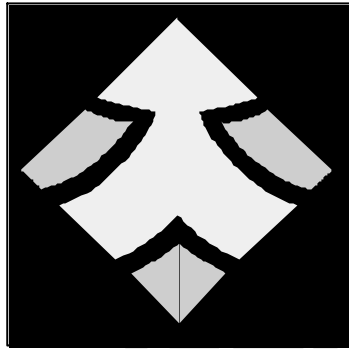


UNITED DEMOCRATIC MOVEMENT



THE UDM CONSTITUTION

UDM 1st National Congress
Nasrec, Johannesburg
27 June 1998

Amended:
Arcadia Hotel, Pretoria
21 July 2001

Amended:
2nd National Congress
Pretoria Show Grounds, Pretoria
8 and 9 December 2001

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1. PREAMBLE

- 1.1. The United Democratic Movement (hereafter the Party) subscribes to the principles of the Constitution of the Republic of South Africa.
- 1.2. The formation of the Party is the result of a comprehensive consultation process, involving the people of the Republic of South Africa.

2. NAME, EMBLEM, FLAG AND COLOURS

- 2.1. The name of the Party is the United Democratic Movement [UDM]. The name shall not be translated and the abbreviation [UDM] will be used in all official languages of the Republic of South Africa.

2.2. EMBLEM



Convergence: The coming together of all in South Africa.

Unification: The building of one nation in South Africa.

Progression: The development of the Country and its people to the advancement of all.

2.3. NAME:

Font: Arial (Bold)

UNITED DEMOCRATIC MOVEMENT

2.4. COLOURS

The colours, gold, green and red are colours are strongly associated with the African continent. Through the use of these colours, the UDM acknowledges its origin from Africa, the UDM's commitment towards Africa and the role that it will play in the development of Africa.

Gold: Pantone 1235C.

Green: Pantone 3415C.

Red: Pantone 179C.

3. AIMS AND OBJECTIVES

- 3.1. The Party shall strive to unite South Africans from all communities in a new political home, built on the foundation of the principles and ideals of our National Constitution, as inspired by our unifying love of our Country and its people.
- 3.2. The Party will set free the creative power inherent in our diversity, and will co-operate with all stakeholders to ensure a good quality of life, with individual freedom and obligations for all, through good governance and civil order, towards becoming a Winning Nation.

- 3.3. The Party commits itself to the establishment of a true South African constitutional democracy, which rejects racial domination, and which respects, upholds and protects human dignity, life, liberty and the prosperity of its citizens.
- 3.4. The Party shall uphold the freedom of religion, culture and traditions of our diverse communities.
- 3.5. The Party shall promote and protect freedom of association, with formal constitutional structures as well as informal- or non-Governmental structures in order to prevent coercion.
- 3.6. The Party shall endeavour to ensure that the Government, on all three (3) levels, function effectively and that the interests of the whole population are best served. Constitutional powers should optimally be devolved to the lowest possible sphere of government and preferably originally established at that level, while the national integrity of the state is maintained and broad national interests are served by the Central Government.
- 3.7. The Party shall promote a culture of consultation with communities, in order to create mutual responsibility for good and balanced governance and not impose its will on the people.
- 3.8. The Party shall fight corruption and restore the confidence of the people in all Government structures.

4. THE VISION AND MISSION

4.1. Vision

We are the political home of all South Africans, united in the spirit of South Africanism by our common passion for our Country, mobilising the creative power inherent in our rich diversity, towards our transformation into a Winning Nation.

4.2. Mission

We will unite South Africans from all communities in a new political home, built on the foundation of the principles and ideals of our National Constitution. To this end we will address poverty and imbalances in our society, inspired by our unifying love of our Country and its people. We will set free the creative power inherent in our diversity and will co-operate with all stake-holders to ensure a quality life and individual freedom for every citizen, based on good governance and civil order, towards being a Winning Nation.

5. PARTY PLATFORM

The Core Values, which the United Democratic Movement will uphold and promote and upon which its fundamental policy positions are based, are as follow:

- ?? respect for life, dignity and human worth of every individual;
- ?? integrity in public- and private life;
- ?? the individual rights and freedoms enshrined in our Country's Constitution;
- ?? tolerance and respect for the rights and freedoms of others;
- ?? solidarity in the common spiritual ownership of all that is good in our Country;
- ?? national self-discipline based on an acceptance that each right and freedom carries with it a corresponding and equal obligation and responsibility;
- ?? national moral regeneration towards a clear distinction between right and wrong, between what is acceptable conduct and what not, between good and evil;
- ?? economic policies based on moral values;
- ?? freedom of religion and worship.

6. MEMBERSHIP

6.1. Requirements for full membership:

- 6.1.1. Membership of the Party shall be open to all persons who qualify in terms of this clause and subscribe to this Constitution and who support a multi-party democratic political system for the Republic of South Africa.
- 6.1.2. To this end any individual aged eighteen (18) years and above shall be eligible for membership and be entitled to exercise all rights and honour all obligations, associated with membership, without discrimination based on race, gender, marital status, ethnic- or social origin, colour, sexual orientation, disability, religion, conscience, belief, culture and language, provided that;
 - 6.1.2.1. He/she is a citizen or permanent resident of Republic South Africa;
 - 6.1.2.2. He/she applies for membership in writing;
 - 6.1.2.3. He/she pays the prescribed annual membership fees;
 - 6.1.2.4. He/she is not a member of any other political party.

6.2. Application for membership:

- 6.2.1. A person will be admitted as a member of the Party, if the application is approved by the appropriate Branch Executive Committee, or in the absence of such Branch Executive Committee, by the District Executive Committee, in which geographical area that applicant is resident. In the case of an unsuccessful membership application, the applicant has the right to appeal.

6.3. Registered membership:

- 6.3.1. Membership of the Party is valid for one (1) year, as from date of admission to the Party.
- 6.3.2. The date of approval of membership, as in paragraph 6.2.1, and subject to payment of membership fees, is deemed the date of admission.
- 6.3.3. A member of the Party is deemed to be on the membership list of the appropriate Branch, from that date.
- 6.3.4. Membership of the Party must be renewed annually by payment of the required membership fee.
- 6.3.5. A Member of the Party shall be provided with a membership card.
- 6.3.6. A Member of the Party shall acquaint him/herself of the contents of the UDM Constitution, the UDM Code of Ethics and Conduct - ~~is~~ Annexed as B, and the UDM Dispute Resolution and Disciplinary Measures and Principles - ~~is~~ Annexed as A, and his/her obligation to abide by it.
- 6.3.7. Any person, who does not comply with membership requirements, as described in paragraph 6.1. may apply in writing, to become a Supporter of the Party, and upon approval, will become a registered Supporter.

6.4. Suspension or Termination of Membership.

6.4.1. Membership of the Party shall be suspended or terminated in the following instances:

- 6.4.1.1. By written resignation, submitted to the Party.
- 6.4.1.2. Non-payment of annual membership fees on due date. If the full-prescribed annual membership fee is paid within the first six (6) months of the following membership year, membership shall be restored as if membership fees were paid on time.
- 6.4.1.3. A member shall be automatically suspended if he/she is charged with a criminal offence listed in Schedules I and II of the Criminal Procedure Act 51/1977 pending final judgment in criminal proceedings. If a member is found guilty of such crimes, such member is automatically expelled from the Party. The UDM should conduct a preliminary investigation into the circumstances that surround an offence and evaluate whether suspension is justified.
- 6.4.1.4. Any person holding any elected position within the Party structure shall vacate that position, in circumstance where he/she becomes unfit to be a director of a company.
- 6.4.1.5. If a member contravenes the Code of Ethics and Conduct - ~~see~~ Annexure A - steps may be taken against him/her in accordance with the Dispute Resolution and Disciplinary Measures - ~~see~~ Annexure B.
- 6.4.1.6. If a public representative contravenes the Code of Conduct, Ethics and Obligations for public representatives - ~~see~~ Annexure C-, steps may be taken against him/her in accordance with such Code.

7. PARTY STRUCTURES


7.1. General prescriptions

- 7.1.1. Members shall be organised within the Party structures, according to their residence and statutory voter registration, unless otherwise decided by National Council.
- 7.1.2. The Party structures will, as far as practically possible, be aligned to correspond with the various spheres and levels of Government, so as to best:
 - 7.1.2.1. Represent the interests of the Party, its Members and society;
 - 7.1.2.2. Identify, nominate and appoint candidates to represent the Party and the community.
 - 7.1.2.3. Plan, organise and mobilise support for the Party and its candidates during election campaigns and representatives thereafter.
- 7.1.3. The structures of the Party shall function in an efficient, accountable, transparent and flexible manner, which will promote a participative democratic culture in the Party organisation and society at large.

7.2. Branches

- 7.2.1. Branches form the organisational foundation of the Party.
- 7.2.2. Every member of the Party:
 - 7.2.2.1. Shall be registered in a Branch established for a Local Government Ward or combined Wards or an Administrative Districts in rural areas. Where no Branch could be established in a Local Government Ward, membership may be exercised at District- or Regional Level.

