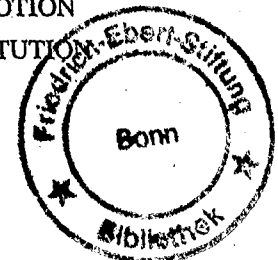


# ZIMBABWE CONGRESS OF TRADE UNIONS

## CONSTITUTION

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1. **NAME**

- 1.1 The name of the national centre shall be "**The Zimbabwe Congress of Trade Unions**" hereinafter referred to as "**The Congress**".

2. **DEFINITIONS**

- 2.1 The term membership, wherever it relates to the congress means affiliated union and wherever it relates to a trade union means an individual natural person who is a member of that union.
- 2.2 As associate member means a representative of an organisation of people other than a trade union or employers organisation which identifies with the aims and objectives of the labour movement.
- 2.3 Officers of the congress means
- a. the President
  - b. three Vice Presidents
  - c. the Secretary General
  - d. two Assistant Secretary Generals
  - e. the Treasurer
  - f. two Trustees
- 2.4 Officials of the congress are employees of the congress who are delegated special functions at any congress meeting.
- 2.5 Any reference in the constitution to the male gender also refers to the female gender.
- 2.6 In these rules, unless the context otherwise requires  
Ballot means a secret ballot  
Presiding Officer means a person appointed by the General Council to supervise a ballot in the General Council, or by the Congress to supervise a ballot in the conference or Extraordinary Conference.

3. **HEAD OFFICE**

- 3.1 The Head office of the Congress shall be located in any such place within Zimbabwe as shall be decided by the General Council.

4. **LEGAL STATUS**

- 4.1 The Congress shall be a body corporate with perpetual succession and capable of entering into contractual and other legal relations and of suing and being sued in its own name and of holding property apart from that of its affiliates.

## 5. AIMS AND OBJECTIVES

The aims and objectives of the Congress shall be:

- 5.1 To organise, develop and maintain a powerful, effective, democratic, independent and united trade union movement in Zimbabwe.
- 5.2 To protect and defend workers against all forms of exploitation and abuse.
- 5.3 To protect and advance full social and economic rights and development of all workers in Zimbabwe within and beyond the trade unions, particularly those of vulnerable groups such as female and child labour.
- 5.4 To promote, safeguard and win trade union rights and privileges; to generally strive for the improvement of working conditions and employment benefits for all workers in Zimbabwe and to secure full recognition and advancement of the rights, interests and dignity of labour.
- 5.5 To advance educational, political and economic skills within trade unions to build their capacity to effectively defend workers interests.
- 5.6 To discourage and oppose the formation of splinter trade unions in Zimbabwe, or any other forms of worker disunity.
- 5.7 To strive for the achievement of compulsory check off trade union dues in Zimbabwe.
- 5.8 to develop and maintain a national labour information centre to assist trade union and workers on all matters of trade union organisation, administration, employment, legislation and other relevant matters.
- 5.9 To effect and ensure the observance and implementation of Congress policies by its affiliates.
- 5.10 To provide mediation for the resolution of disputes within, between or among member trade unions when specially delegated to by its affiliates.
- 5.11 To act as a channel of communication for the labour movement and co-operate wherever possible with Government, co-operatives, progressive organisations and any employers organisations on matters of mutual concern or interest.
- 5.12 To represent the Zimbabwe labour movement in international fora and to promote friendship, co-operation, solidarity and fraternal understanding with other trade union movements,

progressive institutions and mass organisations whose aims and principles coincide with those of the Congress.

- 5.13 To pursue any other such policy the Congress may legitimately decide upon in the interests of its affiliate trade unions and, workers generally, in executing and fulfilling its aims, objectives and obligations in terms of this constitution.

## 6. MEMBERSHIP

6.1 Membership to the Congress shall be open to:

- (a) any registered trade union by a decision of two thirds majority of the General Council in session.
- (b) any unregistered trade union by decision of three quarters of the General Council in session.

6.2 Membership shall only be granted to a trade union which commits itself in principle and in practice to upholding the principles, aims and objectives of the Congress, as set out in this constitution.

6.3 Where a federation of trade unions has become consolidated into one trade union, it shall be regarded and represented in all the structures, fora and activities of the Congress as a single trade union, regardless of the formation of the sub-unions; sub-unions shall have no right to separate or direct membership of the Congress.

