area of operation the member resides, or the Secretary of the Province where the REC does not exist; or

6.8.3 The member's failure to pay membership fees within 30 (thirty) days after the date upon which such payment was due.

6.8.4 The outcome of a Disciplinary Process which recommends a dismissal. The member may however appeal to a structure higher than the one that took the dismissal decision.

6.8.5 PPF member is found guilty by a court of law and imprisoned for a period longer than 3 months (without an option for fine).

#### **6.9 Rights and Duties of the PPF members**

6.9.1 Rights: Members are entitled to:

6.9.1.1 Take full and active part in the discussion(s), formulation and implementation of the policies of the PPF;

6.9.1.2 Receive and impart information on all aspects of the PPF's policies and activities; and

6.9.1.3 Take part in elections and be elected or appointed to any committee, structure, commission or delegation of the PPF.

6.9.2 Duties: PPF member shall:

6.9.2.1 Take all necessary steps to understand and carry out the objectives, aims, policy and programme of the PPF;

- 6.9.2.2 Explain the objectives, aims, policy and programmes of the PPF to non-members of the PPF;
- 6.9.2.3 Deepen her/his understanding of the social, cultural, political and economic problems of the country in general;
- 6.9.2.4 Observe discipline, behave honestly and implement the decisions of the majority and the decisions of higher structures of the PPF;
- 6.9.2.5 Be actively involved in public discourse to further the objectives of the PPF;
- 6.9.2.6 Advocate against racism, tribalism, sexism, xenophobia, Afro-phobia, religious or any other form of discrimination or chauvinism.
- 6.9.2.7 Accept to be subjected to a due diligent process and scrutiny when standing for any leadership position within PPF structures (prior to being elected) as part of deepening professionalization and corporate ethics within PPF.

## **7. THE ORGANISATIONAL STRUCTURE OF THE PPF**

7.1 The PPF shall consist of the following structures:

- 7.1.1 National Executive Committee, which is elected by the National Conference;
- 7.1.2 Provincial Executive Committee, which is elected by the Provincial Conference;
- 7.1.3 Regional Executive Committee, which is elected by the Regional Conference;

7.2 All members elected into leadership structures of PPF shall be expected to attend all leadership meetings;

7.3 Those elected into leadership position shall not be absent from three consecutive meetings, unless apologies are tendered seven (7) days in advance or an emergency arose. Apologies cannot arise for three consecutive meetings, unless the member can provide proof of such absence was indeed necessary and out of his control;

7.3 A PPF member can be elected into the following leadership positions, provided:

- 7.3.1 The member has at least completed a period of 6 months as a member in an REC;
- 7.3.2 The member has at least completed a period of 12 months as a REC member to be elected into the PEC;
- 7.3.3 The member has at least completed a period of 24 months as a PEC member to be elected into the NEC;

### **7.7 National Conference**

7.7.1 The National Conference formulates policies, sets strategic direction for the operations, vote on Constitutional amendments and changes and set the overarching agenda for the next five (5) years and it shall comprise: of,

**(a) Voting delegates**

7.7.1.1 The number of delegates to be allocated to each Province to attend the National Conference shall be fixed by the NEC in proportion to the paid up membership of each Province.

7.7.1.2 All the members of the NEC shall attend, as full participants in, and as delegates, to the Conference.

**(b) Non-voting delegates**

7.7.1.3 The NEC may invite persons or organisations as it deems appropriate.

7.4.2 The procedure for conducting the business of the National Conference:

7.4.2.1 The NEC will appoint a conference preparatory committee that will circulate conference information in advance, determine the precise procedure for selection of delegates and indicate how membership can advance any concerns through the agenda.

7.4.2.2 The Conference shall determine its own procedures in accordance with democratic principles. The proposals on the Conference procedures will be circulated in advance.

7.4.2.3 Voting on key issues, as determined by the Conference, shall be by show of hands unless at least one third of the delegates at the National Conference demand voting by secret ballot.