- 7.2.2.2. May exercise all membership rights, shall honour membership obligations through his/her registered Branch. Where no Branch is established, membership may be exercised at District- or Regional level.
- 7.2.3. A Member may not be registered in more than one (1) Branch.
- 7.2.4. Where necessary, Branches may demarcate zones within their boundaries, to facilitate the effective achievement of the Party's objectives.
- 7.2.5. A Branch consists of at least fifty (50) registered Members.
- 7.2.6. At the launch of a Branch, which is approved by the Provincial Council, the Launch Meeting shall be considered a Special Annual General Meeting, and shall conclude its business and duties, as stipulated in paragraph 7.2.8 of this Constitution. The Branch Executive Committee elected in terms of paragraph 7.2.9.8 shall operate until an Annual General Meeting of the Branch is held for the ensuing financial year.
- 7.2.7. A Branch shall meet at least four (4) times during a financial year, of which one (1) meeting will be the Annual General Meeting.
- 7.2.8. Duties and activities of a Branch:**
- 7.2.8.1. Branches may draft points for discussion/motions, for submission through Regional Executive Committee, to Provincial Executive Committee, for consideration at a Provincial Congress and/or National Congress.
- 7.2.8.2. A Branch elects delegates to Provincial- and National Congress in terms of paragraphs 7.6.6.2.i) and 7.8.5.1), and no other Member will be a Delegate and have voting rights at Provincial- and/or National Congress. Delegates to Provincial Congress may be different from those to National Congress.
- 7.2.8.3. The Branch shall have the right to nominate Party candidates for election to all levels of Government.
- 7.2.8.4. Branch Members should actively participate in election campaigns.
- 7.2.9. Branch Annual General Meeting.**
The business of the Annual General Meeting is to:
- 7.2.9.1. Confirm the minutes of the previous Annual General Meeting;
- 7.2.9.2. Receive and consider the Chairperson's report on the Branch's organisational status of the preceding financial year;
- 7.2.9.3. Receive and consider the Treasurer's report and the accounts and balance sheet for the preceding financial year;
- 7.2.9.4. Consider any resolutions of which notice has been given;
- 7.2.9.5. Endorse membership lists as updated;
- 7.2.9.6. Consider any other business;
- 7.2.9.7. Submit a list of the newly elected Branch Executive Committee, to the appropriate Provincial Council with copies to the District-, Regional Council and

National Office, by the Branch Secretary, by using the prescribed form -  Annexed as Q1;

7.2.9.8. Elect at its Annual General Meeting, from registered members in the Branch, a Branch Management Committee, comprising of the following:

- i) Branch Chairperson.
- ii) Branch Deputy-Chairperson.
- iii) Branch Secretary.
- iv) Branch Deputy-Secretary.
- v) Branch Treasurer, who will also act as Membership Registrar.
- vi) Branch Organiser.
- vii) Three (3) additional members.
- viii) One (1) representative, being the chairperson of the youth branch within the boundaries of this branch of the mother-body.
- ix) One (1) representative, being the chairperson of the women's branch within the boundaries of this branch of the mother-body.

and ex-officio:

- x) Elected public representatives of the Party if he/she is not elected to any of the above mentioned positions.

7.2.9.9. The Branch Executive Committee shall appoint two (2) persons, namely the Chairperson and Secretary or Deputy-Chairperson, and for each one (1) of them an alternate who will act in their stead, when the appointed person is not available, as their representatives to District-, Regional- and Provincial Council in terms of paragraphs 7.3.4, 7.4.1, 7.5.6.3. For every additional fifty (50) members a Branch is entitled to one (1) extra representative and alternate.

7.2.9.10. Voting Procedures:

- i) An attendance register of registered Members present and entitled to vote shall be compiled to constitute the meeting.
- ii) The quorum at any of the meetings of the Branch shall be twenty percent (20%) of the registered members of the Branch present and entitled to vote, provided that sufficient and proper notice is given to all members of the Branch.
- iii) Registered members may vote in person only, and no proxies or other form of representation shall be permitted.
- iv) At any meeting of the Branch, a resolution put to the vote at such a meeting shall be decided on, by a show of hands, unless the meeting decides otherwise.
- v) During an election, by a show of hands, or any other manner as decided on, in paragraph 7.2.9.10.iv), above, each member shall be entitled to only one (1) vote.

7.2.10. Branch Executive Committee (BEC)

7.2.10.1. Duties and activities of a Branch Executive Committee is to:

- i) Administer the affairs of the Party within Branch boundaries.
- ii) Supply interested Members/Supporters with Party- and political information.
- iii) Receive and administer membership application forms.
- iv) Recruit members for the Party and issue membership cards and receipts.
- v) Compile a Branch membership list and submit it annually to the Regional and Provincial Treasurer/Membership Registrar, in accordance with requirements set by their Provincial Council.

- vi) Collection of annual membership fees and administering the renewal of annual membership.
- vii) Fundraise for the Party.
- viii) Open bank savings account and assign at least two (2) designated persons with powers to withdraw money, subject to authorisation of transactions by the Branch Executive Committee
- ix) The Branch Secretary or –Treasurer shall, in writing, communicate the particulars of branch bank savings account i.e. the name of the bank, branch code and account number to the Provincial Treasurer..
- x) Keep records of income and expenditure of the Branch and submit a yearly report on financial status, including statements, to Regional- and Provincial Council.
- xi) Follow financial procedures that shall at all times comply with regulations determined by National Council. -~~Annexed~~ as J.
- xii) Safeguard and maintain the assets of the Party.
- xiii) Organise functions and public meetings of the UDM.
- xiv) Assist in organisation of elections in full support of Party candidates.

- 7.2.10.2. The quorum of the Branch Executive Committee is fifty one percent (51%) of the Committee members, provided that sufficient and proper notice is given to all members of the Branch Executive Committee.
- 7.2.10.3. The Branch Executive Committee shall endeavour to meet at least once (1) a month, but not less than six (6) times during a financial year.
- 7.2.10.4. Branch Executive Committee shall endeavour to convene at least four (4) meetings of the Branch during a financial year of which the Branch annual general meeting shall be one (1).
- 7.2.10.5. The Branch Executive Committee shall convene an Annual General Meeting of the Branch, within twelve (12) weeks after the financial year-end.
- 7.2.10.6. The Branch Executive Committee may convene a special meeting, for the only purpose of nomination of Party candidates for all elections, in terms of paragraph 7.2.8.3.

7.3. District Council (DC)

- 7.3.1. A District Structure may be established, where necessary and practical, for improved and organisational purposes, by a Regional Council, subject to authorisation of the Provincial Council – as per paragraph 7.4.5.
- 7.3.2. A District Council shall meet at least five (5) times during a financial year, of which one (1) will be an annual general meeting.
- 7.3.3. The geographical area of a District is determined by Regional Council and approved by Provincial Council. Delimitation of boundaries should take in account, statutorily demarcated Provincial boundaries, Magisterial Districts-, Municipal boundaries and Regional Council boundaries.

- 7.3.4. The Party in an approved District may establish a District Council, comprising of two (2) representatives from each registered Branch – in terms of paragraph 7.2.9.9; a Branch with more than fifty (50) members is entitled to an extra representative per every additional fifty (50) members.
- 7.3.5. The District Council shall be responsible for the effective co-ordination of the Party's affairs at District level and to ensure that Party structures at Branch level are adequately capacitated to achieve the Party's Aims and Objectives.
- 7.3.6. Duties and activities of a District Council:**
- 7.3.6.1. Districts may draft points for discussion/motions for submission through Regional Executive Committee, to Provincial Executive Committee for consideration at a Provincial Congress and/or National Congress.
- 7.3.6.2. The District Council shall have the right to nominate Party candidates for Wards and for Proportional Lists for Local Government elections, based on guidelines prescribed by National Council.
- 7.3.6.3. District members shall actively participate in election campaigns.
- 7.3.7. District Council Annual General Meeting (AGM):**
The business of a District Annual General Meeting is to:
- 7.3.7.1. Confirm the minutes of the previous District Council Annual General Meeting;
- 7.3.7.2. Receive and consider a Chairperson's report on the organisational status of the District Council for the preceding financial year;
- 7.3.7.3. Receive and consider the Treasurer's report and the accounts and balance sheet of the District Council for the preceding financial year;
- 7.3.7.4. Consider any matters of which notice has been given;
- 7.3.7.5. Compile and report on the status of organisation and duties performed, where no Branch structures exist;
- 7.3.7.6. Consider any other business;
- 7.3.7.7. Submit a list of the newly elected District Executive Committee to the appropriate Regional and Provincial Secretary, by using the prescribed form. -
✍ Annexed as Q2.
- 7.3.7.8. Elect from Branch representatives to the District Council, at its Annual General Meeting, a District Executive Committee, comprising of the following:
- i) District Chairperson.
 - ii) District Deputy-Chairperson.
 - iii) District Secretary.
 - iv) District Deputy-Secretary.
 - v) District Treasurer.
 - vi) District Organiser.
 - vii) Three (3) additional members.
- and ex-officio:
- viii) One (1) representative, being the chairperson of the youth district structure within the boundaries of this district of mother-body.
 - ix) One (1) representative, being the chairperson of the women's district structure within the boundaries of this district of mother-body.