6.4 Every application for membership shall be submitted to the General Council, together with the current constitution of the applicant trade union and of membership or any further information requested by the Secretary General of the Congress.

6.5 An appeal against the decision of the General Council over a trade union's application for membership lies to the next ordinary or extraordinary Conference of the Congress.

## 7. DUTIES OF AFFILIATES AND MEMBERS

It shall be the duty of every member of the Congress to:

- 7.1 Uphold, defend and advance the principles, aims and objectives of the Congress.
- 7.2 Uphold and promote inter-union solidarity.
- 7.3 Defend and promote the interests of its members and of workers in general.
- 7.4 Declare its membership annually as at 31st December of each year and no later than the 31st January of the following year and to submit to Congress its audited financial statements each year.

- 7.5 Pay its dues in such an amount and manner as prescribed by the General Council from time to time.
- 7.6 Submit a copy of its audited financial statements as soon as it becomes available on an annual basis.
- 7.7 Defend the unity and integrity of the labour movement, its officials and its members against slander and anti-labour activities.
- 7.8 Attend and participate meaningfully in all meetings or conferences of the Congress or any of its organs and inform its membership at all levels about Congress policies and resolutions.
- 7.9 Generally act and do all things for the advancement of the interests of the working class.

**8. TERMINATION OF MEMBERSHIP**

- 8.1 Membership of the Congress shall terminate under any of the following circumstances.
  - (a) upon withdrawal by an affiliated trade union.
  - (b) upon dissolution of the member trade union.
  - (c) where an affiliated trade union is guilty of consistent and unrepentant violation of the aims, objectives and principles of the Congress and is expelled by a two-thirds majority vote of the General Council.
- 8.2 The decision to terminate membership under clause 8.1 (c) shall be provisional and subject to confirmation by the next ordinary or extraordinary conference of the Congress.

**9. THE GENERAL CONFERENCE**

- 9.1 A General Conference of delegates from affiliated trade unions of the Congress shall be convened by the General Council and held every five years at such places and on such dates as shall from time to time be determined by the General Council.
- 9.2 The General Conference shall be the highest organ and authority of the Congress. All other organs and authorities shall be subordinate to it.
- 9.3 The General Conference shall be constituted by delegates of all fully paid up members and of the National Women's Advisory Council.
- 9.4 An associate member may send delegates to the Conference but such a delegate or delegates shall not be entitled to vote.
- 9.5 Each affiliated trade union shall be represented at the Conference

by accredited delegates of that trade union only and according to the following scale:

Union Membership	Number of Delegates
25 — 1,499	1
1,500 — 2,499	2
2,500 — 3,499	3
3,500 — 4,499	4
4,500 — 5,499	5
5,500 — 6,499	6
6,500 — 7,499	7
7,500 — 8,499	8
8,500 — 9,499	9
9,500 — 10,499	10 etc
29,500 — or more	30 maximum

Each affiliated trade union shall forward to the Secretary General of the Congress the names of its delegates and its current membership standing at least one month in advance of any Conference.

- 9.6 Officers of the Congress shall be full delegates of the Congress, entitled to all the rights and privileges of member delegates. They shall attend the Conference in that capacity and shall not be delegates of any affiliate trade union.

**10. POWERS AND FUNCTIONS OF THE CONFERENCE**

The General Conference shall:

- (a) Review and direct the work of the General Council of the Congress.
- (b) Formulate, adopt and ratify the policies of the Congress.
- (c) Propose and resolve amendments to the constitution of the Congress.
- (d) Appoint auditors.
- (e) Appoint/elect the Secretary General of the Congress where this office has fallen vacant.
- (f) Elect the officers of the Congress.
- (g) Delegate its powers to the General Council between Conferences.

**11. OFFICERS OF THE CONGRESS**

- 11.1 The General conference shall elect from amongst delegates by secret ballot the following officers, who shall all be eligible for re-election.

