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AFRICAN CONTENT MOVEMENT (ACM) SERVANTS CONSTITUTION

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Founded

December 2018

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DECEMBER 6, 2018  
JOHANNESBURG

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## ACRONYMS

ACM	AFRICAN CONTENT MOVEMENT
IP	INTELLECTUAL PROPERTY
LGBT	LESBIAN GAY BISEXUAL AND TRANSGENDER
NSEC	NATIONAL SERVANTS EXECUTIVE COMMITTEE
PSEC	PROVINCIAL SERVANTS EXECUTIVE COMMITTEE
RSEC	REGIONAL SERVANTS EXECUTIVE COMMITTEE
BSEC	BRANCH SERVANTS EXECUTIVE COMMITTEE
RSC	REGIONAL SERVANTS COUNCIL
PSC	PROVINCIAL SERVANTS COUNCIL
BSC	BRANCH SERVANTS COUNCIL
NGO	NON-GOVERNMENTAL ORGANISATION
NPO	NON-PROFIT ORGANISATION
RSA	REPUBLIC OF SOUTH AFRICA
SLAC	SERVANTS LEGAL ADVISORY COMMITTEE

## ARTICLE 1: PREAMBLE

- a) **AFRICAN CONTENT MOVEMENT (ACM)** is a non-racist and non-sexist organisation launched by the people of South Africa in response to the rising inequality within a country that is not in the hands of the majority of our citizens. The educational system is not empowering our students with skills and expertise. Poverty, discrimination and inequality are rife. ACM is a community-based movement which aims to ensure that the constitutional democracy with a three-tier system of government and an independent judiciary, benefits all the citizens of South Africa equally.
- b) As servants of the people, ACM believes that the true direction of Servants activity is the constant, robust examination and evaluation of local and national goals in the light of our democratic faith. Because we are inspired by the principled, humane leadership exemplified by the founders, we have chosen to establish a permanent people's organisation that shall be represented by servants in the three spheres of government. This will allow our communities to have a direct influence on the direction of the people government. ACM is organisationally designed to focus on community development in ensuring that the Movement is responsive to the needs of majority of people in South Africa.
- c) The ACM intends to create a generation of citizens with sustainable knowledge, education, entrepreneurship skills, production capacity, problem solving aptitude, who are independent and driven by self-confidence and self-determination. We want to develop strong and self-conscious individuals who are actively participating in the country resources and the economy.

## ARTICLE 2: NAME

- a) The name of the organisation is the **AFRICAN CONTENT MOVEMENT**
- b) Its shortened name shall be "**ACM.**"
- c) **African**
- 1) Refers to the indigenous people.
- d) **Content**
- 1) **Reaffirms** the capabilities of Africans in Science, Technology, Creative Arts, Governance, Leadership, Defence and Mineral Wealth.

- 2) It also refers to the amount or proportion of Servants Participation on:
  - a. **Education:** developing and promoting an education system that benefits Africa and that can be sold all over the world.
  - b. **Public participation:** granting each South African the opportunity to participate in discussion; business; and engage in basic human rights activities without fear or favour.
  - c. **Emancipation of South Africans from economy bondage:** through the development of clear economic strategy designed by ACM.
  - d. **Mineral resources within the country** to directly benefit all the people of South Africa.
  - e. **Innovation and manufacturing:** South Africa to develop its own Intellectual Property (IP) procedures in order to protect the wealth of the country.
  - f. **Health care system, health care services:** to be affordable and accessible to all.
  - g. **Infrastructure development:** to be shared equitably amongst the old and the new entrants in the economy.

e) **Movement**

- 1) Refers to an inclusive organisation whose interests are to serve the marginalised citizens of our country. It also refers to citizens working collectively to advance their shared intellectual, social, cultural and artistic ideas for collective good.

**ARTICLE 3: THE LOGO DESCRIPTIONS**

- 1) The show of "Hands",
  - a) Shows strength, power and protection. It can also depict generosity, hospitality and stability.
  - b) Demonstrates active participation from the South African public and individuals. The future is in your hands. Voters are voting for themselves whether young, middle-aged or elderly, the future is in their hands.
  - c) Shows the embracing of Africa, embracing the beauty of the African continent, an Africa which has rich roots, an Africa that all citizens can call home.

- c) The Sunshine: represents rays of hope, life, power and enlightenment that ACM can bring. It also represents an Africa that has power that it is a place of growth in a healthy and thriving society, with passionate people. It also represents the cycle of life in many cultures and religions throughout time.
- d) Gold Colour: represents the African illumination, love, compassion, courage, passion, magic, and wisdom. Gold is a precious metal associated with wealth, grandeur, and prosperity that Africa has, but does not seem to benefit its own people.
- e) Purple Colour: represents the movement serving royalty, nobility, luxury, and Purple also represents African wealth, extravagance, creativity, wisdom, dignity, devotion, pride, independence.

#### **ARTICLE 4: ACM SLOGAN**

- a) The Future Is In Your Hands!

#### **ARTICLE 5: VALUES**

- a) Community Servants
- b) Volunteerism
- c) Non-Discrimination
- d) Democracy
- e) Openness and diversity
- f) Freedom and fairness,
- g) Public participation and inclusivity
- h) Excellence and integrity.

#### **ARTICLE 6: PRINCIPLES**

- a) African Content Movement seeks to:
  1. Create African platforms with its own content to participate within the global community.
  2. Promote ownership of the country's resources by its own citizens.
  3. Be rooted in community to promote community growth with the intention of promoting active citizen participation in their own government.

4. Serve South African citizens (inclusive of race, colour, and creed) by emancipating them economically, socially through continuous identification and correction of shortfalls in the system.
5. Create self-sustainable communities of individuals who demonstrate an elevated level of self-awareness and commit to service learning education.
6. Ensure that we create a stable economy that will be able to compete with developed economies globally.
7. Promote ownership of the country resources by its own citizens.
8. Engage other African leaders or states to establish the African currency.
9. Serve the needs of the citizens of South Africa through its structures by implementing policies that put South African first and safeguards their resources.
10. Gain control of government in all spheres in order to be able to implement meaningful and visible change and transformation for citizens.
11. Be an effective government which will prioritise the poor and improve service delivery in the remote areas of our society.
12. Preserve and promote the African Culture, its Heritage and Identity.
13. Fight gender-based violence particularly related to women and children.