7.4.2.4 The National Conference (Elective) will be convened at least once every 5 (five) years

7.4.2.5 The quorum of the National Conference will be 50% (fifty percent) plus 1 (one) of all the voting delegates

7.4.2.6 At least more than 50% (fifty percent) of the Provinces shall be present at the National Conference.

7.4.2.7 A Special National Conference may be called by the NEC at any time to deal with agenda items over which the NEC does not have delegated powers.

7.4.2.7(1) The Special National Conference shall also be called by the NEC at the written request of at least two thirds of the Provinces.

7.4.2.8 At least 21 (twenty one) days' notice of such a Special National Conference and Annual General Meeting (AGM) shall be given to members. Such notice shall state



the business for which the meeting is called and any other business being raised from the floor shall then require the majority support for the special conference to consider on the agenda.

7.4.2.9 50% plus 1% of the Provinces present shall constitute a quorum at a Special National Conference.

#### **7.4.3 Duties and powers of the National Conference**

The National Conference shall:

7.4.3.1 Decide and determine the policy, programme and Constitution of the PPF;

7.4.3.2 Receive and discuss reports of the NEC and Provinces, which shall include the President's Address, Secretary General's Report, Treasurer General's Report and the presentation and adoption of the Annual Report and Audited Financial Statements;

7.4.3.3 Have the right and power to review, ratify, alter or rescind any decision taken by any of the constituent structures or officials of the PPF;

7.4.3.4 Elect the President, the Deputy President, National Chairperson, the Secretary General, the Deputy Secretary General, the Treasurer General and seven (7) additional members to form the NEC;

7.4.3.5 Have the power to elect or appoint any commission or committee and assign specific tasks and duties to such commission or committee;

7.4.3.6 Other business of which due notice had been given.

#### **7.5 National Executive Committee**

7.5.1. The National Executive Committee and shall hold office for 5 (five) years and shall comprise of:

**The President;**

**The Deputy-President;**

**The National Chairperson;**

**The Secretary General;**

**The Deputy Secretary General;**

**The Treasurer General and**

**The 9 (nine) additional members;**

7.5.1.2 The Chairperson and Secretary of each elected PPF Provincial Executive Committee shall also serve as the indirectly elected PPF NEC members of the NEC.

7.5.1.3 The NEC may co-opt not more than 4 (four) additional members if it considers it necessary to ensure greater representation relating to, but not limited to, gender and geographical location.

7.5.1.4 Should a vacancy occur within the top six of the NEC for any reason, the NEC may convene a **Special National Conference** to fill the position(s) provided the meeting does not take place within the first 18 months of the national conference having taken place; The NEC may appoint any additional NEC member to fill the vacant post within the top six to advance continuity subject to ratification by the NGC, special conference or conference.

7.5.1.5 The quorum for meetings of the NEC shall be 50% (fifty percent) plus 1 (one) of its total membership but if no quorum is reached after an hour the 1/3 of total membership shall be regarded as the quorum.

7.5.1.6 A person must be a paid-up member of the PPF before she/he can be nominated and/or elected to the NEC and must have served the required minimum duration of time being PPF member as per 7.6 above.

7.6 The functions of office bearers are as follows:

**(a) The President:**

7.6.1 The President is the head and the face of the PPF who acts as the leader of the house at the National Conference. She/he shall:

7.6.1.1 Make pronouncements for and on behalf of the NEC and outline and explain the policy or attitude of the PPF (within the confines of the adopted resolutions and policy positions) on any question;

7.6.1.2 Present to the National Conference a comprehensive statement of the state of the PPF;

7.6.1.3 Under the overall supervision of the NEC, direct the activities of the PPF and seek inputs and advice on matters.

**(b) Deputy President:**

7.6.2 The Deputy President assists will the President, deputises for her/him when necessary and carries out whatever functions are entrusted to her/him by the National Conference or the NEC.

**(c) National Chairperson:**

7.6.3 The National Chairperson shall:

7.6.3.1 Remain the custodian of the policies adopted and decisions taken by the

National Conference and ensure that all organs of the PPF implement decisions taken by the National Conference and the NEC and operate within the parameters of policy set out by the National Conference and the NEC;

7.6.3.2 Preside over meetings of the National Conference and the NEC.

7.6.3.3 Carry out such additional tasks or functions, as are entrusted to her/him, by the National Conference and the NEC.