- (a) The President
- (b) Three Vice-Presidents
- (c) The Secretary General when the post falls vacant
- (d) Two Assistant Secretary Generals
- (e) The Treasurer
- (f) Two Trustees

## 12. DUTIES AND RESPONSIBILITIES OF OFFICERS

### 12.1 The President of the Congress shall

- i. be an unpaid officer elected at the congress and shall be eligible for re-election.
- ii. preside at all conferences and constituent meetings of the Congress and sign the records of the proceedings thereof.
- iii. uphold the principles and integrity of the Congress and of its constitution, and
- iv. represent the Congress in all appropriate fora.
- v. issue public comments in accordance with the aims, objectives, principles and positions of the Congress.
- vi. having a casting vote which he may exercise in the event of equality of voting at any of the meetings over which he presides.
- vii. shall perform any other duties that may be imposed upon him by standing orders.

### 12.2 The Vice-Presidents of the Congress shall, in order of seniority, perform the duties of the President in his absence and shall, during that period, be governed by the provisions governing the President as above.

### 12.3 The Secretary General of the congress shall:

- i. be a full-time or part-time salaried officer elected and appointed at the General Conference of the Congress and shall continue to hold office at the pleasure of the Congress, provided that the decision of the General Extraordinary Conference to remove the Secretary-General shall be by a majority of two-thirds of the votes of delegates present.
- ii. be responsible for the administration, co-ordination, communication and supervision of employees of the Congress and in particular shall:
  - 1. be secretary to all the constituent meetings and

conferences of the Congress.

- 2. keep all the minutes, files, records, correspondence and archives of the Congress.

- iii. Be responsible for the facilitating of the appointment and job description of all employees whose vacancies and appointments have been approved and ratified by the General Council.
- iv. Organise and supervise all employees of the Congress.
- v. Ensure the compilation of and be responsible for receiving, safe-keeping and presenting to the General Council and Conferences of the Congress reports of the Treasurer, Trustees and auditors.
- vi. Compile, on behalf of the General Council, a report of activities to every Conference of the Congress.
- vii. Draft and prepare formal statements and position papers on behalf of the Congress.
- viii. Issue public comments in accordance with the aims, policies, principles and positions of the Congress in consultation with the President.
- ix. Alert and inform the General Council and officers of the Congress on all matters, problems and issues affecting or pertaining to the Congress.
- x. Generally uphold the principles and integrity of the Congress and of its constitution.

### 12.4 The Assistant Secretary Generals of the Congress shall:

- i. shall be unpaid officers elected at the Congress and shall be eligible for re-election.
- ii. Act under the direction of the Secretary General and perform such duties as are assigned to them by the Secretary General. They may be appointed at the discretion of the General Council.
- iii. In order of seniority act on behalf of the Secretary General in his absence.

### 12.5 The Treasurer of the Congress shall:

- i. Be an unpaid officer elected at the Conference and shall be eligible for re-election.
- ii. Keep accounts and books of the Congress in a form and manner recommended by auditors.
- iii. Submit up-to-date income and expenditure statements at

every Executive meeting for submission to a General Council meeting.

- iv. Open and maintain bank accounts as approved by the General Council.
- v. Compile annual financial reports and co-operate with the Trustees and auditors of the Congress.
- vi. Be responsible for ensuring the settlement of all debts or accounts due to be paid by the Congress.
- vii. Be responsible for recovering monies owed to the Congress.
- viii. In his absence have a designated vice president performing his duties.

12.6 The Trustees of the congress shall:

- i. be unpaid officers elected at the Conference and shall be eligible for re-election.
- ii. be responsible, in conjunction with the Treasurer for all the funds and property of the Congress.
- iii. inspect and make reports on the management and care of all the property of the Congress annually and as and when required by the General Council.
- iv. Manage and administer the affairs of the Congress in the event of incapacity of the Congress, until such time as the Congress is able to properly function.
- v. be responsible for the distribution of the property of the Congress to creditors, working class organisations and welfare institutions catering for the working class, upon dissolution of the Congress.
- vi. for the purpose of carrying out the above function, or for any complaint in any court of law affecting or concerning the funds or property of the Congress or any claims or rights due to or by the Congress, for such purpose to sign and complete any necessary documents and engage any legal practitioner on behalf of the Congress.
- vii. in the absence of any of the two trustees the president shall appoint a designated Vice President to carry out the functions of the trustees.

13. **REMOVAL OF OFFICERS**

13.1 Any officer of the Congress shall be removed from office if

- (a) He is convicted or an offence involving dishonesty, or any

other offence which contravenes the policies, principles and aims of the Congress or brings the Congress into disrepute.