#### **ARTICLE 7: AIMS AND OBJECTIVES**

a) The Aims and Objectives of the Movement shall be to:

1. provide an independent, vigorous, servants democratic organisation in South Africa as well as Africa;
2. promote the basic principles of a democratic party on a national, provincial and local government level;
3. encourage public participation of all people from all walks of life;
4. seek and support candidates for public and party office who have ability, integrity and commitment to dedicate themselves to public service;
5. promote measures designed to serve all the people, and to encourage the appointment of experienced, talented, qualified public officials as well as employees without regard to Servants affiliation;

6. advance the interest and participation of all citizens in civic organization, traditional leadership, LGBTI communities, people living with disabilities, youth and women of our community;
7. promote the supremacy of the South African Constitution and the rule of law;
8. Advocate for promotion of free association of the African language, cultural and religious rights of individuals and the communities.
9. equality before the law;

#### **ARTICLE 8: LEGAL PERSONALITY AND POWERS**

- a) The Movement is inspired by best governance practices which allows for planned succession.
- b) The Movement is capable of suing and being sued in its own name and it may own, purchase, sell, hire, lease, mortgage, pledge or in any other way acquire or deal with movable and immovable property and may perform all legal activities authorized by this Constitution as well as legal activities normally associated with a body corporate.
- c) The Movement shall only be legally bound in the exercise of its competencies set out in this Constitution by a person or persons authorized in advance, in writing, by the President or Chairperson of the Servants Executive Committee or a person or Movement formation delegated by him or her in writing.
- d) The Servants Executive Committee represented by the Chairperson, carrying the mandate of the Servants Executive Committee, may act on behalf of and legally bind the Movement in all matters. He or she may authorise in writing another member of the Movement to act on the Movement's behalf in all legal proceedings by and against the Movement.
- e) No other member or formation of the Movement may act on behalf of and legally bind the Movement. Any person or persons, who purport to do so in contravention of the provisions of this Constitution, shall be personally liable therefore, and such decision or action shall be considered misconduct.
- f) All monies and goods received and collected in the name of the Movement vest in the Movement itself.
- g) Income and assets of the Movement are not distributable to members or office bearers, except as reasonable compensation for services rendered.

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## **ARTICLE 9: BRANCHES**

- a) Branches of the ACM shall be based on the current municipal wards but can be recognized in demarcations decided by the NSEC and any change as government changes.
- b) Every member of the ACM shall belong to a branch, which is the basic organizational unit of the organization.
- c) Each Branch shall be registered with the PSEC and shall consist of no less than 100 members.
- d) Each Branch shall meet as provided for in the rules and regulations of ACM.
- e) Be the place where members exercise their basic democratic rights to discuss and formulate policies of the ACM.
- f) Be the basic unit of activity for members.
- g) Branches are established to manage and direct the affairs of the Movement and to communicate the principles and policy of the Movement to the public.
- h) Branches are established to mobilise the public to support the ACM programme of action.
- i) Branches are established to participate in the process of democratic election of candidates for the Movement and to serve as the vehicle for the articulation of the interests of members of the Movement.
- j) The organisation will mobilize the communities to establish and maintain a branch or branches for every ward.

## **ARTICLE 10: ORGANISATIONAL STRUCTURES**

- a) The ACM shall consist of the following organisational structures:
  - 1. Branch Servants Convention which nominate/elects the Branch Servants Executive Committee (BSEC).
  - 2. Regional Servants Convention which nominate/elects the Regional Servants Executive Committee (RSEC).
  - 3. Provincial Servants Convention which nominate/elects the Provincial Servants Executive Committee (PSEC).
  - 4. National Servants Convention which nominate/elects the National Servants Executive Committee (NSEC).

5. ACM structures terms of office shall be as follows:

- a) BSEC: 2 years
- b) RSEC: 3 Years
- c) PSEC: 5 years
- d) NSEC: 5 Years

#### **ARTICLE 11: THE BRANCH SERVANTS CONVENTION**

- a) The Branch Servants Convention is a normal meeting of the general membership of the ACM in the branch and shall be convened every month to receive reports on the state of the organisation, community, fill vacancies and deal with any other issue that affect the branch and its membership.
- b) A BSEC is elected every two years by a Branch Servants Convention.
- c) The BSEC shall comprise of the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and not more than 5 (five) members who will hold office for two years.
- d) The Branch Servants Convention shall receive community report from the chairperson, organisational report from the secretary, and financial report from the treasurer
- e) The ACM believes that both male and female Servants are equal members of the community and the ACM should have 50% male and 50% female representation in its leadership structures, work placement and any other business.
- f) The ACM structures and work placement must reflect the demographics of the society our people live in by having youth, female, male, LGBTI community leaders, people living with disability and other special interest groups.
- g) A BSEC shall meet fortnightly.

#### **ARTICLE 12: BRANCH SERVANTS EXECUTIVE COMMITTEE (BSEC)**

- a) The BSEC shall be made up of five officials.
- b) The BSEC shall set up several necessary bodies and Standing Sub – teams on different levels in order to guide the overall work of the ACM in the Region.
- c) The BSEC shall implement the policies, resolutions, directives, decisions, and programs directed by the Branch Servants Convention in line with the NSC.

- d) If necessary, the BSEC shall have the right to co-opt not more than 1 (one) members. In addition, the BSEC can invite anyone to form part of the BSEC to provide expertise or professional advice.
- e) The BSEC shall meet at least once every two weeks.
- f) The BSEC is the principal organ of the Branch convention and shall consist of the following: Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, and Treasurer.

#### **ARTICLE 13: THE REGIONAL SERVANTS CONVENTION**

- a) The Regional Servants Convention (RSC) shall be the highest decision-making body of the ACM in the Region.
- b) The RSC shall be constituted of 100% delegates from branches of the ACM.
- c) The RSC Convention shall only take place when there 2/3 majority of affiliated members from the branches.
- d) The Regional Servants Convention Steering Committee shall be responsible for the smooth running of the Convention.
- e) The Regional Servants Convention shall adopt the credentials, program, rules, procedures and guidelines of the Convention.
- f) The Regional Servants Convention shall receive, discuss and adopt the state of the Region report from the Chairperson, organisational report from the Secretary and Finance report from the treasurer.
- g) The Regional Servants Convention shall implement policies and program of action.
- h) The Regional Servants Convention shall be held every two years and elect the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer, and 5 (five) additional Servants to the Regional Servants Executive Committee
- i) The ACM believes that both male and female Servants are equal members of the community and the ACM should have 50% male and 50% female in its leadership structures, work placement and any other business.
- j) The ACM structure and work placement must represent the society our people live in by having diverse religious groups, traditional leaders, youth, female, male, LGBTI's community, people living with disability and other Special interest groups.
- k) The Regional Servants Convention shall implement the resolution of the Convention.

