

# South African Students' Congress (SASCO)

## Constitution

As amended and adopted by the 17th National Congress, December 2011

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### Preamble:

Whereas we the students of South Africa, realising that we are members of the community before we are students, and committing ourselves to a non racial, non sexist and democratic society free of exploitation and national oppression in which harmony amongst people will prevail, find it necessary to articulate the aspirations of the oppressed, progressive and democratic minded and historically oppressed in a united manner and therefore determined:

1. *To organise students to work towards the transformation of education*
2. *to organise students to play a meaningful role in the transformation of South African Society, the Southern African Region, the African Continent and the International Community.*

### 1. Section One

## Name

The Name of the organisation shall be the **South African Students Congress** herein referred to as **SASCO**.

## 2. Section Two

### Colours and Symbols

1. The **Colours** of the Organisation Shall be **Red, Green, Black and Gold**.
2. The **Emblem** of the Organisation shall be a **Red Circle, a Green African Continent, a Book and a Black hand holding a pen**, in that sequence. The Emblem shall be round shaped and ringed with red colours with the gold colour on the continent, a book and a black hand holding a pen

## 3. Section Three

### Status

1. The South African Students Congress shall be a legal persona with perpetual succession and power, apart from its individual members, to acquire, hold and alienate property, enter into agreements, and do all things necessary to carry out its aims and objectives and defend its members, its property and reputation.
2. The organisational control and programmes of SASCO shall rest in the SASCO membership and structures in accordance with its constitution.
3. The organisation shall operate at National, Provincial, Regional and Branch level.

## 4. Section Four

### Principles

1. The following shall be the principles of SASCO and shall at all times guide its deliberations including its policies, campaigns and operations and processes.

- a. *Democracy*
- b. *Non Racialism*
- c. *Non Sexism*
- d. *African Leadership*
- e. *Working Class Leadership*
- f. *Academic excellence*

## 5. Section Five

### Aims and Objectives

1. Strive to rally students of our country to support and unite behind SASCO and actively participate in the struggle and programmes to create a non racial, non sexist, united and prosperous society;
2. Promote unity, patriotism and the spirit of internationalism amongst students;
3. Champion the General interests and Rights of Students in the socio economic and political life of the country and nation;
4. Strive to work for the educational, moral and cultural upliftment of students, without any intention of making profit.
5. To unite all South Africans and to forge an understanding and practice of non-racism, non-sexism, and democracy in this process;
6. To take up the demands of students of South Africa be they social, political, economic or educational;
7. To forge links with all relevant organisations concerned with the liberation of the oppressed and exploited people of South Africa, in the continent and World;
8. To strive for a democratic, unitary and non-sexist education system that will prepare all South Africans to partake to the fullest in the building of a democratic society;
9. To strive for the liberation of South African Women and to struggle against the oppression and exploitation of women and build women leadership.

## **6. Section Six.**

### **Membership**

1. Membership shall be open to all registered students at institutions of higher learning and further education and training, public and private as decided by Congress, regardless of nationality, race, sex, creed, sexual orientation, on condition that such shall adhere to the principles, discipline and mode of operation of the organisation;
2. Membership shall be confirmed annually in accordance with the academic term;
3. All members shall be issued with membership cards on payment of an affiliation fee, such affiliation fee shall be payable annually;
4. The members shall be expected to pay the subscription fee as determined by National Congress;
5. All members shall upon being accepted into the ranks of the organisation solemnly declare their readiness and willingness to serve the organisation;
6. Dual or multiple memberships by individuals shall be welcomed provided the policies and programmes of the said organisation, to which a member belongs to or may wish to belong to are not hostile to those of the organisation;
7. No person shall occupy any executive position or represent the organisation on any structure unless s/he is a registered student in a public or private higher education or further education and training institution.