- (b) He willfully, or without reasonable cause, fails to carry out his duties or acts in contravention of the constitution and the standing orders.
- (c) He is deemed to have been disloyal to the principles, objectives and values of the Congress.
- (d) A resolution is passed by the General Conference that he be removed from office.

13.2 No person shall be eligible for election or appointment to any office in the congress if such a person has at any time been convicted of an offence involving dishonesty.

13.3 Any elected officer who resigns during the term of his service shall continue in his office until he is replaced by the next sitting of the General Council.

14. **EXTRAORDINARY CONFERENCE**

14.1 An Extraordinary Conference of the Congress may be convened by the General Council, if deemed necessary.

14.2 All the rules of representation and proceedings shall be the same as those for the General Conference, provided that the Extraordinary Conference shall not elect new office-bearers, other than to fill in posts which have become vacant since the last General or Extraordinary Conference, who shall hold office for the remainder of the five year term.

14.3 The convening of an Extraordinary Conference shall not affect the convening of the General Conference five years after the last General Conference.

14.4 The Extraordinary Conference shall confine itself to the business it has been convened for.

15. **BI-ANNUAL CONSULTATIVE CONFERENCE**

15.1 A conference of all President and General Secretaries of all member trade unions shall be held biannually at a time and place selected for that purpose by the General Council.

15.2 Any office-bearer of an affiliate trade union who is eligible but unable to attend may be replaced by his deputy or assistant, who shall have the right to vote in that capacity.

15.3 The bi-annual Consultative Conference shall review progress, events, developments, policies and the activities of the Congress

and advise or recommend new programmes and activities for the labour movement.

- 15.4 All officers of the Congress shall be eligible to attend the Consultative Conference.
- 15.5 The President of the Congress shall be the President of the Consultative Conference, and shall present to the Conference the report of the activities of the General Council.
- 15.6 The Secretary General of the Congress shall be the Secretary of the Consultative Conference.
- 15.7 The Treasurer of the Congress shall present the financial report of the Congress to the Consultative Conference.
- 15.8 The Trustees of the Congress shall present the proprietary report of the Congress to the Consultative Conference.
- 15.9 Decisions of the Consultative Conference shall be by simple majority of the delegates attending, provided that two-thirds of the expected total delegates of the Consultative Conference shall constitute a quorum.
- 15.10 The General Council convening the consultative Conference shall prepare the agenda for the Consultative Conference which shall be delivered to all unions together with the notice of the convening of the Conference not less than four weeks before the date of the Conference.
- 15.11 The Consultative Conference shall have no power to elect officers to fill vacancies in the Congress.
- 15.12 The Consultative Conference shall confine itself to the agenda of the Conference.

## 16. GENERAL COUNCIL

- 16.1 **COMPOSITION:** The General Council shall be composed of the following:
  - a. officers of the Congress.
  - b. one representative of each of the affiliated trade unions.
  - c. one representative from the National Women's Advisory Council.
- 16.2 Meetings of the General Council shall be convened by the Executive Committee at least three times in each calendar year. Provided that additional meetings of the General Council may be convened by the Executive Committee on any notice if emergencies arise which, in the opinion of the Executive Committee, require the immediate attention of the General

Council.

- 16.3 The quorum of the General Council shall be 18 (eighteen). In the event of the quorum not being at General Council or Executive Councils or other Council meetings within 45 minutes of the time appointed for the commencement of the meeting, the Chairman shall adjourn the proceedings and shall reconvene the meeting within seven (7) days. If, at the time appointed for the commencement of the re-commenced meeting, the quorum is not present, the commencement shall be postponed for a further fifteen (15) minutes. If, at the termination of the fifteen (15) minutes, the quorum is not present, those members present shall be deemed to constitute the quorum and the meeting shall commence.
- 16.4 A member of the General Council shall lose such position if:
  - a. the member he represents constitutionally decides to withdraw him.
  - b. such member absents himself from three consecutive meetings of the General Council without reasonable excuse.
  - c. such member acts in a manner considered by the General Council to be detrimental to the interests of the Congress.
  - d. the trade union represented by the member ceases to be a member of the Congress.
- 16.5 A member of the Congress whose member of the General Council has lost his position shall have the right to appeal to any General or Extraordinary Conference of the Congress.
- 16.6 Any union whose General Council member ceases to be a member of the General Council in any manner other than as provided for under Clause 16.4 above shall, not more than four weeks after such cessation of membership, furnish the Secretary General of the Congress with the name of the new representative of the union or organisation, and the Secretary General shall immediately submit such name to all the General Council members.
- 16.7 Any person nominated by a member organisation to be its General Council representative shall automatically become a member of the General Council upon receipt of his nomination by the Secretary General.
- 16.8 **POWERS AND FUNCTIONS**
  - a. The powers and duties of the Congress Conferences shall

be delegated to the General Council in between meetings of the Conference.