- x) Elected Public Representatives of the Party, without voting power, unless he/she is elected to any of the aforementioned positions.

7.3.8. Voting Procedures:

- 7.3.8.1. An attendance register of District Council members entitled to vote shall be compiled to constitute the meeting.
- 7.3.8.2. Only members who qualify in terms of paragraph 6 shall be entitled to vote.
- 7.3.8.3. The quorum at any meeting of the District Council, shall be fifty one percent (51%) of the delegates entitled to vote, provided that sufficient and proper notice is given to all the members of the District Council.
- 7.3.8.4. District representatives or their alternates, may vote in person only, and no proxies or other form of representation shall be permitted.
- 7.3.8.5. At any meeting, a resolution put to the vote shall be decided by a show of hands unless the meeting decides otherwise.
- 7.3.8.6. Each representative on the District Council shall be entitled to one (1) vote.
- 7.3.8.7. Office bearers shall be elected by absolute majority vote, except in the case of the three (3) additional members who can be elected by a simple majority vote.

7.3.9. District Executive Committee (DEC):

7.3.9.1. Duties and activities of a District Executive Committee is to:

- i) Administer the affairs of the Party within District boundaries;
- ii) Take responsibility for organisation and duties of Branches, as described in paragraph 7.2.8. (Where no branch structures can be launched in Local Government Wards, due to shortage of required number of members);
- iii) Develop, assist and guide existing Branches;
- iv) Supply interested members/supporters, with Party- and political information;
- v) Fundraise for the Party;
- vi) Open a bank account, assigning two (2) persons with powers to withdraw money, subject to the authorisation of transactions by the District Executive Committee Executive;
- vii) The District Secretary or –Treasurer shall, in writing, communicate the particulars of branch bank savings account i.e. the name of the bank, branch code and account number to the Provincial Treasurer.
- viii) Follow financial procedures which shall at all times comply to regulations determined by National Council - ~~as~~ Annexed as J;
- ix) Keep record of income and expenditure of a District and submit a yearly report on the financial status, including statements, to Regional- and Provincial Council;
- x) Safeguard and maintain the assets of the Party;
- xi) Organise and assist in organising functions, public meetings and rallies of the UDM;
- xii) Plan the organisation of all elections and fully support Party Candidates;
- xiii) Keep the minutes of the Annual General Meeting of the District Council;
- xiv) Appoint three (3) representative to Regional Council, being the Chairperson, Deputy-chairperson and Secretary of the District Executive Committee, in terms of paragraph 7.4.1, and
one (1) representative to Provincial Council, being the Chairperson or Deputy-Chairperson of the District Council, in terms of paragraph 7.5.6.4;

and

for each one (1) of them an alternate who will act in their stead, when the appointed person is not available.

7.3.9.2. The District Executive Committee shall meet at least once (1) a month.

7.3.9.3. The District Executive Committee shall endeavour to convene at least five (5) meetings of the District Council during a financial year.

7.3.9.4. The District Executive Committee shall convene an Annual General Meeting of the District Council, within fourteen (14) weeks, after the financial year-end.

7.4. Regional Council (RC)

7.4.1. The Party in a Region, shall establish a Regional Council, comprising of two (2) representatives from each Branch Executive Committee, who shall be the Branch-Chairperson and/or -Deputy-Chairperson and/or -Secretary, in terms of paragraph 7.2.9.9; a Branch with more than fifty (50) members is entitled to an extra representative per every additional fifty (50) members

and

three (3) representatives from each District Executive Committee in the Region who shall be the Branch- Chairperson and/or -Deputy-Chairperson and/or -Secretary - where applicable, in terms of paragraph 7.3.9.xiii).

7.4.2. A Regional Council shall meet at least twice (2) during a financial year, of which one (1) meeting will be a Regional Annual General Meeting.

7.4.3. The appropriate Provincial Council determines the geographical area of a Region. Delimitation of boundaries should take in account, statutorily demarcated provincial boundaries, magisterial districts-, municipal boundaries and/or District and Regional Council boundaries.

7.4.4. The Regional Council shall be responsible for the effective co-ordination of the affairs of the Party at Regional level and in particular to ensure that Regional- and Branch structures are adequately capacitated to achieve the Party's Aims and Objectives.

7.4.5. A Regional Council, may, subject to authorisation of a Provincial Council, where necessary and practical for improved organisational purposes, divide a Region into a number of Districts.

7.4.6. A Regional Council shall elect two (2) representatives to Provincial Council, in terms of paragraph 7.5.6.5.

7.4.7. Regional Council Annual General Meeting (AGM):

The business of the Annual General Meeting is to:

7.4.7.1. Confirm the minutes of the previous Annual General Meeting;

7.4.7.2. Receive and consider reports, by the Regional Executive Committee Chairperson on organisational status of the Region, of the preceding financial year;

- 7.4.7.3. Receive and consider the Regional Executive Committee Treasurer report and the accounts and balance sheet of the Region, for the preceding financial year;
- 7.4.7.4. Consider any motions/resolutions of which notice has been given;
- 7.4.7.5. Compile reports on the status of organisation and duties performed, where no Branch structures exist;
- 7.4.7.6. Consider any other business;
- 7.4.7.7. Submit a list of the newly elected Regional Executive Committee to the appropriate Regional- and Provincial Council with copies to National Office, by using prescribed form; - ~~is~~ Annexed as Q3;
- 7.4.7.8. Elect from among its delegated members, at its Annual General Meeting, a Regional Executive Committee comprising of the following office bearers:
 - i) Regional Chairperson.
 - ii) Regional Deputy-Chairperson.
 - iii) Regional Secretary.
 - iv) Regional Deputy-Secretary.
 - v) Regional Treasurer, who will also act as Membership Registrar.
 - vi) Regional Organiser.
 - vii) Three (3) additional members.and ex-officio:
 - viii) One (1) representative, being the chairperson of the youth regional structure within the boundaries of this region of mother-body.
 - ix) One (1) representative, being the chairperson of the women's regional structure within the boundaries of this region of mother-body.
 - x) One (1) representative, being the chairperson of the students' regional structure within the boundaries of this region of the mother-body.
 - xi) Elected Public Representatives of the Party, without voting powers, unless he/she is elected to any of the aforementioned positions.

7.4.7.9. Voting Procedures:

- i) An attendance register of District- and Branch representatives present and entitled to vote at an Annual General Meeting shall be compiled to constitute the meeting.
- ii) The quorum any meeting of the Regional Council shall be fifty one percent (51%) of all the representatives entitled to vote, provided sufficient and proper notice was given to Districts Council and Branch Executive Committees and the majority of Branches and Districts are represented.
- iii) Each member shall be entitled to one (1) vote per item.
- iv) A member shall vote in person only, and no proxies or other form of representation shall be permitted.
- v) At an Annual General Meeting or any other meeting of the Region, a resolution put to the vote at that meeting shall be decided by a show of hands unless the Meeting decides otherwise.

- vi) Office Bearers shall be elected by absolute majority vote, except in the case of the three (3) additional members, who may be elected by a simple majority vote.

7.4.8. Regional Executive Committee (REC):

7.4.8.1. Duties and activities of a Regional Executive Committee is to:

- i) Administer the affairs of the Party within Regional boundaries;
- ii) Perform the duties and do the work, the Provincial- and National Council, or the UDM President entrust to them;
- iii) Recruit members, develop and launch Branches in areas where no Branches exist;
- iv) Register new Branches and their Branch Executive Committees, with Provincial Council;
- v) Develop, assist and guide existing structures and to ensure that Branches carry out duties as conferred upon them in paragraph 7.2.8;
- vi) Supply interested Members/Supporters within structures, with Party- and political information;
- vii) Supervise Branch- and District Executive Committees, in the compiling of membership lists and collection of branch membership fees within the Region;
- viii) Distribute membership forms to District Executive Committees and keep record thereof;
- ix) Raise funds for the Party;
- x) Open a bank account, assigning two (2) persons with powers to withdraw money, subject to authorisation of transactions by the Regional Executive Committee;
- xi) The Regional Secretary or –Treasurer shall, in writing, communicate the particulars of branch bank savings/cheque account i.e. the name of the bank, branch code and account number to the Provincial Treasurer.
- xii) Follow financial procedures, which shall at all times comply to regulations determined by National Council - ~~is~~ Annexed as J;
- xiii) Keep record of income and expenditure of the Region and submit a yearly report on financial status, including statements, to Provincial- and National Council;
- xiv) Organise and assist in organising functions, public meetings and rallies of the UDM;
- xv) Receive input and impart information on UDM policies;
- xvi) Launch public information- and marketing campaigns of the UDM;
- xvii) Monitor women- and youth organisational activity programmes within the Region;
- xviii) Plan and organise voter canvassing and other activities during election campaigns and full support of Party Candidates;
- xix) Prepare resolutions/motions as submitted by Branches to Provincial Council for consideration at Provincial- and/or National Congress;
- xx) Facilitate the nomination of Party Candidates for all levels of Government, in conjunction with Branches;
- xxi) Keep the minutes of the Annual General Meeting of the Regional Council;
- xxii) Prepare and submit to the Regional Council's Annual General Meeting, a report on the accounts and balance sheets of the Region for the preceding financial year;
- xxiii) Receive Branch membership lists as compiled and submitted by Branch Executive Committees, as described in paragraph 7.2.10.1.v);

xxiv) Appoint two (2) representatives to Provincial Council, being the Chairperson, Deputy-Chairperson or Secretary of the Regional Executive Committee, in terms of paragraph 7.5.6.5, and for each one (1) of them an alternate who will act in their stead, when the appointed person is not available.

and

Appoint two (2) representatives to Provincial Executive Committee, being the Chairperson, Deputy-Chairperson or Secretary of the Regional Executive Committee, in terms of paragraph 7.6.10.1.ix).