7.6.3.4 In the absence or incapacity of the National Chairperson, the Deputy President will assume her/his functions.

**(a) Secretary General:**

7.6.4 The Secretary General is the chief administrative officer of the PPF.

7.6.4.1 Communicates the decisions of the PPF on behalf of the NEC;

7.6.4.2 Keeps the minutes of the National Conference and the NEC as well as other records of the PPF;

7.6.4.3 Conducts the correspondence of the NEC and sends out notices of all meetings;

7.6.4.4 Conveys the decisions and instructions taken at the National Conference and at NEC level to the Provinces, Regions and members;

7.6.4.5 Prepares regular reports on the work of the NEC;

7.6.4.6 Presents to the National Conference a comprehensive administrative status of the PPF.

7.6.4.7 Ensures the functionality of the organization nationally.

7.6.4.8 Ensures that the NEC approved leadership induction training manual with clear roles and responsibilities of leaders at all levels is implemented;

7.6.4.8 Manages the operations of PPF;

**(b) Deputy Secretary General:**

7.6.5 The Deputy Secretary assists the Secretary General, deputises for her/him when necessary and carries out the functions entrusted to her/him by the NEC.

**(c) Treasurer General:**

7.6.6 The Treasurer General is the custodian of the assets and finances of the PPF.

7.6.6.1 Receives and banks all monies on behalf of the PPF and together with any 2 (two) NEC members, operate a bank account;

7.6.6.2 Keeps such books and records as may be necessary to record clearly the financial position of the PPF;

7.6.6.3 TG is responsible, with the NEC, for working out the budget and executing plans for fund raising;

7.6.6.4 Presents to the National Conference a comprehensive statement of the state of the finances of the PPF.

## **7.7 Powers of the NEC.**

7.7.1 The NEC is the highest organ of the PPF in between National conferences and has the authority to lead the PPF, subject to the provisions of this Constitution. Furthermore, it supervises the implementation of the policies and programmes of the PPF by the Provinces and Regions.

7.7.2 Without prejudice to the generality of its powers, the NEC shall:

7.7.2.1 Carry out the decisions and instructions of the National Conference.

7.7.2.2 Issue and send directives and instructions to and receive reports from the Provinces and Regions.

7.7.2.3 Ensure that the Provinces and Regions of the PPF function democratically and effectively. The NEC may suspend or dissolve a PEC and/or REC based on tangible evidence brought before the NEC. A suspension shall not exceed a period of 3 (three) months. Elections for a PEC and/or REC that have been dissolved shall be called within 6 (six) months of dissolution. The NEC shall appoint an interim structure (of not more than 7 PPF members in good standing) during the period of suspension or dissolution of the PEC and/or REC to fulfil the functions of the PEC and/or REC.

7.7.2.4 Manage and control all finances and assets of the PPF.

7.7.2.5 Develops and adopts policy directives for the efficient functioning of the organisation to achieve the aims and objectives as stated in this Constitution.

7.7.2.6 Institute and defend actions and proceedings of law where necessary;

7.7.2.7 Where appropriate, make investments, both long and short term, realise any investments, change the same and re-invest any money;

7.7.2.8 Collect funds and raise revenues for the purposes of the PPF through membership fees, donations, collections, grants and all other lawful means;

7.7.2.9 Expend all funds solely in the furtherance of the objectives of the PPF.

7.7.2.10 The NEC shall convene a Policy Conference, as a recommendation-making body on any matter of policies at least six (6) months before the National Conference to review policies of the PPF and to recommend any new or amend any present policy for consideration by the National Conference.

7.7.2.11 The NEC shall meet once every two months to discuss and implement policies and programmes.

## **7.8 Province**

7.8.1 Every Region within a particular Province shall belong to that Province. The Province constitutes at implementation level of the leadership of the PPF.

### **7.8.2 The Province will:**

7.8.2.1 Be demarcated to correspond with the provincial boundaries of the Country.

7.8.2.2 Be affiliated with the NEC and have a minimum of 2 (two) RECs, provided that the NEC may confer special recognition, where due to exceptional circumstances, the Province have fewer than 2 (two) REC's.