- b. In addition to any other powers delegated to it by Congress, the General Council shall have the power to:
- i. Approve, sanction or disapprove any contractual arrangements or commitments or any other decisions proposed by the National Executive Committee.
  - ii. Upon the resolution of the General Council, mediate in disputes or assist in dealing with problems within or between member organisations.
  - iii. Suspend, after charges have been preferred, a member trade union or associate member organisation for action deemed by the Council to be in contravention of this Constitution, or against the interests of any worker or other member trade unions or associate member organisations.
  - iv. Suspend any officer who
    - a. is convicted of an offence involving dishonesty or any other offence which contravenes the policies, principles and aims of the Congress or brings the Congress into disrepute.
    - b. willfully or without reasonable cause fails to carry out his duties or acts in contravention of the constitution and the standing orders.
    - c. is deemed to have been disloyal to the principles, objectives and values of the Congress.

Provided that such suspended officer shall have the right to appeal to the next General or Extraordinary Conference which shall allow the appeal by a simple majority decision.
  - v. Make such standing orders, by-laws as the Conference may prescribe for the conducting of the business of the Congress and other procedures for the conduct of business of organs created.

- vi. Create vacancies and ratify all appointments of employees of the Congress, and approve their terms and conditions of service.
- vii. Determine any allowances to be paid to any officer or employee of the Congress, or any other person for work related to the Congress.
- viii. At any time, upon the receipt of a written request of not less than half the number of the member trade unions, convene an Extraordinary Conference which shall be convened within two months of the date of the request.
- ix. Give due consideration to the matters occasioning the suspension of an officer and have the power to lift the suspension or otherwise to give notice to the suspended officer that the General Council intends to recommend to the Conference or the Extraordinary Conference as the case may be that he should be removed from office.
- x. Appoint someone to fill in any vacancy which may have been occasioned by death, illness, resignation or any other cause for the unexpired period of office.

16.9 Each member trade union shall be entitled to one vote for each thousand members or part thereof. Observers shall be entitled to participate in the debate and deliberations, but not to vote.

#### 17. THE EXECUTIVE COMMITTEE

17.1 The Executive Committee shall be composed of the officers of the Congress and nine members of the General Council, of whom one shall be from the National Women's Advisory Council, who shall be elected by the Council at the General Council's first meeting convened after the General Conference.

17.2 The Executive Committee shall be responsible for the general administration of the affairs of the Congress between General Council meetings.

17.3 The Executive Committee shall meet from time to time, and at least once every three months and shall be convened by the President after consultation with the Secretary General, as may be necessary for the smooth running of the affairs of the Congress: Provided that where there is disagreement between the two, it shall be mandatory upon the President to immediately convene



- the Executive Committee meeting.
- 17.4 At least seven days' notice shall be given for all Executive Committee meetings.
- 17.5 The quorum of the Executive meeting shall be ten (ten) members.
- 18. REGIONAL COMMITTEES**
- 18.1 There shall be a regional committee of the Congress in designated areas determined by the General Council.
- 18.2 A regional committee shall be composed of members defined by the General Council, including:
- a. the Chairperson
  - b. the Vice-Chairperson
  - c. the Secretary
  - d. the Assistant Secretary
  - e. Five Committee Members
- 18.3 A regional committee shall have the following powers and functions:
- a. to organise regional conferences of the Congress
  - b. to fulfil the aims of the Congress at regional level, in order to mobilise and promote workers' interests in the region
  - c. to organise regional events and solidarity activities with regards to trade union education, training, information, organisation and recruitment of membership
  - d. to ensure proper and close communication between national unions in the region and the head office of the Congress
  - e. to establish sub-committees in districts within the region for the smooth running of the regional committee and responsible to the regional committee
  - f. to encourage workers to join trade unions
  - g. to do all such other things as are in the interest of the labour movement and consistent with the principles, policies and constitution of the Congress.
- 18.4 A regional conference of the Congress shall be convened every three years and shall be composed of five delegates from each national union who are resident in that region.
- 19. NATIONAL WOMEN'S ADVISORY COUNCIL**
- 19.1 There shall be constituted a National women's Advisory Council