#### **ARTICLE 14: REGIONAL SERVANTS EXECUTIVE COMMITTEE (RSEC)**

- a) The RSEC shall be made up of five officials plus 5(five) additional members.
- b) The RSEC shall be the highest decision-making bodies in between Regional Servants Conventions and shall have the authority to lead the organization, subject to the constitution, resolutions and decisions of the Regional Servants Convention.
- c) The RSEC shall set up several necessary bodies and Standing Sub – teams on different levels in order to guide the overall work of the ACM in the Region.
- d) The RSEC shall implement the policies, resolutions, directives, decisions, and programs directed by the Regional Servants Convention in line with the NSC.
- e) If necessary, the RSEC shall have the right to co-opt not more than 1 (one) members. In addition, the RSEC can invite anyone to form part of the RSEC to provide expertise or professional advice.
- f) The RSEC shall meet at least once every two weeks.
- g) The RSEC is the principal organ of the Regional convention and shall consist of the following: Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer, and 5 (five) additional Servants to the Regional Servants Executive Committee

#### **ARTICLE 15: THE PROVINCIAL SERVANTS CONVENTION**

- a) The Provincial Servants Convention (PSC) shall be the highest decision-making body of the ACM in the province.
- b) The PSC shall be constituted of 100% delegates from branches of the ACM.
- c) The PSC Convention shall only take place when there 2/3 majority of affiliated members from the branches.
- d) The Provincial Servants Convention Steering Committee shall be responsible for the smooth running of the Convention.
- e) The Provincial Servants Convention shall adopt the credentials, program, rules, procedures and guidelines of the Convention.
- f) The Provincial Servants Convention shall receive, discuss and adopt the state of the Province Report from the Chairperson, organizational report from the Secretary and Finance report from the treasurer.

- g) The Provincial Servants Convention shall adopt provincial policies and program of action.
- h) The Provincial Servants Convention shall be held every five years and elect the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer, and 10 (twenty) additional Servants to the National Servants Executive Committee
- i) The ACM believes that both male and female Servants are equal members of the community and the ACM should have 50% male and 50% female in its leadership structures, work placement and any other business.
- j) The ACM structure and work placement must represent the society our people live in by having diverse religious groups, traditional leaders, youth, female, male, LGBTI's community, people living with disability and other special interest groups.
- k) The Provincial Servants Convention shall adopt the resolution of the Convention.

**ARTICLE 16: PROVINCIAL SERVANTS EXECUTIVE COMMITTEE (PSEC)**

- a) The PSEC shall be made up of five officials plus 10(Ten) additional members.
- b) The regional chairperson and secretary of the RSEC shall serve as ex-officio members of the PSEC.
- c) The PSEC shall be the highest decision-making bodies in between Provincial Servants Conventions and shall have the authority to lead the organisation, subject to the constitution, resolutions and decisions of the Provincial Servants Conventions
- d) The PSEC shall set up several necessary bodies and Standing Sub – teams on different levels in order to guide the overall work of the ACM in the province.
- e) The PSEC shall implement the policies, resolutions, directives, decisions, and programs directed by the Provincial Servants Convention in line with the NSC.
- f) If necessary, the PSEC shall have the right to co-opt not more than 2 (two) members. In addition, the PSEC can invite anyone to form part of the PSEC to provide expertise or professional advice.
- g) The PSEC shall meet at least once every month.
- h) The PSEC is the principal organ of the Provincial convention and shall consist of the following: Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, and Treasurer.

## ARTICLE 17: THE NATIONAL SERVANTS CONVENTION

- a) The National Servants Convention (NSC) shall be the highest decision-making body of the ACM.
- b) The NSC shall be constituted of 100% delegates from branches of the ACM.
- c) The ACM Convention shall only take place when there 2/3 majority of affiliated members from the branches.
- d) The National Servants Convention Steering Committee shall be responsible for the smooth running of the Convention.
- e) The National Servants Convention shall adopt the credentials, program, rules, procedures and guidelines of the Convention.
- f) The National Servants Convention shall receive, discuss and adopt the state of the country report from the president, organizational report from the Secretary and treasures report.
- g) The National Servants Convention shall adopt or amend the ACM constitution, policies and program of action.
- h) The National Servants Convention shall be held every five years and elect the President, Two Deputy Presidents, Secretary General, Deputy Secretary General, National Chairperson, the Treasurer General, The National Organiser and 20 (Twenty) additional Servants to the National Servants Executive Committee.
- i) The ACM believes that both male and female Servants are equal members of the community and the ACM should have 50% male and 50% female in its leadership structures, work placement and any other business.
- j) The ACM structure and work placement must represent the society our people live in by having diverse religious groups, traditional leaders, youth, female, male, LGBTI community, people living with disability and other Special interest groups.
- k) The National Servants Convention shall adopt the resolution of the Convention.

## ARTICLE 18: NATIONAL SERVANTS EXECUTIVE COMMITTEE (NSEC)

- a) The NSEC shall be made up of seven officials plus 20 (Twenty) additional members.
- b) The provincial chairperson and secretary of the PSEC shall serve as ex-officio members of the NSEC.
- c) In total the NSEC shall be constituted by a total of 45 Servants member team
- d) The NSEC shall be the highest decision-making bodies in between National Servants Conventions and shall have the authority to lead the organization, subject to the constitution, resolutions and decisions of the National Servants Conventions
- e) The NSEC shall set up several necessary bodies and Standing Sub – teams on different levels in order to guide the overall work of the ACM.
- f) The NSEC shall implement the policies, resolutions, directives, decisions, and programs directed by the National Servants Convention.
- g) If necessary, the NSEC shall have the right to co-opt not more than 4 (four) members. In addition, the NSEC can invite anyone to form part of the NSEC to provide expertise or professional advice.
- h) The NSEC shall meet at least once in every two months.
- i) The NSEC is the principal organ of the National Convention and shall consist of the following:
  - a) **The President, who shall:**
    - i. Be vested with the Authority of the ACM, where there is a dispute the president shall have a veto power on behalf of the movement to overrule.
    - ii. Is the face of the Movement locally and abroad and is charged with ensuring that the image and the reputation of the Movement is protected and advanced;
    - iii. Lead campaigns and programmes of action to implement the Values, Principles, Policy and Implementation Plan of the Movement;
    - iv. Is the accounting officer of the movement, meaning that the President is in charge of all governance issues, administrative matters as well as the election team;
    - v. Shall influence and have a say in appointments of officials of the movement from local, provincial including national level;
    - vi. Shall approve the succession plan of the whole movement;

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- vii. Have a meaningful role to play in the selection of Servants candidates for the Movement;
- viii. Make pronouncements for and on behalf of the ACM outlining and explaining the policy or attitude of the ACM;
- ix. Present to the National Servants Convention a comprehensive statement of the state of the country, continent and the situation internationally;
- x. Be under the overall supervision of the NSEC, orient and direct the activities of the ACM.