7.4.8.2. When the Regional Council is not in session, its power rests with the Regional Executive Committee.

7.4.8.3. The quorum of a Regional Executive Committee shall be fifty one percent (51%) of its members entitled to vote, provided sufficient and proper notice was given to the members.

7.4.8.4. The Regional Executive Committee shall meet at least once every two (2) months.

7.4.8.5. The Regional Executive Committees shall endeavour to convene at least two (2) meetings of the Regional Council during a financial year.

7.4.8.6. The Regional Management shall convene an Annual General Meeting of the Regional Council, within four (4) months after the financial year-end.

7.4.8.7. The Regional Executive Committee shall convene a special meeting, for the only purpose of nomination of Party candidates for all elections in terms of paragraph 7.4.8.1.xx).

7.5. Provincial Council (PC)

7.5.1. The Provincial Council acts with the authority and power of the Provincial Congress, when this Congress is not in session, subject to the powers of Party Structures at higher level.

7.5.2. The geographical boundaries of a Provincial Council are the statutory demarcated Provincial boundaries.

7.5.3. The Provincial Council shall be responsible for the effective co-ordination of the affairs of the Party at Provincial level and in particular ensure that all Party structures within its sphere of jurisdiction, adequately achieve the Party's objectives at Provincial level.

7.5.4. The Provincial Council shall consider recommendations made by Regional Council, for the approval/disapproval of the establishment of new Branches and/or Districts as described in paragraphs 7.2.6, 7.3.1 and 7.4.5.

7.5.5. The Provincial Council shall determine the geographical boundaries of Regions, within the Province as per paragraph 7.4.3.

- 7.5.6. A Provincial Council shall consist of:
- 7.5.6.1. Members of the Provincial Executive Committee - as per paragraph 7.6.10.
 - 7.5.6.2. Members of Regional Executive Committees - as per paragraph 7.4.8.1. xxiv).
 - 7.5.6.3. Two (2) representatives from each registered Branch, consisting of the Branch Chairperson and –Secretary or Branch Deputy-Chairperson or their alternates- as per paragraph 7.2.9.9.
 - 7.5.6.4. One (1) person representing each District Executive Committee – as per paragraph 7.3.9.1.xiii).
 - 7.5.6.5. Two (2) persons representing each Regional Executive Committee – as per paragraph 7.4.8.1.xxiii).
 - 7.5.6.6. One (1) elected youth representative representing each region in the province.
 - 7.5.6.7. One (1) elected women's representative representing each region in the province.
 - 7.5.6.8. One (1) representative of the Local Government Forum.
 - 7.5.6.9. Political representatives of the Party in the province in the National Assembly and in the Provincial Legislature, without voting rights unless they are elected to one of the above mentioned positions.
- 7.5.7. The Provincial Council may invite specific persons to attend and/or address their meetings from time to time.
- 7.5.8. The quorum of a Provincial Council shall be fifty one percent (51%) of its Council members entitled to vote, provided sufficient and proper notice was given to all its members.
- 7.5.9. All members of the National Executive Committee of the Party may attend any meeting of any Provincial Council, with full right of participation.
- 7.5.10. The Provincial Council shall have the power to adopt Provincial Constitutions ~~as~~ Annexed as D - for the management of the Party within the province, subject to the UDM Constitution and with approval of the National Council.
- 7.5.11. The Provincial Council may appoint an Executive Officer and other Officers, necessary for the efficient running of the Party in the province.
- 7.5.12. Provincial Council may elect persons to fill vacancies in the Provincial Executive Committee for the remaining term of that Provincial Executive Committee.
- 7.5.13. The Provincial Council shall:**
- 7.5.13.1. Convene an annual Provincial Congress, within six (6) months after the financial year-end.
 - 7.5.13.2. Convene a Special Congress if requested by at least twenty five percent (25%) of the Branches in the province.
 - 7.5.13.3. Submit to the Provincial Congress:
 - i) A report on the Party's Provincial organisational status and of its structures within the province.
 - ii) A financial report of the Party within the province.

- iii) A report on the financial status of Regions, Districts and Branches within the province.
- iv) A report on submissions made by any of the Sub-Committees and/or Commissions and/or any other body appointed by the Provincial Council.
- v) Consider, select and/or formulate resolutions of Branches, District-, and/or Regional Councils, to be submitted for discussion at Provincial Congress.

7.6. Provincial Congress.

All business of the Provincial Congress shall be conducted in the spirit of the Vision, Mission and Core Values of the UDM.

7.6.1. A Provincial Congress is held annually, at a time and place determined by the Provincial Council, in consultation with National Council.

7.6.2. The Provincial Council determines the agenda of the Provincial Congress and the number of delegates per Branch.

7.6.3. The Provincial Council shall see to it that decisions of Provincial Congress are properly minuted and as far as it is in its jurisdiction, executed.

7.6.4. Branch membership lists shall be closed and certified by Provincial Secretary, on a date four (4) weeks prior to a Provincial Congress. Members and Branches registered after that date will have observer status, with no voting rights.

7.6.5. Credentials

7.6.5.1. Every delegate shall submit credentials from his/her Branch Executive Committee or Regional Executive Committee and/or Provincial Executive Committee, signed by the appropriate Chairperson and Secretary as proof that he/she is delegated to attend the Provincial Congress and of his/her membership status in terms of paragraph 6.

7.6.6. The composition of a Provincial Congress is as follows:

7.6.6.1. Voting members:

Each registered Branch may delegate a number (determined prior to Provincial Congress by Provincial Council in terms of paragraph 7.6.2) of members, to Provincial Congress, subject to the principle of increased Branch delegation as described in paragraph 7.2.9.9

7.6.6.2. Observers:

- i) Members of the Provincial Executive Committee and/or;
- ii) Members of the Provincial Council and/or;
- iii) All public representatives of the Party in the province and/or.
- iv) Officers of the Party and/or;
- v) Members of the Party,
- vi) unless any of the above-mentioned persons, are voting members in terms of paragraph 7.6.6.1.
- vii) Persons by invitation.

7.6.7. An attendance register must be completed in order to constitute a Provincial Congress.

7.6.8. Business of a Provincial Congress is to:

- 7.6.8.1. Consider reports submitted by the Provincial Council on organisational- and financial status of the Party within the province.
- 7.6.8.2. Consider reports submitted by any Sub-Committees and/or Commissions, appointed by the Provincial Council.
- 7.6.8.3. Deal with matters referred to Provincial Congress, by National Council.
- 7.6.8.4. Discuss matters and resolutions from Branches and Regions, submitted by Provincial Council.
- 7.6.8.5. Deliberate on national- and provincial political issues and formulation of strategy thereon.
- 7.6.8.6. Deliberate and formulate UDM policies.
- 7.6.8.7. Elect a Provincial Executive Committee of the Party.

7.6.9. Nomination and voting procedures at a Provincial Congress.

7.6.9.1. Nomination procedure:

- i) The Provincial Executive Committee shall, prior to the Provincial Congress, call for written nominations for the respective positions on the Provincial Executive Committee.
- ii) Such nominations shall indicate the following:
 - a) Position for which a person being nominated.
 - b) Full name and address of the nominee.
 - c) Signature of the nominee, indicating his/her acceptance of his/her nomination.
 - d) Branch of which the nominee is member.
 - e) Membership and identity numbers and date of membership approval, of the nominee.
 - f) Full names addresses and membership- and identity numbers of the proposer and seconder and that of five (5) additional members, supporting the nomination.
- iii) The nominations shall be handed in at a time, not later than five (5) days prior to this Provincial Congress, and be announced at the commencement of this Congress.
- iv) A person may be nominated for more than one (1) position. If he/she should be elected to one (1) of the positions, the balance of his/her nominations falls away.
- v) Nomination may only be made on a form, provided by the Provincial Executive Committee.
- vi) The Provincial Executive Committee shall prior to the Provincial Congress appoint a Credential Committee of no less than four (4) persons, with the Treasurer/Membership Registrar, as convenor.
- vii) Nomination forms shall prior to Provincial Congress be submitted to the Credential Committee, to scrutinise it for approval or rejection.

7.6.9.2. Voting rights:

- i) Only Delegates who present credentials and whose membership comply to paragraph 6 of this Constitution, shall be eligible to vote at Provincial Congress. The Credential Committee shall give judgement on any disputes.
- ii) Each delegate shall vote in person and no proxy vote shall be allowed.