7.8.2.3 Elect at least every 3 (three) years at a Provincial Conference a Provincial Executive Committee ("PEC"), which shall comprise of the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and 6 (six) additional members. The Chairperson and Secretary of each elected REC shall be the indirectly elected members of the PEC.

7.8.2.4 The content of the duties of the office bearers referred to in clause 7.6 are the same as those office bearers of the NEC save that the scope of the PEC office bearers is confined to their respective provinces. A person must be a paid-up member of the PPF before she/he can be nominated and/or elected to the PEC including having served the required number of months being the PPF member in good standing.

7.8.2.5 PEC shall hold the provincial general council meeting once in a term of office and be made up of delegates from regions.

7.8.2.6 The quorum for the Provincial General Council Meeting and any other provincial Conference where the Province makes nominations for candidates for elections within the PPF or takes decisions relating to policy matters shall be 50% (fifty percent) plus 1 (one) of the PPF members in good standing (who are elected as delegates by regions) and 50% plus 1 of regions within the province must also be present.

### **7.8.3 Provincial Executive Committee**

7.8.3.1 The PEC which is made up of directly and indirectly elected (regional chairs and secretaries). PEC members shall meet as soon as possible after its election to allocate tasks and functions among its members to enable it to carry out day-to-day activities of the Province.

7.8.3.2 Carry out the publicity and the PPF work in its province in furtherance of the policy, programme and decisions of the PPF.

7.8.3.3 Meet at least once in two months.

7.8.3.4 Submit reports on its work to the NEC through the office of the SG and meet at least quarterly before NEC meetings.

7.8.3.5 Co-opt not more than 2 (two) persons if it considers this necessary to ensure greater representation relating to, but not limited to, gender.

7.8.3.6 The quorum for each meeting of the PEC shall be 50% plus 1 (one) of the total leadership and if no quorum is reached after an hour the 1/3 of total membership present shall then constitute the quorum.

7.8.3.6 In the event of the vacancy arising within the top five of the PEC, then the PEC shall notify the NEC of the position to be filled through the PEC meeting. While the PEC shall be allowed to co-opt a member (who meets PEC leadership requirements) to fill a vacancy of any additional member which arises and such co-option shall be ratified at the next sitting of the PGC.

## **7.9 Region**

7.9.1 Every member of the PPF shall belong to a Region, which will constitute the basic unit of the PPF and therefore the basic unit of activity for members. It constitutes the implementation level of the leadership of the PPF within the Provinces in which it is located. In the absence of a Regional structure, the Provincial structure shall comprise the basic unit of the PPF.

### **7.9.2 The Region will:**

7.9.2.1 Be demarcated into regions to correspond to the district municipalities and metro boundaries.

7.9.2.2 Be affiliated with the Provincial Executive Committee and have a minimum of 30 (thirty) members, provided that the PEC where it has been launched will apply to the NEC to confer special recognition, where due to exceptional circumstances, the region has fewer than 30 (thirty) members, but a minimum number of fifteen (15).

7.9.2.3 Elect at least every 2 (two) years at a Regional General Meeting a Regional

Executive Committee ("REC"), which shall comprise the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and 6 (six) additional members. The content of the duties of these office bearers are the same as those office bearers of the PEC save that the scope of the REC office bearers is confined to their respective regions. A person must be a paid-up member of the PPF before she/he can be nominated and/or elected to the REC.

7.9.2.4 The REC shall hold the Regional General Meetings once in three months.

7.9.2.5 The quorum for the Regional General Meeting and any other regional meetings where the Region makes nominations of candidates for elections within the PPF or takes decisions relating to policy matters shall be 50% (fifty percent) plus 1 (one) of the total paid up members of the Region.

### **7.9.3 Regional Executive Committee will:**

7.9.3.1 The REC composed of exclusively the directly elected members who shall meet as soon as possible after its election to allocate tasks and functions among its members to enable it to carry out day-to-day activities of the Region.

7.9.3.2 Carry out the publicity and the PPF work in its region in furtherance of the policy, programme and decisions of the PPF.