**b. The Two Deputy Presidents, who shall:**

- i. Together with the President, constitute the presidency of the ACM;
- ii. Be deployed by the President whenever such deployment is required;
- iii. In the absence of the President, represent the ACM and, in the presence of the President, deputies;
- iv. Serve as a support to the Executive Authority in provinces as assigned by the NSEC, in consultation with the PSEC
- v. Foster relationships with religious, students as well as organisations in civil society;
- vi. Build the Movement's international and foreign relationships;
- vii. Establish and manage the ACM African Knowledge school;
- viii. Do any other function recommended, assigned and approved by the Executive Committee

**c. The National Chairperson, who shall:**

- i. Preside over and chair all national gatherings and meetings, including meetings of the National Servants Convention, the National Servants Executive Committee;
- ii. Is responsible for the co-ordination and alignment of Movement policy; in consultation with the President;
- iii. Actively support the implementation of programmes of action designed to promote the Values, Principles, Policy and Implementation Plan of the Movement; and
- iv. Assist in the overall promotion of the Movement and mobilisation of support for it.
- v. Represent the ACM at such domestic and international forums as may be requested by the President and/or the National Servants Committee.



**d. The Secretary General, who shall:**

- i. Be a fulltime official of the ACM based at its Headquarters; unless decided otherwise by NSEC;
- ii. Convey, communicate and articulate key decisions of the ACM to all the structures of the ACM;
- iii. Be ultimately responsible for record keeping and correspondence within the ACM;
- iv. Present to the National Servants Convention and the National Servants Executive Committee comprehensive statement of the state of the organisation and the administrative situation of the ACM;
- v. Administer the correspondence of the NSEC and the Provincial Servants Committees, and send out notices of all Conventions and meetings at the national level;
- vi. Uphold the legal requirements of the organization governing documents;
- vii. Works closely with the President, the Chairperson of Finance, and the Provincial Structures;
- viii. Performs other functions and duties and exercises powers assigned to him or her, within the provisions of this Constitution, by NSEC;
- ix. Have the power to delegate any of these powers to the Deputy Secretary General or other appropriate persons.

**e. The Deputy Secretary General, who shall:**

- i. The deputy secretary general, who shall be a fulltime official of the ACM based at its Headquarters, unless decided otherwise by the NSEC
- ii. Protect and promote the movement's fundamental Servants values (democracy, rule of law, and human rights);
- iii. Deliver and support inter-governmental meetings and other discussions organised by the divisions and including Servants meetings;
- iv. Support the Secretary-General on promoting peaceful resolutions where there are disputes to advance movement's values;
- v. Support membership institutions in the conduct of fair, credible and inclusive elections;
- vi. Assume responsibility for the general administration and staffing of the ACM.

**f. Treasurer General, who shall:**

- i. Be a fulltime official of the ACM based at its Headquarters unless decided otherwise by NSEC;
- ii. Be the chief custodian of the funds and all properties of the ACM;
- iii. Be ultimately responsible for all fundraising activities carried out in the name of the ACM;
- iv. Be responsible for compliance with all the financial laws and regulations of the Republic of South Africa or any other territory;
- v. Submit a finance report to every Executive Committee meeting and to every Convention; when requested by the NSEC, interpret the provisions of the Finance Policy;
- vi. Act as the Chairperson of the Finance Committee
- vii. Have full access to all Movement financial records held in any and all formations of the Movement;
- viii. Be supplied with any reasonable report on the finances of the Movement whether on an ad hoc or a regular basis.
  
- ix. As the Chairperson of Finance Committee shall, in addition to his or her other functions –
  - a) Be the financial Accounting Officer of the Movement; and drafting the annual and election budgets;
  - b) be answerable for the employment of competent staff necessary to compliment his or her obligations.

**ARTICLE 19: MEMBERSHIP**

a) Qualifications.

- i. Any person who subscribes to and desires to further the purposes of the African Content Movement as set forth in the constitution hereof shall be eligible for membership.
  
- ii. A member shall only qualify to assume office;
  - a.) Three (3) months after joining, at branch level,
  - b.) Six (6) months after joining, for provincial office
  - c.) Twelve (12) months after joining, for National Structure.

iii. Contestation for positions should be afforded to all, but specific encouragement should be given to those who have better understanding of the core principle of the Movement and its fundamental values.

iv. The ACM will provide compulsory and regular training workshop/s to all leaders and new members so that they are able to understand the direction of the movement.

v. All ACM members must be over the age of 16.

b) There shall be three categories of members:

i. **Regular members in good standing**, who shall enjoy all the rights and privileges of membership. Any eligible person may become a regular member in good standing in line with this constitution.

ii. **Independent Alliance Member**, this is a member who has participated in the elections as an individual, community organisation or group and managed to get a seat in the local level but does not have a seat on both the provincial or national legislature.

iii. **Honorary members**, who shall enjoy the right to participate in all the activities of the Movement but shall have no voting rights and shall not be entitled to hold office or to be a member at large of the Executive Committee, honorary members shall be selected by the President of the Movement, by and with the consent of the Executive Committee, and shall pay no subscription.

b) **Membership fee.** The ACM membership fees shall be zero rands per annum.

i. Membership is renewable annually on the date such person joined the organisation.

ii. The ACM understands that some members are unemployed. Only those who wish to contribute or donate can do so at their own discretion.

c) **Rights and Duties of Members**

1. **Rights:**

1.1 A member of the ACM shall have the right to:

i. Take full and active part in the discussions, formulation and implementation of ACM policies.

- ii. Receive and impart information on all aspects of ACM policies and activities.
- iii. Offer constructive criticism of any member, official, policy programme or activity of the ACM within its structures.
- iv. Take part in elections and be elected or appointed to any committee, structure, commission or delegation of the ACM.
- v. Submit proposals or statements to the branch, region, province or NSEC, provided such proposals or statements are submitted through the appropriate structures.