- iii) Office Bearers shall be elected by absolute majority vote, except in the case of the five (5) additional members who can be elected by elected by simple majority vote.
- iv) Provincial Council shall determine procedures to verify compliance to the above.

7.6.9.3. Voting procedures:

- i) The total number of eligible voters present shall be established just before voting and announced at commencement of voting.
- ii) Each delegate shall be entitled to one (1) ballot paper, per position of the Provincial Executive Committee.
- iii) Voting shall be by secret ballot only.
- iv) Voting shall be on officially supplied ballot papers only.
- v) No person nominated may be elected to more than one (1) position.
- vi) Disabled voters can apply for assistance to the convenor of the Counting Committee.

7.6.9.4. Counting Committee:

- i) The Provincial Executive Committee shall be entitled to appoint maximum of:
- ii) five (5) independent persons and
 - a) one (1) person nominated by National Chief Executive Officer, to act as Counting Committee and
- iii) appoint a convenor of a Counting Committee.
- iii) The Counting Committee shall count the votes and report the result in writing to the Chairperson of the Provincial Congress, who shall announce the result to Provincial Council.

7.6.10. Provincial Executive Committee (PEC)

7.6.10.1. The Provincial Congress shall from its delegated members elect, at the Provincial Congress, a Provincial Executive Committee comprising of the following Office Bearers:

- i) Provincial Chairperson.
 - ii) Provincial Deputy-Chairperson.
 - iii) Provincial Secretary.
 - iv) Provincial Deputy-Secretary.
 - v) Provincial Treasurer, who will act as Provincial Membership Registrar.
 - vi) Provincial Financial Planner and Fundraiser.
 - vii) Provincial Organiser.
 - viii) Five (5) additional members.
- and ex-officio:
- ix) Two (2) persons of each Region, being the Chairperson and/or Deputy-Chairperson and/or Secretary, appointed in terms of paragraph 7.4.8.1.xxiii).
 - x) The Leader of the Party in the Provincial Legislature.
 - xi) The Chief Whip of the Party in the Provincial Legislature.
 - xii) One (1) representative, being the provincial leader of the youth structure within the boundaries of this provincial structure of the mother-body.

- xiii) One (1) representative, being the provincial leader of the women's structure within the boundaries of this provincial structure of the mother-body.
- xiv) One (1) representative, being the provincial leader of the students' structure within the boundaries of this provincial structure of the mother-body.
- xv) One (1) representative elected by the Local Government Forum in the Province.

7.6.10.2. When the Provincial Council is not in session, its power rest with the Provincial Executive Committee, subject to Provincial Constitutions ~~as~~ Annexed as D - and the UDM Constitution.

7.6.10.3. The Provincial Executive Committee shall convene at least six (6) meetings during a financial year.

7.6.10.4. The quorum of a Provincial Executive Committee shall be fifty one percent (51%) of its Committee members entitled to vote, provided sufficient and proper notice was given to all its members.

7.6.10.5. Powers, duties and activities of a Provincial Executive Committee is to:

- i) Administer the affairs of the Party in the province;
- ii) Submit reports to Provincial- and, National Council, as often as required, on the status of Provincial organisation, -membership, -financial position, and any other matters of the Party within the province.
- iii) Perform duties and do work entrusted to them by the President and any elected national office bearer, the NEC, the NOMC and/or National Council.
- iv) If a vacancy arises within the Provincial Executive Committee, a person can be co-opted to fill that particular position, until an election for that position can take place, at a Provincial Council Meeting.
- v) Within their discretion co-opt a maximum of five (5) persons, because of their expertise and skills in any matter;
- vi) Determine boundaries for Branches, Districts and Regions according to the prescriptions in the UDM Constitution in terms of paragraphs 7.2.2.1 7.3.3, 7.4.3;
- vii) Approve and keep registers of Executive Committees on Branch- District- and Regional level.
- viii) Disseminate political- and Party organisational information to structures;
- ix) Build the image of the Party, with good marketing strategies and media relations;
- x) Ensure that Party's Office Bearers in the province, maintain moral values and discipline, according to the UDM Core Values, -Code of Ethics and Conduct and UDM Constitution;
- xi) Ensure good organisational-, managerial-, administrative- and financial housekeeping according to Provincial Constitutions ~~as~~ Annexed as D.
- xii) Raise funds for the Party in order to fund Provincial administrative obligations, projects, activities and elections;
- xiii) Open a Provincial administrative office, preferably in the capital of the province;

- xiv) Develop, assist and guide existing Branch-, District- and Regional structures and to ensure that they carry out duties conferred upon them – as described in paragraphs 7.2.8 and 7.2.10.1, 7.3.6 and 7.3.9.1, 7.4.8.1;
- xv) Distribute and keep record of membership forms to Regions and receive membership fees;
- xvi) Determine policy for the dividing of the percentage membership fees allocated to each level of the Party's Provincial structures;
- xvii) Open a bank account and assign at least two (2) persons with powers to withdraw money, subject to authorisation of transactions by the Provincial Executive Committee;
- xviii) The Provincial Secretary or –Treasurer shall, in writing, communicate the particulars of branch bank savings/cheque account i.e. the name of the bank, branch code and account number to the National Treasurer.
- xix) Keep record of all bank accounts in the province and keep record of income and expenditure of branches, districts, regions and the province and submit a yearly report on financial status, including statements, to Provincial- and National Council.;
- xx) Follow financial procedures which shall at all times comply to regulations determined by National Council; - ~~is~~ Annexed as J;
- xxi) Safeguard and maintain the assets of the Party;
- xxii) Apply for permission from the NMC to institute and/or defend legal action.
- xxiii) Organise and assist in organising functions, public meetings and rallies for the UDM;
- xxiv) Monitor and assist youth, women and student's organisational activity programmes within the province;
- xxv) Plan organisation, marketing, public events, voter canvassing and other activities during election campaigns in full support of Party Candidates;
- xxvi) Receive from Branches and Regions, draft resolutions and motions for submission to Provincial- and National Congress as per paragraph 7.2.8.1;
- xxvii) Approve and amend Proportional Lists for Local Government Elections as submitted by Branches – as per paragraph 7.2.8.3.
- xxviii) Facilitate nominations and/or nominate UDM candidates for Provincial- and National Government, within the Province.
- xxix) Receive Branch Membership lists as compiled and submitted by Branch Executive Committees – as per paragraph 7.2.10.1 v)).
- xxx) Appoint eight (8) representatives to the National Council, and
an alternate for each of them, to act in their stead if the appointed representative is not available.
- xxxi) Appoint two (2) representatives to the National Executive Committee in terms of paragraph 7.8.9.1.xi), being the Chairperson, Deputy-Chairperson or Secretary of the Provincial Executive Committee, and
an alternate for each of them, to act in their stead, when the appointed person is not available.

7.6.10.6. The Provincial Executive Committee shall convene the Provincial Council at least four (4) times during a financial year.

7.6.10.7. The Provincial Executive Committee shall convene a special meeting, for the only purpose of compilation of Party candidates lists for proportional

Constitution of the United Democratic Movement
representation at provincial- and national government levels, according to
procedures prescribed in terms of ~~§~~ **Annexure M** of the UDM Constitution.

7.6.11. Provincial Daily Management Committee (PDMC)

- 7.6.11.1. When the Provincial Executive Committee is not in session, its power rest with the Provincial Daily Management Committee, subject to the Provincial Constitution – ~~§~~ Annexed as D – of the relevant province and the UDM Constitution.
- 7.6.11.2. the PDMC shall comprise of the following office bearers:
- i) Provincial Chairperson
 - ii) Provincial Deputy-Chairperson
 - iii) Provincial Secretary
 - iv) Provincial Treasurer
 - v) Provincial Financial Planner and Fundraiser
 - vi) Provincial Organiser
 - vii) One (1) representative, being the provincial leader of the youth structure within the boundaries of this provincial structure of the mother-body.
 - viii) One (1) representative, being the provincial leader of the women's structure within the boundaries of this provincial structure of the mother-body.
 - ix) One (1) representative, being the provincial leader of the students' structure within the boundaries of this provincial structure of the mother-body.
- 7.6.11.3. The Provincial Secretary shall chair the PDMC.
- 7.6.11.4. The PDMC shall convene at least one (1) meeting a month.
- 7.6.11.5. The quorum of a PDMC shall be fifty one (51%) of its committee members entitled to vote, provided sufficient and proper notice was given to all its members.

7.7. National Council (NC)

- 7.7.1. The National Council acts with the power and authority of the National Congress, when the Congress is not in session.
- 7.7.2. The geographical statutory demarcated boundaries of the Republic of South Africa are the area of jurisdiction of the National Council.
- 7.7.3. The National Council shall be responsible for the effective management and co-ordination of the affairs of the Party at National level and in particular ensure that all levels of Party structures adequately achieve the Party's Aims and Objectives.
- 7.7.4. The National Council consists of the:**
- 7.7.4.1. Members of the National Executive Committee as per paragraph 7.8.9.
 - 7.7.4.2. Eight (8) representatives, per province or their alternates as per paragraph 7.6.10.5.xxviii).
 - 7.7.4.3. Cabinet ministers, deputy-ministers and members of Executive Council of the provinces, if they are members of the Party.
 - 7.7.4.4. The chief whip of the Party in the National Assembly.
 - 7.7.4.5. The Chairperson of the Party's caucus in the National Assembly.
 - 7.7.4.6. The Chief Whip of the Party in each Provincial Legislature.

