

2016

South Africa 1st Forum

Dated: 15 June 2016

Moved:

Seconded:

[INTERIM CONSTITUTION]

1. Name

The name of the organisation will be the South Africa First Forum. It will be referred to in the Constitution as "*the Forum*".

2. Legal Status

The Forum is a voluntary organisation with its own legal identity, being separate from its members. The Forum shall continue to exist even with a change of membership from time to time. The Forum shall have the power to own property, enter into contracts, to sue or be sued in its own name, and to perform any legal act in the furtherance of its aims and objectives. The further powers of the Forum are set out, but are not necessarily limited to, the contents of Schedule A hereto headed "*General Administrative and Investment Powers of the Forum*".

The Forum is a voluntary organisation formed for non-profit purposes.

3. Purposes and Objectives of the Forum

It is the main purposes of the Forum to:

1. Unite and connect with all those who want to be part of positive change.
2. Convince at least one million people to sign a memorandum embracing what we stand for.
3. Harness the power of all like-minded South Africans in our quest to help build a truly united country which celebrates and values all its diverse people equally.
4. Strongly encourage and promote active individual involvement in bringing about change.
5. Ensure that our Forum has a long term, fundamental impact through the guidance and dedication of our working committee.
6. Use word of mouth and social media to promote this forum.
7. Allow membership of the forum to those who demonstrate agreement with our founding principles.
8. Create a future where our country and its people are prioritised.
9. Assist in ensuring our Constitution is respected and upheld.
10. Champion permanent, positive social, economic and political change.
11. Get everybody to understand why protecting our Constitution is important. As part of this process, we will make a summary of the Nkandla constitutional court judgment available in all official South African languages.

It is further the purposes of this Forum to:

1. Invite South Africans to join the South Africa First Forum, through our online and other moderated channels.

2. Encourage South Africans to invite their friends, family, colleagues, employees, employers and anybody else who wants to become part of a group of South Africans dedicated to unlocking the vast potential of our country to the benefit of all.
3. Make efforts to attend the planned Forum meetings to discuss achieving our objectives through the plan of action as an inclusive non-political Forum.
4. Work towards a formal launch of the Forum, with an elected membership within six months of the adoption of this Interim Constitution by the Working Committee which founded and has led the Forum.

4. Membership

The following persons shall be eligible for membership:

1. South Africans,
 - a. Whose objectives are democracy, non-racialism, non-sexism & freedom.
 - b. Who are motivated by ethical leadership, morality, governance, justice and equality.
 - c. Who values our principles, as an alternative to the principles that characterise the current political landscape.
 - d. Who accept that the Forum does not and will not represent or promote any political party.

5. Membership Fees

The membership fees shall be a minimum of R20,00 per annum, payable before an individual can be recognised as a member of the Forum. This membership fee is only valid until the formal launch of the Forum, and will be superceded by the membership fees defined in a revised constitution.

6. Structure

The ultimate controlling body of the Forum in this interim phase will be the Working Committee. The day-to-day affairs of the Forum shall be controlled and managed by the Working Committee.

7. Working Committee

1. The working committee shall consist of the founding members, who came together to launch the Forum.
2. The working committee shall elect three members of their number to serve as office-bearers of the Forum, and they shall include a chairperson, secretary and treasurer. All other members of the working committee will serve as ex officio members of the working committee.
3. The working committee will meet at least every fortnight.

4. The election of office bearers shall be carried out by a simple majority vote in the working committee.
5. The office of an office bearer shall be vacated if the member:
 - a. resigns;
 - b. becomes unfit and/or incapable of acting as such; or
 - c. is removed by the working committee, via resolution adopted by a simple majority of the working committee members then in office and present at the meeting in question.
6. The working committee may co-opt any member to the working committee.
7. A quorum for working meetings shall be at least four working members of which at least two shall consist of the chairperson, secretary or treasurer.

8. Annual General Meetings

1. The first annual general meeting of the Forum shall be held within 12 months of the adoption of this Interim Constitution. Thereafter, annual general meetings shall be held annually and within six months of the financial year end of the Forum, which shall be the end of the month of February each calendar year.
2. At least twenty-one days written notice shall be given to all members eligible to attend an annual general meeting of the date, time, venue and agenda of that particular meeting.
3. All members in good standing are entitled to attend and vote at the AGM or special general meeting of the Forum.
4. The business of an annual general meeting shall be defined in a constitution to be adopted at the formal launch of the Forum.