- of the Congress, which shall act as an advisory body to the General Council.
- 19.2 In addition to the general aims and objectives of the Congress, the National Women's Advisory Council shall have the following duties, aims and objectives:
- a. To organise, educate and unionise all working women and to mobilise and co-ordinate trade union structures towards promotion of the interests of women workers.
  - b. To encourage and promote self-reliance for women.
  - c. To provide and facilitate a channel of communication between the Congress and other national women's institutions and organisations.
  - d. To work for the total eradication of discrimination against women, and for the full realisation of rights for working women.
  - e. Generally undertake all such other tasks as are necessary for the advancement of the rights and interests of women as approved by the general council.
- 19.3 The structure and composition of the National Women's Advisory Council shall be as follows:
- a. The Chairperson
  - b. One Vice-Chairperson
  - c. The Secretary
  - d. The Assistant Secretary
  - e. Seven Committee Members
- 19.4 The National women's Advisory Council shall meet no less than three times in each year.
- 19.5 Meetings of the National Women's Advisory Council shall be convened either by the Secretary of the National Women's Advisory Council or by the General Council of the Congress upon the written request of two-thirds of members of the National Women's Advisory Council.
- 19.6 Decisions in the National Women's Advisory Council shall be by a simple majority vote of the members in session.
- 19.7 The quorum of the National Women's Advisory Council shall be two thirds of its total membership.
- 19.8 Officers of the National women's Advisory Council shall hold office for five years.
- 19.9 A conference of the National Women's Advisory Council shall

be held every five years and shall be convened by the General Council, with four delegates nominated from each union affiliated to the Congress.

19.10 The Conference shall elect from amongst the delegates officers of the National Women's Advisory Council.

19.11 The Chairperson of the National Women's Advisory Council shall be a non-voting representative on the General Council of the Congress.

## 20. FUNDS AND FINANCE -

20.1 In addition to any other sources of finance which the Congress may seek, the Congress shall be financed by membership fees from member trade unions.

20.2 The annual Consultative Conference shall have the power to recommend to the General Council the amount of levy payable by member trade unions and associate member organisations.

20.3 Each members trade union shall submit its monthly subscriptions at least one month in advance and shall effect payments in such manner as may be instructed by the General Council.

20.4 All the funds of the Congress shall be banked in the name of the Congress in such banks or banks as the General Council may decide from time to time.

20.5 Cheques and any other negotiable instruments drawn on the account of the Congress shall not be valid unless they are countersigned by the Treasurer, one of the two Trustees and either the President or the Secretary General.

Provided that in the absence of any of the above officers, the second Trustee and any of the Vice-Presidents or Assistant Secretary Generals shall be empowered to sign.

20.6 The financial year of the Congress shall be the calendar year ending on the 31st December, of each year.

20.7 The accounts of the Congress shall be kept and maintained by the Treasurer and any other full time officer responsible for bookkeeping, in conjunction with the Secretary General.

20.8 As soon as is practicable after the 31st December of each year, and not later than the 31st March the following year, the Treasurer shall submit for audit the books and accounts of the Congress.

## 21. RULES OF PROCEDURE

21.1 The following rules of procedure shall apply at all meetings of the General Council and its Executive Council and any other

Councils and at Conferences and Extraordinary Conferences.

(a) The Secretary General in consultation with the President shall publish and circularise the agenda for all meetings of the General Council, Executive Council, other Councils Conferences and Extraordinary Conferences to members and affiliates.

(b) The agenda for the Conference shall make provision for the following items:-

(i) reading of the president's address

(ii) adoption of the agenda,

(iii) confirmation of and adoption of the Minutes of the previous Conference

(iv) matters Arising from the Minutes of the previous Conference meeting

(v) the reading of reports submitted by:-

1. the General Council

2. the Treasurer and the Trustees.

(vi) Notices of Motion

(vii) the election of officers for the ensuing period.

(c) The agenda for an Extraordinary Conference shall be as determined by the General Council.