7.9.3.3 Meet at least once per month.

7.9.3.4 Submit reports on its work to the Regional General Meeting and at least once in three months and to the PEC (prior to the PEC sitting).

7.9.3.5 Co-opt no more than 2 (two) persons, if it considers it necessary to ensure greater representation relating to, but not limited to, gender.

7.9.3.6 The quorum for each meeting of the Regional Executive Committee shall be 50% (fifty percent) plus 1 (one) of the total REC leadership and in case a quorum is not reached after an hour the 1/3 of total membership present shall constitute the quorum.

7.9.3.7 If any Region covers an extensive geographic area, or in respect of which some special circumstances exists, the REC may divide the region into smaller manageable units. Such units shall only be used as a coordinating and administrative tool by the REC and shall not possess any decision-making powers.

7.9.3.8 In the event of vacancy which arises within the top five of the REC, then REC shall inform the PEC for the position/s to be filled during one of its quarterly regional general meetings. While the REC shall be allowed to co-opt a member (who meets

REC leadership requirements) to fill a vacancy of any additional member which arises and such co-option shall be ratified at the next sitting of the RGC.

#### **7.10 Additional considerations:**

7.10.1 To ensure appropriate gender representation in the leadership structures of the organisation, the election of members into positions shall strive towards achieving 50% (fifty percent) of the members of the NEC, PEC or REC comprising of females.

#### **7.11 Electoral Commission**

7.11.1 The regulations for the appointment and the functioning of the Electoral Commission shall apply to the National Conference, the Provincial Conference and the Regional Conference.

7.11.2 The NEC shall appoint an Electoral Commission of no fewer than 3 (three) members whose task it will be:

7.11.2.1 To prepare the ballot papers;

7.11.2.2 To make provision for ballot boxes or other means of secret voting;

7.11.2.3 To create machinery for the counting of the ballot papers and the effective supervision of the counting of votes;

7.11.2.4 To announce the results of all ballots and make known the number of votes received by each successful candidate;

7.11.2.5 To establish procedures for voting and to determine any dispute raised with regard to elections and the election procedures and to determine how any tied vote should be resolved.

7.11.2 The names of the Electoral Commission whose work it is to commence before the National Conference, shall be submitted to the National Conference for endorsement and they will then be re-enforced by a representative appointed by each provincial delegation. This regulation will also apply in the case of a Provincial Elective Conference or Regional Elective Conference but not apply to the filling of vacancy which has arisen after the elective conference of the province and region as the NEC or PEC will officiate the process (depending on the level of the vacancy).

7.11.3 The following nomination procedure will be followed:

7.11.3.1 Nominations and the consent of a nominee nominated for a seat on the NEC must be obtained and received by the Electoral Commission in writing at least 48 (forty-eight) hours prior to the time appointed for the holding of the National Conference.



7.11.3.2 Delegates to the national elective conference shall be elected at a properly constituted regional general members' meeting officiated by the PEC and the nominations forms together with the consent of the nominees must be received by the Electoral Commission in the manner and time prescribed by the NEC.

7.11.3.3 The Regional delegates shall then converge under the auspices of the special PPF PGC meeting to concretise and consolidate the provincial positions on a wide range of issues to be dispensed with at national conference.

**(a) Voting rights**

7.11.4 Each delegate at a National Conference or Special National Conference as the case may be shall have one vote.

7.11.5 Each member shall have 1 (one) vote at a Provincial Conference;

7.11.6 Each member shall have 1 (one) vote at a Regional Conference;

7.11.7 The delegates to any elective conference of PPF shall also be allowed to vote through proxy or absentee vote (as provided for in the proxy/absentee voting rules adopted by national conference)

7.11.8 Any nomination to be on the ballot paper for voting must at least obtain 25% support of provinces (if it is the national conference) similarly 25% support of regions (if it is the provincial conference) and lastly 25% of regional membership in good standing (if it is the regional conference)

**(b) Minutes**

7.11.8 Minutes and attendance registers shall be kept of all National Conferences, Special National Conferences, Provincial Conferences, Regional Conferences, and meetings of the NEC, PECs and REC's.