## **2. Duties:**

### **2.1 A member of the ACM shall:**

- i. Belong to and take an active part in the life of his or her branch.
- ii. Take all necessary steps to understand and carry out the aims, policy and programme of the ACM.
- iii. Explain the aims, policy and programme of the ACM to the people.
- iv. Deepen his or her understanding of the social, cultural, political and economic problems of the country.
- v. Combat propaganda detrimental to the interests of the ACM and defend the policy, aims and programme of the ACM.
- vi. Fight against racism, tribal factionalism, sexism, religious and political intolerance or any other form of discrimination within the organisation.
- vii. Observe discipline, behave honestly and carry out loyally decisions of the majority and decisions of higher bodies.
- viii. Inform his or her branch of movement to any other area and report to the branch committee secretary on arriving at any new area.
- ix. All members shall ensure that they are registered as voters in the constituency where they live.
- x. ACM members who hold elective office in any sphere of governance at national, provincial or local level are required to be members of the appropriate committee, to function within its rules and to abide by its decisions under the general provisions of this Constitution and the constitutional structures of the ACM.

## ARTICLE 20: REMOVAL AND EXPULSION

- a) The expulsion of any member of the Movement, the removal of any officer or the removal of any member-at-large of the Servants Executive Committee, for conduct unbecoming to the best interest of the Movement or contrary to the purposes of the Movement, may be proposed by a petition enumerating the reasons therefore, signed by fifty plus one members of the Servants Executive Committee or fifty plus one members of the Movement and submitted to the General Secretary.
- b) The General Secretary shall present the petition at the next meeting of the Servants Executive Committee. At that meeting the petition may be dismissed by a majority vote of the full membership of the Servants Executive Committee.
- c) If the petition is not so dismissed, the proposal shall be tabled until a subsequent meeting of the Servants Executive Committee to be held not less than two weeks thereafter.
- d) The General Secretary shall give the person in question at least 10 days notice by registered mail of the time and place of such meeting, the charges against him/her, and his/her right to make a statement in person or in writing to such a meeting.
- e) A vote of at least fifty plus one of the full memberships of the Servants Executive Committee shall be required for expulsion or removal.
- f) A decision unfavourable to the person (accused) in question may be appealed by the implicated member or by any other member/s at the next meeting of the Movement, provided that such person or such other member notifies the General Secretary or the President of his/her intention to make such an appeal.
- g) If such appeal is considered, the determination of the Servants Executive Committee shall be defective unless and until ratified by a majority of the members present at such meeting.

## ARTICLE 21: MEETINGS

### a) General Membership Meetings

- i. **Annual General Meeting.** There shall be Annual General Meetings of the membership, one to be held in the first half of December, and the other to be held in the first half of the following January. After five years (5) at the National Servant Executive Committee Annual General

Meeting of the membership shall elect the NSEC. All Servants Executive Committee Members-at-large elected at the Annual Meeting shall serve for the period stipulated in this constitution.

- ii. **Other meetings.** Meetings of the general membership may be called at any time by the President, the Servants Executive Committee, or upon the written request of 100 members in good standing. There shall be at least 10 meetings of the general membership, including the Annual Meetings throughout the year, and there shall be at least one such meeting called every second calendar month.
- iii. **Notice.** All members shall be given at least Seven (7) days written notice of all meetings of the general membership. Notices shall state time, place and proposed agenda of the meeting.
- iv. **Quorum.** Fifty members in good standing plus one or 50+1 of the general membership or more shall constitute a quorum.
- v. **Voting. All issues,** except as otherwise provided in this Constitution, shall be decided by a majority of those voting. Every member in good standing shall be entitled to one vote, which must be cast in person and not by proxy. All members in good standing shall be eligible to vote on all questions provided that they have been members for at least 90 days preceding the meeting date (including the date of joining and excluding the date of the meeting).

#### **b) Servants Executive Committee Meetings**

- i. **Meetings.** There shall be at least one regularly scheduled meeting a month on dates to be determined by the Servants Executive Committee. The President may call Special meetings of the Servants Executive Committee. He/she must call such meetings immediately upon receipt of a petition for a meeting signed by members of the Executive Committee.
- ii. **Open Meetings.** All meetings for the purpose of transacting business shall be open to the general membership.
- iii. **Quorum.** Fifty plus one the membership of the Servants Executive Committee shall constitute a quorum.
- iv. **Voting.** All questions, except as otherwise provided in this Constitution, shall be decided by a majority of those voting. Every member of the Servants Executive Committee shall be entitled to one vote, which must be cast in person and not by proxy but the President or the Chairperson has the deciding vote.

v. **Automatic Loss of Membership.** Any member of the Servants Executive Committee who is absent from 3 consecutive regularly scheduled meetings shall forfeit his/her membership on the Servants Executive Committee.

**Other Obligations.** Every member of the Servants Executive Committee must, in addition to regular participation at meetings of the Servants Executive Committee, belong to and participate regularly in the work of at least one other Standing Committee.

## ARTICLE 22: ELECTIONS

### a) Regular Elections.

- i. The election of officers for the Movement and the members-at-large of the Servants Executive Committee shall be elected by the General Membership from the branches.
- ii. Candidates of the Movement for public or party office shall be endorsed by the general membership at the branch level.

### b) Vacancy.

- i. If the office of the President shall become vacant during the regular term, the General Secretary shall call a Special meeting of the Servants Executive Committee for the purpose of nominating one of the Deputy-Presidents to be Acting President until an interim election is held to fill the vacancy. Any officer so elected shall serve until the next Servants Convention.
- ii. If there is a vacancy on the Servants Executive Committee during the regular term, the Servants Executive Committee shall have the power to fill the vacancy until the next regular membership meeting, and persons elected to the Servants Executive Committee to fill such vacancy shall have the power to vote as Servants Executive Committee member. At the next regular membership meeting, the vacancy shall be filled by election; nominees shall automatically include the person previously designated by the Servants Executive Committee to temporarily fill the vacancy.

### c) Nominations.

- i. Nominations for all elective positions shall be made from the floor at the meeting at which the election is to be held.

**d) Members entitled to vote.**

- i. **A member in good standing.** A member in good standing refers to any person who has at least a minimum of 90 days of active participation from the date of joining and excluding the date of the meeting.