(d) The agenda for all meetings of the General Council shall make provision for the following items:-

(i) reading of the Notice convening the meeting,

(ii) adoption of the agenda,

(iii) confirmation of and adoption of the Minutes of the previous meeting.

(iv) Matters Arising from the Minutes of previous meeting,

(v) reports from the National Executive and may consider reports by Trustees

(vi) Correspondence,

(vii) Notices of Motion

(viii) Any other business.

e. **QUORUM:**

In the event of the quorum not being present at General Council or Executive Committee meetings within 45

minutes of the time appointed for the commencement of the meeting, the Chairman shall adjourn the proceedings and shall reconvene the meeting within seven (7) days. If, at the time appointed for the commencement of the re-commenced meeting, the quorum is not present, the commencement shall be postponed for a further fifteen (15) minutes. If, at the termination of the fifteen (15) minutes, the quorum is not present, those members present shall be deemed to constitute the quorum and the meeting shall commence.

- (f) The Chair at meetings shall be taken by the President, or, in his absence, by a Vice President or, in the absence of a Vice President, by such member as the meeting shall decide.
- (g) The working language of the Congress shall be English and the Minutes of all Meetings of the Congress shall be recorded and shall be published in English.
- (h) The business of meetings shall be proceeded with in accordance with the agenda, except where otherwise consented to by the meeting.
- (i) No subject other than those appearing on an agenda shall be debated excepting where provision has been made for the inclusion of such an item under "Any Other Business". Such item shall be notified to the meeting at the time the agenda is to be adopted.
- (j) Save with the expressed leave of the meeting, no speaker shall speak more than once on any motion or subject nor, unless he be the mover of a motion, for longer than five (5) minutes, provided that the mover of a motion shall have the right to reply to the debate. The time limit placed on the mover of a motion shall be at the discretion of the Chairman.
- (k) No motion or subject shall be debated for a longer period than one and half hours, provided that any members of the meeting shall have the right to move a motion for an extension of time; such a motion shall be put without debate and shall not have effect unless carried by a two-thirds majority of the members present.
- (l) All members addressing the meeting shall first state whether they intend to speak for or against the motion being debated.

- (m) Except when otherwise stated, all questions shall be decided by a simple majority of votes expressed by a show of hands. The Chairman shall have a casting vote only, and in the event of equality of voting on a motion, the Chairman may exercise his casting vote. Should the Chairman fail to exercise his casting vote, the motion shall lapse.
- (n) All votes shall be counted by the Chairman, but in the case of a ballot, scrutineers shall be appointed.
- (o) No motion or subject which has been debated and determined by the meeting shall be reopened at the same meeting, except on a motion carried by a two-thirds majority, such motion to be put without amendment or debate.
- (p) No absent person shall be nominated for any capacity unless his or her consent in writing has previously been obtained.
- (q) A member may, with the consent of the meeting, withdraw any motion or amendment which he might previously have proposed at that meeting.
- (r) Any delegates refusing to obey the ruling of the Chairman or who is guilty of misconduct shall withdraw from the meeting if a majority vote of the members so requires.
- (s) A motion to review the Chairman's ruling may be removed and seconded, but no debate shall be allowed. A simple majority in favour of the motion shall be sufficient to carry such a motion.
- (t) during the debate, points of order may be raised verbally and without prior notice being given. Should a point of order be raised, the President or Chairman shall give a ruling in reference to its validity.  
Should members of the meeting desire to query the ruling so given, they may only do so in terms of section (m) of these rules of procedure.

## 22. MOTIONS AND NOTICES OF MOTION

- 22.1 All motions or notices of motions submitted in terms of this clause for consideration and decision by the General Council, Conference or Extraordinary Conference shall:-
  - (i) be submitted to the Secretary General in writing;
  - (ii) be circularised by the Secretary General to the members

of the General Council and/or delegates to the Conference or Extraordinary Conference;

- (iii) be seconded prior to such consideration and decision;
- (iv) be resolved by a show of hands, save if otherwise determined by the General Council, Conference or Extraordinary Conference. Such issues shall be resolved by a simple majority.