## **8. FINANCE**

### **8.1 Financial Year**

8.1.1 The financial year of the PPF is 1 March to end February of each consecutive tax year.

### **8.2 Annual Financial Reports and Financial Statements**

8.2.1 The Treasurer General of the PPF draws up annual financial statements or causes to be drawn up annual financial statements that are audited by an independent and duly qualified auditor appointed by the NEC, and approved by the NEC.

8.2.2 PPF bank account for all programmes shall be under the financial management and accountability of Treasurer General (TG). The TG may decide to delegate such authority in conjunction with the NEC to Provinces or Regions. Such Provinces and or

Regions will be responsible for all bank accounts and audits of such financial managements of these accounts.

8.2.3 All membership subscriptions shall be paid into PPF national bank account and (within 30 days after the end of each month) the subscriptions shall be disbursed into Provincial or Regional accounts as per the formula (N-20) – (P-30) – (R-50), as per the resolution of the national congress and those Provincial or Regional structures having the necessary delegated authority to manage such accounts.

8.2.4 All Provincial and Regional leadership structures must request delegated authority to manage their own bank accounts with written motivation as to why they should be intrusted and be held accountable by the NEC and the TG.

8.2.4 The NEC shall annually appoint an audit firm, which shall conduct audits on all the PPF's structures, which is to produce audited financial statements for Provincial and Regional general councils for discussion and adoption.

8.2.5 Similarly the NEC will also be subjected to the same annual audit processes whose audit outcomes shall also be circulated to all PPF structures.

8.2.6 The NEC subcommittee responsible for resource mobilization and management including fundraising shall develop financial management and governance policies, standard operating procedures and systems which will be adopted by NEC for the onward implementation by all structures.

8.2.7 PPF Treasurers at all levels shall ensure that audit findings which are material will be investigated and an action plan to deal with those shortcomings is developed, which should be reported to the TG and the NEC.

8.2.8 PPF Treasurers shall conduct fiduciary practices on PPF assets and finances in a manner which is consistent with conventional finance codes of good practice.

## **9. DISCIPLINE**

9.1 PPF members shall be required to conduct themselves in a manner which is consistent with the constitution of PPF. The following acts shall be regarded as a misconduct:

9.1.1 Making utterances or statements which place PPF into disrepute;

9.1.2 Sowing divisions of racism, sexism, tribalism, intolerance or any form of discrimination;

9.1.3 Behaving in a manner which negatively impacts the standing of PPF;

9.1.4 Engaging in any sexual or physical abuse especially of women and children;

- 9.1.5 Abuse of PPF leadership office to obtain undue enrichment or advantage;
- 9.1.6 The deliberate breach of PPF constitution;
- 9.1.7 Participating in activities which seek to threaten the unity and purpose/objectives of PPF;
- 9.1.8 Engaging in unethical and or immoral conduct which places the image of PPF into disrepute;
- 9.1.9 Conviction in the court of law and sentenced to a term of imprisonment without a fine;
- 9.1.10 Gross embezzlement of organizational funds and assets;
- 9.1.11 Behaving in an unruly or disorderly manner at PPF meetings;
- 9.1.12 Soliciting and or accepting bribes for work performed or to be performed in the name of the PPF;

## **9.2 Powers of the Disciplinary Committees**

- 9.2.1 PPF at all levels shall appoint the Disciplinary Committee (DC) made up of a three panel members who shall be independently sourced from professionals in general through transparent process.
- 9.2.2 The DC shall exercise the following powers:
  - 9.2.2.1 Hear and adjudicate in terms of 9.1 (above)
  - 9.2.2.2 The NDC shall act as appeal committee on matters adjudicated upon by PDC
  - 9.2.2.3 The NDC shall act as the review committee on matters adjudicated upon by DC;

## **9.3 The principle of guilty**

- 9.3.1 Any PPF member shall be presumed innocent until proven guilty and it will be upon the member to rebut the presumption and it will be expected of all members to step down or ask to be relieved of his/her duties;

## **9.4 The institution of disciplinary proceedings**

- 9.4.1 Any PPF member may initiate disciplinary proceedings against any other member, based on evidence to be tested before the tribunal;
- 9.4.2 Any member charged can enjoy the right of representation at the tribunal;