**e) Voting.**

- i. Voting shall be conducted through a secret written ballot.
- ii. There shall be a separate ballot for each office, in the order listed in the Constitution, and there shall be a separate ballot for each public or party office.
- iii. Each member shall be allowed to vote for a maximum of one candidate on each ballot.
- iv. The nominee receiving most votes shall be declared duly elected.
- v. In the event that there is no clear winner in the first round of voting, a second round of voting will take place and the nominee with highest votes will be declared the winner.

**f) Qualifications and Eligibility.**

- i. All officers and members-at-large of the Servants Executive Committee must be members in good standing of the Movement.
- ii. No person shall be eligible for nomination as an officer or member-at-large of the Servants Executive Committee unless at the date of nomination he/she shall have been a member in good standing for three (3) months.

**ARTICLE 23: COMMITTEES**

**a) Servant Legal Committee**

- 1) This committee shall be responsible for ensuring that the organisation complies with the South African law in all aspects of its work, this may include a wide range of activities from finance to service delivery such as:
  - 1.1 Ensuring the organisation meets its objectives as set out in the constitution.
  - 1.2 Represent the ACM members and provide legal advice



- 1.3 Ensuring the organisation complies with the rules set out in its constitution and act legally in all its activities
- 1.4 Acting in the interests of the organisation and its members, and not for personal benefit.
- 1.5 Informing meetings of any interest in a contract that could lead to conflict of interest
- 1.6 Providing proper accounts of the organisation's activities to its members, funders and other regulatory bodies.
- 1.7 Providing annual reports as required by law and ensuring that accounts, annual returns and other required information is filed on time.
- 1.8 Seeking professional advice when necessary.
- 1.9 Ensuring the organisation's resources and assets are well managed and used to pursue its objectives.
- 1.10 Keeping up to date with the organisation's activities to ensure informed decision making at all times.
- 1.11 As far is reasonable, keeping abreast of legislation that may affect the organisation's work and direction.
- 1.12 Comply with relevant legislation, including labour and data protection laws.
- 1.13 Ensuring that the organisation has effective health and safety policies and procedures covering all its premises, and that they are effectively monitored
- 1.14 Ensuring that the organisation meets all its contractual and other obligations, including employment contract, tenancy and/or
- 1.15 Ensuring the organisation does not discriminate unlawfully in employment or service provision.
- 1.16 Regularly attending management committee meetings and working jointly with other committee members.

**b) Servants Workers Committee**

- 1) There shall be a workers' committee which will have the duty to represent workers' interests. At workers' council, which is a legal forum for engagement between the workers and the employer, the workers' committee is expected to properly prepare and present real issues affecting employees at all levels. This committee shall establish task teams that will work tirelessly to address the challenges of mainly marginalised workers such as:

- 1.1 Car washers;
- 1.2 Domestic Workers;
- 1.3 Semi-skilled Workers;
- 1.4 Retail Workers;
- 1.5 Security Workers;
- 1.6 Garage Attendance Workers;
- 1.7 Farm Workers.

**c) Servants Audit Committee**

- i. There shall be an Audit Committee which will examine and audit the Movement's books within 30 days following the election of a Treasurer General, and at such other times as the President or the Servants Executive Committee shall direct. A report shall be submitted to the Servants Executive Committee at the first meeting following such audit.

**d) Finance Committee**

There shall be a finance committee; this committee oversee matters relating to finances and asset of the organisation. And be responsible for financial strategy of ACM, under the leadership of the Treasurer General.

**ARTICLE 24: AMENDMENTS**

- a) Amendments to this Constitution may be proposed by the Servants Executive Committee or by written petition signed by fifty plus one members submitted to the Secretary General.
- b) To become effective, any amendment proposed must be approved and adopted thereafter by the majority of the members present at two consecutive meetings of the Movement which shall be at least one week apart.
- c) The substance of the change to be effective by such proposed amendment or amendments must be included in the notice of each of the aforesaid consecutive meetings, and the notice of the second meeting shall further state that final action will be taken upon amendment or amendments to the Constitution.

- d) Such amendment or amendments shall become effective as a part of this Constitution upon the date of the final approval and adoption or on such other date as the amendment or amendments shall specify.
- e) No amendment may be adopted by the Movement which does not comply with the rules and regulations of the African Content Movement.

#### **Article 25: DISCIPLINARY ACTION**

- 25.1 All members, without exception, must abide by the Constitution of the ACM, the Rules, the Standing Orders and Codes of Conduct as adopted or amended from time to time.
- 25.2 Disciplinary proceedings against a member shall be confined to violations of the ACM Constitution, Rules and Codes of Conduct shall not:
  - i. Be used as a means of stifling debate or denying members their basic democratic rights;
  - ii. Be instituted as a means of solving private problems or as a means of interfering in the private lives of members where the norms of the movement are not directly affected, unless such conduct itself constitutes a violation or an offence relating the movement.
- 25.3 A serious offence shall be committed by any member who:
  - 25.3.1 Prejudices the integrity or repute of the movement, its personnel or its operational capacity by:
    - a. Impeding the activities of the movement;
    - b. Creating division within its ranks or membership;
    - c. Doing any other act which undermines its effectiveness.
    - d. Acting on behalf of or in collaboration with:
      - i. **Forces opposing the movement:**
      - ii. A political organisation or any formation other than a movement or party in partnership with the ACM in a manner contrary to the aims, policies and objectives of the ACM;
      - iii. Intelligence or the security services of other countries;
      - iv. Any person or group who seriously interferes with the work of the movement or prevents it from fulfilling its mission and objectives.

25.3.2 The following shall also be regarded as serious offences, without prejudice to the generality of this provision and the right of the NSEC to add to this category of offences:

- i. Conviction in a court of law and sentenced to a term of imprisonment without the option of a fine, for any serious non-political offence;
- ii. Misappropriation of the funds of the movement or destruction of its properties;
- iii. Behaving corruptly in seeking or accepting any bribe for performing or for not performing any task;
- iv. Engaging in sexual or physical abuse of women or children or abuse of office to obtain sexual or any other undue advantage from members or others;
- v. Abuse of elected or employed officer of the movement or in the State to obtain any direct or indirect undue advantage or enrichment;
- vi. Fighting or behaving in a grossly disorderly or unruly way;
- vii. Deliberately disrupting meetings and interfering with the orderly functioning of the movement.