- 22.2 A motion or notice of motion submitted in terms of sub-clause (i) of this clause, may be withdrawn by the proposer prior to its being seconded. A motion or notice of motion which has been seconded in terms of sub-clause (I) (iii) of this clause, may be withdrawn only subject to the consent of the seconder and the approval of the General Council, or a delegate to the Conference or Extraordinary, provided that such a proposal is seconded by a member of the General Council or a delegate to the Conference or Extraordinary Conference.
- 22.3 All motions proposed in terms of sub-clause (23.1) of this clause may be amended if such a proposed amendment is proposed by a member of the General Council, or a delegate to the Conference or Extraordinary Conference, provided that such a proposal is seconded by a member of the General Council or a delegate to the Conference or Extraordinary Conference.
- 22.4 The motion under debate shall be recognised as the substantive motion. Should an amendment to the substantive motion be proposed and seconded, the Chairman shall put the amendment to the vote. Should the majority of the votes cast support the amendment, then the amendment shall become the substantive motion. A motion shall be deemed to be an amendment if its purpose is to modify the text or intent of the substantive motion, or remove parts therefrom.
- 22.5 Subject to the approval of the meeting, it is permissible for the subject matter of the substantive motion to be sub-divided into convenient sub-sections. Such subsections may be debated and voted upon separately. At the completion of the voting procedures, the subsections which have received an affirmative vote shall constitute substantive motion and will be voted upon without further debate.
- 22.6 After the closure of the debate, the Chairman shall immediately put the motion to the vote. The voting procedure shall not be

interrupted except on a point of order related to the manner in which the voting is taking place.

- 22.7 The undermentioned motions shall have precedence over all other motions under discussion:-
- (i) to suspend the meeting;
  - (ii) to adjourn the meeting;
  - (iii) to close debate on the item under discussion.

Such a motion shall, provided that it has been seconded, be put to the vote immediately without debate and shall be resolved by a simple majority on a show of hands. Such motions may be raised verbally without prior notice.

## 23. AMENDMENT TO THE CONSTITUTION

- 23.1 Any provisions of this constitution may be repealed, amended or added to in any manner, by resolution of the Conference or Extraordinary Conference, provided that no less than three months notice of the proposed amendment or amendments shall have been given in writing to the Secretary General and the proposed amendment or amendments immediately thereafter shall be circularised to all the member trade unions.
- 23.2 A motion or motions proposing amendment or amendments to the constitution shall be carried provided that two thirds of the delegates present and voting, vote in favour of the proposed motion or motions.

## 24. DISSOLUTION

- 24.1 The Congress shall be dissolved only by a special resolution of the General or Extraordinary Conference.
- 24.2 A motion proposing the dissolution of the Congress shall be carried, provided that eighty percent (80%) of the delegates present and voting in a secret ballot, vote in favour of the proposed motion.

## 25. BALLOT RULES

- 25.1 Voting in a ballot shall be exercised by
- a. elected officers of the Congress and members of the General Council in a meeting of the General Council.

- b. elected officers of the Congress and accredited delegates of fully subscribed affiliated trade unions in the Conference or Extraordinary Conference.

Each person so entitled to vote in a ballot shall have only one vote.

25.2 When the Congress is required, in terms of this Constitution to hold a ballot it shall:

- a. appoint a Presiding Officer.
- b. notify those entitled to vote and the Presiding Officer in writing of the time and place of the ballot and the issue or issues to be determined by the ballot.
- c. furnish the Presiding Officer in writing with a list of the Trade Unions entitled to vote and the number of votes entitled to be cast by the delegates of that trade union.
- d. appoint persons to act as scrutineers and to assist the presiding officer in supervising the ballots and counting the votes.
- e. require the Secretary General to
  - (i) supply suitable forms on which the officers and delegates may record their votes for each subject or office in issue and
  - (ii) ensure that such forms are available in sufficient numbers.

25.3 When a ballot is required to be held at a meeting of the General Council, the issue in question shall be phrased in such a manner as will enable the officers and the members of the General Council who are entitled to vote to cast their votes as a simple yes or no. The votes shall be counted by scrutineers appointed by the General Council from amongst its own members.

25.4 A ballot at the Conference or Extraordinary Conference shall be held under the supervision of the Presiding Officer who shall

- a. arrange for all the forms supplied for use in the ballot to be numbered consecutively and initialled by himself;
- b. distribute the ballot forms to the officers and delegates entitled to take part in the ballot;
- c. collect the ballot forms after sufficient time has elapsed to permit the forms to be completed;
- d. with the assistance of the scrutineers count the votes cast;
- e. declare the results of the ballot.