9. Town Hall Meeting

1. A Town Hall Meeting of members and non-members of the Forum may be convened by the working committee at any time. Notice of such meeting shall be given by any communication channels available, with such notice to specify the date, time, place of the meeting and issues to be discussed and decided upon.
2. Whenever is not possible for a decision and/or resolution to be reached by consensus, it should be
3. Whenever such consensus is not possible, then all T decisions and/or resolutions shall be reached by simple majority by show of hands. At all such meetings the chairperson shall have an additional casting vote in the event of a deadlock.

10. Minutes and Records of Meetings

Proper minutes and records shall be kept of the proceedings of all meetings and a record of the persons present at each meeting. The minutes shall be signed by the

Chairperson of that meeting and shall be put forward for approval at the next meeting of a similar kind of the particular body.

11. Powers

A working committee meeting, at which a quorum is present, is competent to carry out all the objectives and to exercise all the powers of the Forum as set out in this Constitution, and to delegate such powers to Exco as it deems fit.

12. Funds

Apart from member subscriptions, the raising of funds shall be at the discretion of the working committee or any members delegated by the working committee to fulfil this duty.

13. Use of Funds

All funds raised for and in the possession of the Forum shall be used only and strictly to fulfil the aims and objectives of the Forum.

14. Signatures

All cheques, promissory notes and other documents requiring signature on behalf of the Forum shall be signed by two working committee office-bearers, one of which shall be the treasurer.

15. Records

The working committee shall ensure that it keeps proper books and records of the affairs of the Forum which fairly reflect such affairs. In particular, all financial transactions of whatever nature shall be recorded and evidenced by written documents such as receipts, invoices and the like.

16. Bank Account

The working committee shall open a bank account in the name of the Forum with a registered bank or FSB-approved institution. The working committee shall ensure that all monies received by the Forum are deposited in this bank account as soon as possible after receipt, and in any case not later than five working days after receipt.

Signatories for this bank account will be as specified in clause 17.

17. Annual Report

1. The working committee shall prepare a full report describing the Forum's activities from its inception and leading to the Forum launch and, if considered necessary, describing projects, targets, visions and the like which will occur in the future. The working committee shall also ensure that a full financial statement for the period leading up to the Forum launch are prepared. These financial statements shall

conform with generally accepted accounting principles and shall include a statement of income and expenditure and a balance sheet of assets and liabilities.

18. Indemnity

Subject to the provisions of any relevant statute, members of the Forum or of the working committee shall be fully indemnified by the Forum for all acts done by them in good faith on its behalf. It shall be the duty of the Forum to pay all costs and expenses which any such person incurs or becomes liable for as a result of any contract entered into, or act done by him or her, in his or her said capacity, in the discharge, in good faith, of his or her duties on behalf of the Forum. No ordinary member or member of the working committee or other office bearer of the Forum shall be liable for the acts, receipts, neglects or defaults of any other member or office bearer or of the Forum, or for any loss, damage or expense suffered by the Forum, which occurs in the execution of the duties of his or her office and in the fulfilment of the aims and objectives of the Forum, unless it arises as a result of his or her dishonesty, or failure to exercise the degree of care, diligence and skill required by law in the circumstances.

19. Amendment to Interim Constitution

The terms of this Interim Constitution may be amended, the name of the Forum may be changed and the Forum may be dissolved by a resolution of no less than two thirds of the working committee members present at a working committee meeting.

20. Dissolution

Upon the dissolution of the Forum, which may only take place at a working committee meeting, after all debts and commitments have been paid, any remaining assets shall not be paid or distributed amongst the members but shall be transferred by donation to the Red Cross Children's Hospital to be used at their discretion.

21. SCHEDULE A: General Administrative and Investment Powers of the Forum

1. To employ staff and hire professional and other services.
2. To institute or defend any legal or arbitration proceedings and to settle any claims made by or against the Forum.
3. To open and operate accounts with registered banks and FSB-approved institutions.
4. To accept donations made to the Forum and retain them in the form in which they are received, or sell them and re-invest the proceeds.
5. With regard to movable and immovable property and tangible and intangible assets of whatsoever nature:
 - a. to purchase or acquire property and assets;
 - b. to maintain, manage, develop, exchange, lease, sell, or in any way deal with the property and assets of the Forum;
 - c. to donate and transfer the property and assets of the Forum to Forums with the same or similar objectives.
6. To borrow and to use the property or assets of the Forum as security for borrowing.
7. To guarantee the performance of contracts or obligations of any person on condition that any such person is primarily engaged in activities which further the objectives of the Forum.
8. To work in collaboration with other Forums with the same or similar objectives.
9. To exercise all the management and executive powers that are normally vested in the Board of Directors of a Company.
10. To exercise all the powers and authority of the Forum not only in the Republic of South Africa but in any other part of the world.

Ends ...