25.3.3 If, in the opinion of the NSEC or the relevant body exercising its right to invoke disciplinary proceedings under this Constitution, a member is guilty of the following offences, disciplinary proceedings may follow:

- i. Behaviour which brings the movement into disrepute or which manifests an obvious violation of the moral integrity expected of members or conduct unbecoming;
- ii. Sowing racism, sexism, tribal chauvinism, religious and political intolerance, regionalism or any form of discrimination;
- iii. Behaving in such a way as to provoke serious divisions or a break-down of unity in the movement;
- iv. Undermining the respect for or impeding the functioning of the structures of the movement;
- v. Participating in organised factional activity that goes beyond the recognised norms of free debate inside the movement and threatens its unity.

25.4 Disciplinary proceedings shall normally be conducted at the level where the alleged violation or offence took place, namely the branch, region, province or national, and may be heard by the relevant structure;

b The NSEC may direct that the disciplinary proceedings should be heard at a higher level from where the alleged violation or offence took place.

25.5 Any member faced with disciplinary proceedings shall receive due written notice of any hearing and of the basic allegations and charges against him or her and be afforded a reasonable opportunity to make his or her submissions.

b The National Disciplinary Committee shall draw up guidelines for the interpretation of this section on discipline and for the rules of procedure including time limits to be followed before, during and after a hearing.

25.6 Any member found guilty in a disciplinary proceeding, or the complainant has the right, within a reasonable period, to appeal against the conviction or sentence, to the next higher body of the ACM. The NSEC may direct that any appeal should be heard by a body higher than the one to which the appeal has been made. The PSEC may direct that an appeal against the decision by a branch should be heard directly by the Provincial Disciplinary Committee.

25.7 Penalties for proven violations of the Constitution, principles, norms and decisions of the ACM shall include reprimand, payment of compensation and/or the performance of useful tasks, suspension and expulsion.

#### **25.8 Temporary Suspension**

The Provincial Disciplinary Committee, the National Disciplinary Committee or the NSEC having regard to the nature and seriousness of an alleged violation or offence by a member, may summarily suspend the membership of any accused pending the preparation of a charge against the member and the finalisation of disciplinary proceedings against the member. The member shall be informed of such suspension.

The temporary suspension shall lapse if no disciplinary proceedings are instituted against the member within 30 days of the date of the temporary suspension. Such disciplinary proceedings shall be attended to as quickly as possible and completed within a reasonable period.

25.9 All disciplinary proceedings shall be attended to as speedily as possible

25.10 Decisions relating to disciplinary proceedings shall be publicly announced.

- i. The NSEC shall appoint a National Disciplinary Committee from among its membership and from other structures of the ACM. The decisions of the NDC shall be final except that the NSEC may, in its discretion, review a decision. Such a review shall be regulated by standing orders adopted by the NSEC.
- ii. The National Disciplinary Committee shall hear and determine violations or offences on appeal from appropriate organs of the ACM. In addition, the national officers, the NSEC may refer such violations or offences directly to the NDC. In exceptional situations arising out of serious breaches of the Constitution, Rules or Codes of Conduct, the NDC itself may exercise jurisdiction to investigate and determine a complaint.

25.11 The NSEC may authorise other structures of the ACM to institute disciplinary proceedings and to set up appropriate structures to apply the provisions of this process.

## **ARTICLE 26: DISCIPLINARY PROCEDURE**

### **26.1.1 Introduction**

Article 25 of the Constitution deals with discipline.

This disciplinary procedure prescribes how the disciplinary procedure is to be followed and how disciplinary proceedings are to be conducted.

### **26.1.2 Objective of Disciplinary Procedure**

- a) The objective of disciplinary procedure is to ensure that in all disciplinary proceedings:
  - i. There is a formal procedure.
  - ii. There is a just and fair procedure.
  - iii. A member is presumed innocent until proven guilty.
  - iv. A member has an opportunity to defend her or himself.
  - v. A member has the right to appeal.

### **26.1.3 Starting Disciplinary Procedure**

a) Disciplinary Proceedings may be instituted:

1. Only for violations or offences of the ACM Constitution and Codes of Conduct.
2. By any organ or official of the ACM at Branch, Regional, Provincial or National level. However, the NSEC may direct that the disciplinary proceedings should take place at a higher level than where a violation or offence was committed
3. By the National Disciplinary Committee which can hear and decide cases:
  - i. Referred to it by the ACM National Officials or the NSEC.
  - ii. Initiate cases of very serious violations or offences.

At Branch, Regional, Provincial or National level by a Disciplinary Committee unless:

- i. The NSEC directs that the disciplinary proceedings should take place at a higher level than where a violation or offence was allegedly committed.
- ii. The National Disciplinary Committee institutes disciplinary proceedings referred by the ACM National Officials or the NSEC
- iii. The National Disciplinary Committee may institute disciplinary proceedings for very serious violations or offences.

### **26.1.4 Holding Disciplinary Proceedings**

a) A charge must be made within reasonable time of the violation or offence.

b) A charge must be prepared on behalf of the organ or officials of the ACM instituting the disciplinary proceedings. The charge must:

- i. Be in writing
  - ii. Set out the information forming the reason for the charge and the alleged violation or offence in reasonable detail.
- c) Identify the:
- iii. Provision of the ACM Constitution, the Rules, and Codes of Conduct alleged to have been violated.
  - iv. The violations and offences set out in terms of the rules of ACM.

- v. Advise the charged member of her or his right to be represented by a member of the ACM in good standing, to have an interpreter present, to call witnesses for defence of the charge, and to recall and question witnesses called for prosecution of the charge.
- i. Specify the time and place of the disciplinary proceedings.
- vi. Be delivered to the charged member seven days before the disciplinary proceedings or sooner if this is Necessary in certain serious circumstances.

**e) The following persons must be present at a Disciplinary Proceeding:**

- i. The Chairperson and members of the Disciplinary Committee.
- ii. The presenter of the charge.
- iii. The charged member, who can be tried in his or her absence if she or he does not appear.
- iv. The charged member's representative and/ or interpreter who is a member of the ACM in good standing.
- v. The witnesses.
- vi. A minute taker.

**f) The Chairperson of the Disciplinary Committee must ensure that:**

The disciplinary proceedings are held in a fair manner. He or she will rule on all matters that may arise and ensure order is maintained.

- i. The charged member is informed of the charge, is informed of her or his rights and is asked to plead guilty or not guilty to the charge.
- ii. The presenter of the charge details the charged member's alleged violation or offence and may call witnesses in support of the charge and may produce relevant documentation in support of the charge.
- iii. The charged member or her or his representative presents the defence to the charge and may call witnesses and may request the recall of and question witnesses called in support of the charge, and may produce relevant documentation.