- 7.7.4.7. The provincial leader of each of the provincial youth structures or his/her alternate.
- 7.7.4.8. The provincial leader of each of the provincial women's structures or her alternate.
- 7.7.4.9. The provincial leader of each of the provincial students' structures or his/her alternate.

Without voting rights:

- 7.7.4.10. The Chairperson of each provincial Local Government Forum or his/her alternate.
- 7.7.4.11. Members of the National Assembly, National Council of Provinces and Provincial Legislatures, unless he/she is an incumbent in any of the aforementioned positions.

7.7.5. The National Council may invite specific persons to attend and/or address its meetings from time to time.

7.7.6. The National Council shall endeavour to meet at least twice (2) during a financial year.

7.7.7. The quorum of a National Council shall be fifty one percent (51%) of Council members entitled to vote, provided sufficient and proper notice was given to all its members.

7.7.8. The National Council shall make, approve or amend rules and regulations for the following:

- 7.7.8.1. Code of Ethics and Conduct A
- 7.7.8.2. Dispute Resolution and Disciplinary Measures and Principle B
- 7.7.8.3. Code of Ethics, Conduct and Obligations of UDM Public Representatives C
- 7.7.8.4. Provincial Constitutions D
- 7.7.8.5. UDM Local Government Forums E
- 7.7.8.6. UDMYV Constitution F
- 7.7.8.7. UDEMWO Constitution G
- 7.7.8.8. UDESMO Constitution H
- 7.7.8.9. Caucus Rules for Joint Caucuses I
- 7.7.8.10. Financial Management Prescriptions J
- 7.7.8.11. Functions and Duties of UDM Office Bearers K
- 7.7.8.12. Functions and Duties of UDM Public Representatives L
- 7.7.8.13. Nomination Procedures and procedures to compile UDM proportional lists: M
 - i) National Assembly
 - ii) Provincial Legislatures
 - iii) Local Government
- 7.7.8.14. Guidelines for presenting congresses N
- 7.7.8.15. Policy documents O
- 7.7.8.16. Prescribed nomination forms of office bearers of Executive Committees P
- 7.7.8.17. Prescribed forms for elected Executive Committee Q
- 7.7.8.18. Media and Marketing Prescription R

7.7.9. The National Council may establish such standing committees, sub-committees or commissions as they deem fit, and determine the functions and activities of such Committees.

7.7.10. Confer upon any one or more of their members all or any of the powers exercisable by the National Council and upon such terms and conditions and with such restrictions, as the

National Council deems fit, either collaterally with or to the exclusion of the powers of the National Council.

- 7.7.11. Only the National Council shall have the authority to bind the UDM or to create financial or legal relationships. Any other level of the UDM structure/s purporting to represent the UDM, must produce written authorisation from the National Council or a person authorised by National Council.
- 7.7.12. Appoint committees, work groups or professional people to investigate matters of general- or political importance.
- 7.7.13. National Council may elect persons to fill vacancies in the National Executive for the remaining term of that National Executive Committee.

7.7.14. The National Council shall:

- 7.7.14.1. Convene a National Congress, at least every third (3) year.
- 7.7.14.2. When the need arises the National Council may call a Special National Consultative Congress, to discuss matters of significant importance.
- 7.7.14.3. Fifty (50) representatives from each province, appointed by the relevant Provincial Council will constitute a Special National Consultative Congress.
- 7.7.14.4. Submit to the National Congress:
 - i) A report on the Party's national organisational status and of its structures within provinces.
 - ii) An audited report on the Party's national financial status.
 - iii) An audited report on the financial status of Regions, Districts and Branches.
 - iv) A report or submissions by any of the Standing Committees, Sub-Committees or Commissions appointed by the National Council.
 - v) Consider, select motions and resolutions submitted by Provincial Councils to National Council.

7.8. National Congress

- 7.8.1. A National Congress shall be held at least every third (3) year, at a time and place determined by the National Council.
- 7.8.2. The National Council determines the agenda of the National Congress.
- 7.8.3. Membership lists of Branches shall be closed and certified by provincial offices on a date four (4) weeks prior to a National Congress.

7.8.4. Credentials

- 7.8.4.1. Every delegate shall submit credentials from his/her Branch Executive Committee, signed by the appropriate Chairperson and Secretary as proof that he/she is delegated to attend the National Congress and of his/her membership status in terms of paragraph 6.

7.8.5. The composition of a National Congress is as follows:

7.8.5.1. Voting members:

- i) Each registered Branch may delegate two (2) members to National Congress;
- ii) Members of the National Executive Committee;
- iii) Members of a national- or provincial cabinet;
- iv) Whips of the National Assembly, National Council of Provinces and provincial legislatures.
- v) Members of the National Executive Committee of the Youth Structure;
- vi) Members of the National Executive Committee of the Women's Structure;
- vii) Members of the National Executive Committee of the Students' Structure.
- viii) Members of the National Executive Committee of the Local Government Structure.

7.8.5.2. Observers:

- ix) Members of the nine (9) Provincial Executive Committees.
- x) Members of the National Assembly;
- xi) Members of the National Council of Provinces;
- xii) Members of the Provincial Legislatures;
- xiii) The executive officers of the party;
- xiv) Persons by invitation."

7.8.6. An attendance register for all voting members shall be completed, in order to constitute a National Congress.

7.8.7. Business of a National Congress is to:

All business of the National Congress shall be conducted in the spirit of the Vision, Mission and Core Values of the UDM.

- 7.8.7.1. Consider a report submitted by the National Council on organisational and financial status of the Party within the province.
- 7.8.7.2. Consider reports or submissions by any standing committees, sub-committees or commissions, appointed by the National Council.
- 7.8.7.3. Deal with matters referred to National Congress it, by Provincial Council.
- 7.8.7.4. Deliberate on national and provincial political issues and formulate strategy thereon.
- 7.8.7.5. Deliberate and formulate UDM policies.
- 7.8.7.6. Approve congress rules.
- 7.8.7.7. Elect the National Executive Committee of the Party.

7.8.8. Nomination and voting procedures at a National Congress

7.8.8.1. Nomination procedure:

- i) The National Executive Committee shall, prior to Congress, call for written nominations for National Executive Committee positions.
- ii) Such nominations shall indicate the position for which a person is being nominated and the nomination shall further include the following:
 - a) Full name and address of the nominee.
 - b) Signature of the nominee, indicating his/her acceptance of his/her nomination.

- c) Branch name of which the nominee is a member.
- d) Membership- and identity number and proof of date of membership and payment of membership fees of the nominee.
- e) Full names addresses and membership- and identity numbers of the proposer and seconder and that of five (5) additional members, supporting the nomination.
- iii) The nomination shall be handed in at a time not later than five (5) days prior to the National Congress, and announced at the commencement of National Congress.
- iv) Nomination may only be made on a prescribed form in terms of Annexure P.
- v) The National Executive Committee shall prior to the National Congress appoint a Credential Committee, representing each province, and appoint a convenor.
- vi) Nomination forms shall, prior to National Congress be submitted to the Credential Committee, to scrutinise, such nomination for approval or rejection.

7.8.8.2. Voting rights:

- i) Only delegates who present credentials, as described in paragraph 7.8.4, and whose membership complies according to paragraph 6 of this Constitution, shall be eligible to vote at National Congress.
- ii) Each delegate shall vote in person and no proxy vote shall be allowed.

7.8.8.3. Voting procedures:

- i) The total number of eligible voters shall be established by the Credential Committee, and announced after registration and at the commencement of voting.
- ii) Each delegate shall be entitled to one (1) ballot paper per National Executive Committee position.
- iii) The positions of President, Deputy-President, National Chairperson, - National Deputy-Chairperson, Secretary General, Deputy-Secretary General, National Treasurer, National Financial Planner and Fundraiser, - National Organiser and two (2) National Deputy-Organisers, shall be elected by absolute majority vote.
- iv) Voting shall be by secret ballot only.
- v) Voting shall be on officially supplied ballot papers only.
- vi) No person nominated may be elected to more than one (1) position.
- vii) Illiterate or disabled persons, can apply for assistance to the convenor of the Counting Committee

7.8.8.4. Counting Committee:

- i) The National Executive Committee shall appoint the National Chief Executive Officer and independent persons (maximum ten (10)), to act as counting officials.
- ii) The counting officials shall count the votes and report the result in writing, to the chairperson of the National Congress, who shall announce the result, to National Congress.