9.4.3 The charged member shall also have a right to bring witnesses and produce evidence in her/his defence;

### **9.5 Possible sanctions**

9.5.1 Fine;

9.5.2 Suspension;

9.5.3 Warning;

9.5.4 A reprimand;

9.5.5 Expulsion;

9.5.6 Removal or suspension from office;

9.5.7 Payment of compensation;

### **9.6 Appeal/Review Procedure**

9.6.1 Uphold or set aside the appeal;

9.6.2 Dismiss the appeal and confirm the sanction;

9.6.3 Dismiss the appeal and impose the appropriate sanction;

9.6.4 Uphold the application for review and refer the matter back to DC for re-hearing;

9.6.5. The decision of the NDCA shall be final.

## **10. LIMITATION OF RIGHTS AND LIABILITIES**

10.1 Membership of the PPF or any committee of the PPF neither gives the member any proprietary right, title or claim to any interest in the property or assets of the PPF nor do members by virtue of such representation incur any liability in respect of any claim made or action brought against the PPF.

10.2 No person may be enriched by any income or property of the PPF except by way of payment in good faith of reasonable remuneration or honoraria to employees or volunteers for services rendered to the PPF.

## **11. LEGAL ACTION**

11.1 The PPF shall sue or be sued in the name of the Progressive Professionals Forum.

13.2 A decision to sue or defend any legal action instituted against the PPF shall be explicitly authorised by no less than 2/3 (two-thirds) of the NEC.

11.3 The authority to defend shall vest with the NEC and it may be delegated to the Secretary General or any other appropriate office bearer at the discretion of the NEC.

11.4 The NEC individually or collectively shall be held liable for legal costs arising from an irresponsible, dishonest decision or wilful, negligent action taken collectively against the objective and independent advice sought.

## **12. INDEMNITY**

12.1 Each member of the NEC who is duly authorised to perform any particular function is indemnified in respect of all acts done by her/him in good faith on behalf of the PPF. The PPF will pay all costs and expenses associated to any such act on behalf of the organisation which the NEC member may have incurred or for which it may become liable for, by reason of any contract entered into, or any act or deed done by her/him, in their capacity aforesaid and bona fide discharge of her/his duties on behalf of the PPF.

## **13. AMENDMENT OF THE CONSTITUTION**

13.1 The Constitution may only be amended or repealed by resolution passed by a vote of two-thirds (2/3) majority of the voting power of all members present at a National Conference or Special National Conference of the PPF, provided that at least 21 (twenty one) days written notice of any proposed repeal or amendment had been given to the members.

13.2 Any proposed resolution to be repealed or amended from the floor will not be entertained

## **14. DISSOLUTION OF THE PPF**

14.1 The PPF can only be dissolved at a National Conference or a Special National Conference of members specifically called for that purpose and provided that notice to dissolve the PPF has been given in writing at least 3 (three) months prior to the meeting at which its dissolution is to be discussed.

14.2 A resolution to dissolve the PPF must be passed by a majority of two-thirds of the votes of members present in person at a meeting duly convened for that purpose.

## **15. DISPOSAL OF ASSETS**

In the event of the dissolution of the PPF being agreed upon, and if upon winding up or dissolution of the PPF, there remains after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall be dealt with as directed by the National Conference or Special National Conference at which the resolution to dissolve the PPF was taken.

In the event of the dissolution of the PPF being agreed upon, and if upon winding up or dissolution of the PPF, there remains after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall be dealt with as directed by the National Conference or Special National Conference at which the resolution to dissolve the PPF was taken.

#### **16. DOMICILIUM**

The National headquarters will be located at the seat of the Secretary General office as determined by the NEC.

#### **17. ADOPTION OF THE REVISED CONSTITUTION**

This Constitution was adopted by the 2<sup>ND</sup> National Conference; 14 – 16 March 2019 and unanimously adopted by all delegates present.

PPF PRESIDENT: Kashif Wicomb

SIGNATURE:



DATE: 4 MAY 2019

PPF SECRETARY GENERAL: Sithembiso Kubheka

SIGNATURE:



DATE: 4 MAY 2019