**26.1.5 Adjudication**

At the end of the disciplinary proceedings, the Chairperson of the Disciplinary Committee must ensure that:



1. The members of the Disciplinary Committee discuss the issues raised at the disciplinary proceedings in private and make a finding based on the facts and evidence of the case and make a ruling.
2. The Chairperson and the members of the Disciplinary Committee decide a penalty. The penalties are:
  - i. Reprimand
  - ii. Payment of compensation and/or performance of useful tasks
  - iii. Suspension
  - iv. Expulsion.
3. The charged member is advised of the ruling and the penalty of the Disciplinary Committee with the reasons for these and is advised of her or his right to appeal.
4. That the ruling and penalty are publicly announced.

#### **26.1.6 Appeal**

##### **1. An appeal may be lodged by:**

- i. The charged person against whom a finding has been made or a penalty imposed by the Disciplinary Committee.
- ii. The organ and/or officials who laid the charge against a finding or a penalty imposed by the Disciplinary Committee.

##### **2. An Appeal Hearing must be held by the next higher level unless:**

- i. The PSEC directs that any appeal from a Branch Disciplinary Committee appeal should be heard by the Provincial Disciplinary Committee.
  - ii. The NSEC directs that any appeal should be heard by a higher level than the next higher level.
2. The National Disciplinary Committee is the final structure for appeals to be heard. However, the NSEC may at its discretion review a decision of the National Disciplinary Committee in accordance with standing orders adopted by the NSEC.

### 3. Appeal Procedure

The following procedure must be followed for appeals:

1. The appeal must be made at the next higher level or the level which the NSEC or the PSEC directs to hear the appeal.
2. The appeal must:
  - i. Be made within fourteen days of the charged member being informed of the ruling and penalty with the reasons for these.
  - ii. Be in writing
  - iii. Set out the reason for the appeal in reasonable detail.
  - iv. Set out the grounds for the appeal in reasonable detail.
3. Except in exceptional circumstances determined by the Chairperson of the Disciplinary Committee hearing the appeal; a.) No new evidence may be presented or considered, b.) No new charges may be brought at the appeal.
4. The Chairperson and the members of the Disciplinary Committee must discuss the issues presented and determine finding/s based on the facts and evidence presented at the appeal hearing and make a ruling which can confirm, vary or amend the original ruling and/or penalty.
5. The person who appeals must be advised of the ruling and the confirmation or variation of the original ruling and/or penalty.
6. Any further appeal will need the permission of the next higher level.
7. Any such further appeal must follow the above appeal procedure.

## APPENDIX: CODE OF CONDUCT

### 7.1 ACM MEMBERS SHALL ABIDE BY THE CODES OF CONDUCT AS STATED BELOW:

- 7.1. All Movement members are subject to the discipline of the Movement and submit to the provisions of this constitution in regard to code of conduct and to the disciplinary procedures set out in Constitution.
- 7.2. All Movement members including public representatives, submit to the right of the Movement, to terminate their membership, to remove them from office in any executive or legislative sphere of government or office within the Movement,
- 7.3. Or to be moved to a position deemed to be suitable by the Movement, on the grounds of incapacity owing to poor performance and/or ill health, which includes but is not limited to incompetence and/or inefficiency and/or incapability, but only in terms of processes and procedures prescribed by the Servants Executive Committee.
- 7.4. Action against any public representative on the grounds of incapacity, and non-performance which could result in that person's membership being terminated or his or her privileges being curtailed can only be taken in terms of the processes and procedures as prescribed by the Servants Executive Committee.

### 8. Charges for misconduct if:

- 8.1. he or she publicly opposes the Movement's principles or repeatedly opposes published Movement policies, except in or through the appropriate Movement structures;
- 8.2. acts in a way which impacts negatively on the image or performance of the Movement;
- 8.3. acts in any manner whatsoever which results in him or her being found guilty of a serious criminal offence by a court;
- 8.4. fails to carry out his or her duties and/or responsibilities according to codes set by the Servants Executive Committee of the Movement or of the relevant Provincial or Regional

Council, or to codes required by any statutory rules of conduct required by the public office he or she holds;

- 8.5. acts in any manner whatsoever which brings the good name of the Movement into disrepute or harms the interests of the Movement;
- 8.6. acts in any manner whatsoever that is unreasonable and detrimental to internal co-operation within the Movement;
- 8.7. unreasonably fails to comply with or rejects decisions of the official formations of the Movement;
- 8.8. submits or attempts to submit false membership forms or commits or attempts to commit membership fraud in any way;
- 8.9. contravenes any of the explicit Movement decisions or regulations for the appropriation of Movement finances;
- 8.10. collects money on behalf of or in the name of the Movement or any of its structures or for any Servants activity without depositing such money in a bank account opened and operated in terms of procedures approved by the Servants Finance Committee and/or operates a bank account in which Movement money is deposited without the approval of the Servants Finance Committee or a structure of the Movement authorized by it;
- 8.11. in any election for office, or in opposing any proposed or existent Movement policy or process, mobilises or attempts to mobilise opposition to the policy or process, or opposition to or discrimination against any person on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language or birth;
- 8.12. publicly alleges or implies that he or she, or any group of members, have been unfairly prejudiced, or any member or group of members unjustifiably preferred, as a consequence of that member's or those members' race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language or birth;
- 8.13. being a public representative, in any meeting of any legislative body, that disparages, belittles or insults the Movement or any member of the Movement, or another Movement or any member of another Movement with which the Movement is in a coalition in that legislative body;
- 8.14. in any way intimidates or sexually harasses in any manner, any member of the Movement or staff members;

8.15. Disclose in any way any sensitive and/or confidential information discussed in a closed meeting with anybody outside that meeting other than a person authorised to receive it in terms of a policy adopted by the Servants Executive Committee.

**9. Removal from office**

A public representative may be removed from office or moved to a position deemed to be suitable by the Movement on the grounds of incapacity owing to poor performance and/or ill health, which includes but is not limited to incompetence and/or inefficiency and/or incapability, but only in terms of processes and procedures prescribed by the Servants Executive Committee

Adopted by the African Content Movement (ACM) President on the 07 February 2019

Signed by



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**ACM PRESIDENT HLAUDI MOTSOENENG  
(HEAD SERVANT)**