7.8.9. National Executive Committee (NEC)

7.8.9.1. The National Congress shall from its delegates elect, at Congress, a National Executive Committee, comprising of the following office bearers:

- i) President of the Party.
- ii) Deputy-President of the Party.
- iii) National Chairperson.
- iv) National Deputy-Chairperson.
- v) Secretary General.
- vi) Deputy Secretary General.
- vii) National Treasurer.
- viii) National Financial Planner and Fundraiser.
- ix) National Organiser.
- x) Two (2) National Deputy-Organisers and ex-officio:
- xi) The two (2) persons of from each Province being the Provincial Chairperson, and/or Deputy-Chairperson, and/or -Secretary, appointed in terms of paragraph 7.6.10.5.xxix), should any of these persons be elected as an office bearer of the National Executive Committee, he/she can be succeeded by an alternate;
- xii) Two (2) representatives, being the national leader and national secretary of the youth associate structure.
- xiii) Two (2) representatives, being the national leader and national secretary of the women's associate structure.
- xiv) Two (2) representatives, being the national leader and national secretary of the students' associate structure.
- xv) Two (2) representatives elected by the National Local Government Forum.
- xvi) The Leader of the Party in the National Assembly and Provincial Legislatures.
- xvii) The Senior Whip of the Party in the National Assembly.

7.8.9.2. The powers of the National Council rest in the National Executive Committee, when the National Council is not in session.

7.8.9.3. The National Executive Committee may convene as and when necessary.

7.8.9.4. Powers, duties and activities of a National Executive Committee is to inter alia:

- i) Administer the affairs of the Party in the Country.
- ii) Disseminate political- and organisational information to structures.
- iii) Build the image of the Party with good marketing strategies and media relations.
- iv) If a vacancy arises within the National Executive Committee, a person can be co-opted to fill that particular position, until an election for that position can take place, at a National Council Meeting.
- v) In their discretion, co-opt a maximum of five (5) persons, with full voting powers, because of their expertise or skills in any matter.
- vi) Oversee that standing committees, sub-committee or commissions as established by the National Council execute their functions and activities satisfactorily.

- vii) Execute all duties determined by the National Council around subsections of the UDM Constitution as in paragraph 7.7.9 on a regular basis.
- viii) Ensure that Party office bearers and -members maintain moral values and discipline, according to the UDM Core Values, -Code of Ethics and Conduct and the UDM Constitution.
- ix) Oversee that disciplinary measures, as contained in the UDM Dispute Resolutions and Disciplinary Measures and Principles – ~~is~~ Annexed as B - and Code of Ethics, Conduct and Obligations of UDM Public Representatives – ~~is~~ Annexed as C - are adhered to.
- x) Ensure good organisational-, managerial-, administrative- and financial housekeeping for National Office.
- xi) Fundraise for the Party, in order to fund national- and provincial elections, projects and activities.
- xii) Maintain a national office.
- xiii) Develop, assist and guide branch-, district-, regional-, and provincial structures and to ensure that they carry out duties conferred upon them in.
- xiv) Keep record of all registered Branch-, District- regional- and Provincial Structures and their Executive Committees.
- xv) Distribute and keep record of membership forms forwarded to provinces.
- xvi) Institute and/or defend legal actions.
- xvii) Administer the financial affairs of the Party:
 - a) Open and operate banking accounts, and have the authority to overdraw such accounts if needed. At least two (2) designated persons must have powers to operate these accounts, subject to authorisation or delegated authorisation by the National Executive Committee;
 - b) Make, draw, issue, execute, accept, endorse and discount cheques, promissory notes, bills of exchange and any other kind of negotiable or transferable instruments;
 - c) Purchase or acquire in any way land, buildings, agencies, shares, debentures and every other kind or description of movable and immovable property;
 - d) Manage, insure, sell, lease, mortgage, dispose of, give in exchange, work, develop, build on, improve, turn to account or in any way otherwise deal with all or any part of its property and assets;
 - e) Apply for, purchase or by any other means acquire, protect, prolong and renew any patents, patent rights, licenses, trade marks, concessions or other rights and to deal with such in the interest of the Party,
 - f) Borrow money;
 - g) Secure the payment of monies borrowed in any manner, including the mortgaging and pledging of property;
 - h) Lend money to any person or company;
 - i) Invest money in any manner;
 - j) Remunerate any person or persons for services rendered in the formation or development of the Party.
 - k) Make donations;
 - l) Undertake and execute any trust;
 - m) Pay gratuities and pensions and establish pension schemes and any other incentive schemes for its office bearers and employees;

- n) Enter into contracts outside the Republic and execute any contracts, deeds and documents in any foreign country; and
- o) Have a seal and to use such seal for any purpose in the Republic or in any foreign country.
- p) Keep record of income and expenditure and submit a yearly report on financial status, including statements National Council and National Congress.
- q) Follow financial procedures which shall at all times comply with regulations determined by National Council - ~~as~~ Annexed as J .
- r) Safeguard and maintain the assets of the Party.
- xviii) Organise national events, functions, public meetings and rallies for the President and other UDM leaders.
- xix) Monitor and assist the national youth, women and student's organisational activity programmes.
- xx) Direct the organisation and marketing of national-, provincial- and local government elections.
- xxi) Receive candidate nominations from all lower Party structures to compile the list for proportional representation for Provincial- and National Government representation.
- xxii) Create a working relationship with the Independent Electoral Commission (IEC).
- xxiii) Deliberate and decide upon the deployment and/or redeployment of public representatives to function and do constituency work within a specific province.

7.8.10. National Office Management Committee (NOMC)

- 7.8.10.1. When the National Executive Committee is not in session, its power rest with the National Office Management Committee.
- 7.8.10.2. the NOMC shall comprise of the following office bearers:
 - i) UDM President
 - ii) UDM Deputy President
 - iii) National Chairperson
 - iv) National Deputy-Chairperson
 - v) Secretary General
 - vi) National Treasurer
 - vii) National Financial Planner and Fundraiser
 - viii) National Organiser
 - ix) Two (2) National Deputy-Organisers
 - x) One (1) representative, being the national leader of the youth structure within the boundaries of this provincial structure of the mother-body.
 - xi) One (1) representative, being the national leader of the women's structure within the boundaries of this provincial structure of the mother-body.
 - xii) One (1) representative, being the national leader of the students' structure within the boundaries of this provincial structure of the mother-body.
 - xiii) National Administrator without voting rights
- 7.8.10.3. The Secretary General shall chair the NOMC.
- 7.8.10.4. The NOMC shall convene at least one (1) meeting a month.

The quorum of a NOMC shall be fifty-one (51%) of its committee members entitled to vote, provided sufficient and proper notice was given to all its members.

7.9. YOUTH STRUCTURES

- 7.9.1. For the purpose of promoting the roles played by youth in the political arena in South Africa, in recognition of the importance and uniqueness of their affairs, the Party shall endeavour to create the appropriate structures to advance these ends.
- 7.9.2. This structure shall form an integrated part of all Party structures.
- 7.9.3. A person who is between fourteen (14) and thirty (30) years of age may take part in the duties and activities of the youth structures.
- 7.9.4. A person who does not qualify in terms of paragraph 7.9.3, above, and who wishes to participate in the youth structures may do so by consent of the Branch Executive Committee, in absence of a Branch Executive Committee, a Regional Council or Provincial Council, shall consent to it.
- 7.9.5. A person who has reached fourteen (14) years of age may join the UDM youth structure as a youth supporter.
- 7.9.6. Youth supporters may attend meetings and Congresses of the UDM, without voting rights.
- 7.9.7. At an age of eighteen (18) he/she can apply for full membership of the Party and may exercise their duties and rights as a youth member or as an ordinary member of a Branch where they are resident.
- 7.9.8. Youth structures can elect, representatives to all levels of the Party structures as prescribed by the UDM Constitution, according to paragraphs 7.2.9.8.viii), 7.3.7.8.viii), 7.4.7.8.viii), 7.5.6.6, 7.6.10.1.xii), 7.7.4.7 and 7.8.9.1.xii).
- 7.9.9. Functions of youth structures shall be subject to the UDMYV Constitution \leq Annexed as F.

7.10. WOMEN'S STRUCTURE

- 7.10.1. For the purpose of promoting the roles played by women in the political arena in South Africa, in recognition of the importance and uniqueness of their affairs, the UDM shall endeavour to create an appropriate structure to advance these ends.
- 7.10.2. Before a structure is formally constituted, its promoters must lodge with the Secretary General a proposed constitution for consideration and which is subject to approval by the National Council.
- 7.10.3. Nothing in the structure's Constitution may contradict or be inconsistent with:
 - 7.10.3.1. the Aims and Objectives of the UDM, as set forth in paragraph 3 of this Constitution;
 - 7.10.3.2. the Vision and Mission of the UDM, as set forth in paragraph 4 of this Constitution;
 - 7.10.3.3. the Party Platform of the UDM, as set forth in paragraph 5 of this Constitution.
- 7.10.4. The structure's Constitution must provide:
 - General:**
 - 7.10.4.1. that its name shall be the United Democratic Movement Women's Organisation, abbreviated as UDEMWO, or such other name as the National Council may approve;
 - 7.10.4.2. for a motto, subject to the approval of the National Council;
 - 7.10.4.3. that its colours shall be identical to those of the UDM as described in paragraph 2.4 of this Constitution;

- 7.10.4.4. that its flag and emblem shall be similar to those of the UDM as described in paragraph 2.4 of this Constitution and subject to approval of the National Council;
- 7.10.4.5. that it shall not be a juristic person with legal personality separate from that of the UDM;
- 7.10.4.6. that it shall not have authority, at any level of its organisation (save by virtue of written authority of the National Council) to bind itself or the UDM or to enter into financial and legal relationships or obligations;
- 7.10.4.7. that it must advance the interests of the UDM;

Membership

- 7.10.4.8. for membership qualification identical to that of the UDM as described in paragraph 6 of this Constitution, save that any female person of the age of sixteen (16) years and older may join it as a member and participate in its activities as a member of the structure;
- 7.10.4.9. that upon reaching the age of eighteen (18) years, a member may apply for membership of the UDM;

Organisation

- 7.10.4.10. for an organisational and hierarchal structure, providing for branches, regional structures, district structures, provincial structures and a national structure, consistent with municipal and provincial boundaries;
- 7.10.4.11. for rules of congress, nomination procedures, voting procedures and voting rights and counting procedures;
- 7.10.4.12. for powers, duties and functions of each level of organisation;
- 7.10.4.13. for a Code of Ethics, Conduct and Discipline similar but subordinate to that of the UDM forming part of this Constitution;

Finance and accounting

- 7.10.4.14. for policies and procedures regarding the collection of, accounting for, application of membership fees and financial accounting at each level of organisation;
 - 7.10.4.15. for the opening and operation of bank accounts in accordance with the structure's constitution;
 - 7.10.4.16. for financial reports to the structure's congress and to the National Council;
 - 7.10.4.17. that its financial year shall end on the 30th day of June of every calendar year.
- 7.10.5. The structure shall have representation in the structures of the UDM in accordance with the UDM Constitution;
 - 7.10.6. The National Council may disband the structure by passing a resolution to that effect by a majority of all its members."

7.11. STUDENTS' STRUCTURE

- 7.11.1. For the purpose of promoting the roles played by students in the political arena in South Africa, in recognition of the importance and uniqueness of their affairs, the UDM shall endeavour to create an appropriate structure to advance these ends.
- 7.11.2. Before a structure is formally constituted, its promoters must lodge with the Secretary General a proposed constitution for consideration and which is subject to approval by the National Council.
- 7.11.3. Nothing in the structure's Constitution may contradict or be inconsistent with:
 - 7.11.3.1. the Aims and Objectives of the UDM, as set forth in paragraph 3 of this Constitution;
 - 7.11.3.2. the Vision and Mission of the UDM, as set forth in paragraph 4 of this Constitution;
 - 7.11.3.3. the Party Platform of the UDM, as set forth in paragraph 5 of this Constitution.

- 7.11.4. The structure's Constitution must provide:

General:

- 7.11.4.1. that its name shall be the United Democratic Students' Movement Organisation, abbreviated as UDESMO, or such other name as the National Council may approve;
- 7.11.4.2. for a motto, subject to the approval of the National Council;
- 7.11.4.3. that its colours shall be identical to those of the UDM as described in paragraph 2.4 of this Constitution;
- 7.11.4.4. that its flag and emblem shall be similar to those of the UDM as described in paragraph 2.4 of this Constitution and subject to approval of the National Council;
- 7.11.4.5. that it shall not be a juristic person with legal personality separate from that of the UDM;
- 7.11.4.6. that it shall not have authority, at any level of its organisation (save by virtue of written authority of the National Council) to bind itself or the UDM or to enter into or create financial and legal relationships or obligations;
- 7.11.4.7. that it must advance the interests of the UDM;

Membership

- 7.11.4.8. for membership qualification identical to that of the UDM as described in paragraph 6 of this Constitution, save that:
 - 7.11.4.8.1. any person between the age of sixteen (16) and twenty five (25) years; and
 - 7.11.4.8.2. who is a registered learner at a secondary educational institution or a registered student at a tertiary educational institution; and
 - 7.11.4.8.3. who is not a citizen or a permanent resident of the Republic of South Africa, but who subscribes to the Aims and Objectives, the Vision and Mission and the Party Platform of the UDM;

may join it as a member and participate in its activities as a member of the structure;

- 7.11.4.9. that upon reaching the age of eighteen (18) years, a member may apply for membership of the UDM, with the exclusion of persons disqualified in terms of paragraph 6.1.2.1 of the UDM Constitution;

Organisation

- 7.11.4.10. for an organisational and hierarchal structure, providing for branches, regional structures, district structures, provincial structures and a national structure, consistent with municipal and provincial boundaries;
- 7.11.4.11. for rules of congress, nomination procedures, voting procedures and voting rights and counting procedures;
- 7.11.4.12. for powers, duties and functions of each level of organisation;
- 7.11.4.13. for a Code of Ethics, Conduct and Discipline similar but subordinate to that of the UDM forming part of this Constitution;

Finance and Accounting

- 7.11.4.14. for policies and procedures regarding the collection of, accounting for, application of membership fees and financial accounting at each level of organisation;
- 7.11.4.15. for the opening and operation of bank accounts in accordance with the structure's constitution;
- 7.11.4.16. for financial reports to the structure's congress and to the National Council;
- 7.11.4.17. that its financial year shall end on the 30th day of June of every calendar year.
- 7.11.5. The structure shall have representation in the structures of the UDM in accordance with this Constitution.
- 7.11.6. The National Council may disband the structure by passing a resolution to that effect by a majority of all its members.

8. GENERAL PROVISIONS

8.1. ALTERNATES AND SUBSTITUTION.

- 8.1.1. A primary member or representative or delegate or designated to any council, executive committee, sub-committee or commission, can in his/her absence, be succeeded by an alternate.
- 8.1.2. Any Party structure that is empowered to elect a primary member or –delegate, also appoints the alternate

8.2. FINANCIAL RECORDS, -STATEMENTS AND –AUDITS.

- 8.2.1. The Party shall keep proper accounting records, which shall fairly present the state of affairs of the Party and explain the financial transactions and financial position of the Party.
- 8.2.2. The accounting records shall be kept at the registered office of the Party or at such other place or places as the National Executive Committee thinks fit and shall always be open to inspection by office bearers.

- 8.2.3. The National Council shall from time to time, determine whether and to what extent and at what times and places and under what conditions or regulations the accounting records of the Party or any of them shall be open to inspection by members/supporters not being office bearers. No member/supporter shall have any right of inspecting any accounting records or document of the Party, except as conferred by this Constitution.
- 8.2.4. The National Council shall be prepared and lay audited annual financial statements, before the Party at National Congress.
- 8.2.5. The financial year of the UDM will be from 1 July to 30 June of any consecutive year.
- 8.2.6. All records or documents of the Party, including minutes, membership lists or any other document in possession of a Branch Executive Committee, District-, Regional- or Provincial Council, are the inalienable possession of the Party and may be claimed, at any time, by National Council.

8.3. PUBLIC REPRESENTATIVES.

- 8.3.1. Elected public representatives shall organise themselves in caucuses and each caucus shall draw up its own Caucus Rules that shall be subject to this Constitution.

8.4. IMPLEMENTATION AND AMENDMENT

- 8.4.1. This Constitution came into effect at the launch of the United Democratic Movement on 27 September 1997.
- 8.4.2. All proposals and motions to repeal or amend the UDM Aims and Objectives, -Core Values, the Policy Platform and the Name, Emblem, Colours and Flag of the Party will require two-third majority of the delegates present at the National Congress.
- 8.4.3. All proposals and motions for the amendment of the UDM Constitution, excluding paragraph 8.4.2, will require a simple majority vote of the delegates present at National Congress, provided that notice of amendment and the proposal in writing, shall be presented to the National Council at least one (1) month before a National Congress.
- 8.4.4. The National Council may by unanimous assent, temporarily suspend certain provisions of the UDM Constitution, excluding paragraph 8.4.2, provided that such paragraph proposed for suspension have been circulated, in writing, to all Provincial Structures, and no objections have been received within twenty one (21) days.
- 8.4.5. The National Council may by unanimous assent, amend certain provisions of the UDM Constitution, excluding paragraph 8.4.2, provided that such paragraph proposed for amendment have been circulated, in writing, to all Provincial Structures, and no objections have been received within twenty one (21) days.

8.5. LEGAL PERSONALITY

- 8.5.1. The Party shall be a legal person with all the rights and obligations associated with this status.

8.6. DISBANDMENT / WINDING UP / DISSOLUTION

- 8.6.1. The Party may be dissolved upon the passing of a resolution to that effect by a majority of all members at a National Congress.
- 8.6.2. Upon dissolution the surplus assets of the Party shall be transferred to its successor in title or in pursuance of multi-party democracy in South Africa, or if that is impossible it will be distributed to registered bona fide charitable organisations.

UDM 1st National Congress
Nasrec, Johannesburg
27 June 1998

Amended:
Arcadia Hotel, Pretoria
21 July 2001

Amended:
2nd National Congress
Pretoria Show Grounds, Pretoria
8 and 9 December