## **7. Section Seven**

### **Rights and Obligations**

1. Every member of the Organisation shall have the right to:

1. Take part in the discussion and formulation of SASCO policy,
2. Be elected to any committee, commission or delegation of the organisation,
3. Submit proposals or statements to the branch on any matter that affects the organisation, students and society in general,
4. Engage in constructive criticism and self-criticism,
5. Protection against any harassment, victimization, and or discrimination based on race ethnicity, regionalism, sex or creed,
6. Actively participate in the designated activities of the organisation

2. All members shall be obliged to:

1. Pledge their unswerving loyalty to the organisation and place them under its overall discipline,
2. Carry out decisions, duties and directives with diligence,
3. Organize, participate and contribute positively to all SASCO activities and/or programs and to contribute to the strengthening of its organic unity,
4. Rally all students to support and unite behind SASCO and actively participate in the creation of a united, non-racial, non-sexist, democratic and prosperous South Africa,
5. Combat all forms of tribalism, regionalism and nepotism and any other forms of discrimination based on sex and race and as well as combating factionalism and malicious gossip within our ranks.

## **8. Section Eight**

### **Subscriptions**

- a. Every person on becoming a member of the organisation shall pay the subscription fee, as determined by the National Congress.
- b. Every member should renew his/her membership every academic year and pay the membership fee
- c. No person shall occupy any executive position on any structure of the organisation unless she/he paid his or her membership fee,
- d. No person shall be able to represent the organisation or vote on any of its policies unless he/she has paid the subscription fee.

## 9. Section Nine

### National Congress

1. The NC shall have the following powers and duties

1. Shall be the highest decision making body of the South African Students Congress,
2. Shall receive and consider reports of the National Executive Committee, which shall be presented by the President (**Political report**), Secretary General (**Organizational report**) and Treasurer General (**Audited Financial report**), deliberate on the policies and programs of the organisation,
3. Shall have the power to elect or appoint any commission or committee and assign specific tasks and duties to such commission, committee or individual(s) as the case may be,
4. Shall have the power to confer honours, associate membership, decorations and awards on members, organisations or individuals in appreciation or recognition of their role in the work of the South African Students in particular and society in general

## 10. Section 10

### National General Council (NGC)

1. The NGC shall have the following powers and duties:

1. The NGC shall be every year in between NC.
2. It shall assess the state of the organisation and any matter that desires the attention of the organisation,
3. A Political input, Organisational update and financial update shall be presented by the President, Secretary General and Treasurer General respectively, on behalf of the NEC.
4. It shall have powers to deliberate on major policy issues and any issue referred to it by the NEC. The National Congress shall ratify such decisions taken on policy issues.
5. The NGC shall sit when convened by the NEC or when demanded by at least by two-thirds majority of SASCO Provinces, in writing to the office of the Secretary General.

## 11. Section Eleven

### National Executive Committee (NEC)

1. The National Executive committee shall be comprised of the following portfolios that would be filled through direct elections during the National congress

- a. President
- b. Deputy President
- c. Secretary General
- d. Deputy Secretary
- e. Treasurer General
- f. thirteen (13) additional members

2. The NC or NEC may annually determine whether any of the portfolios shall be designated fulltime officials, incumbent and personnel of the organisation,

3. Provincial Chairpersons and Provincial Secretaries shall be ex officio members of the NEC and shall perform any task as mandated by the NEC or NWC, where a need arises.

4. The NEC in its first meeting shall allocate portfolios to additional members, such portfolios would be at the discretion of the NEC but must include, Communication and Publicity, Political Education and Training, International Relations, Gender, and Campaigns

## 12. Section Twelve

### Duties and powers of the National Executive Committee:

1. The NEC shall be highest decision taking organ of SASCO in between the NC and NGC. It has also the authority to lead the organization, in line with the instructions of this Constitution.
2. Shall implement the decisions and instructions of the NC and NGC.
3. Shall ensure that the Provincial, Regional and Branch structures of the organization function democratically and effectively.
4. The NEC may by absolute majority of its members present and voting in a meeting, suspend or dissolve a PEC, where the PEC fail to comply with the Constitution.
5. Shall manage and control all the assets of the organization.
6. Shall receive report from Provinces and generally supervise the work of the organisation and delegate such function to the NWC, as it considers necessary.
7. Where a need arise the NEC may decide on other office bearers, out side the Secretary General, that should be full time in the organisation.
8. The NEC shall decide on which branches of the organization qualify, to be declared special branches. Such special branches shall be required to have at least 25 members in order to constitute a branch.

### **13. Section Thirteen**

#### **National Working Committee (NWC)**

##### **1. Composition:**

- a. The President, Deputy President, Secretary General, Deputy Secretary General, Treasurer General and other five members of NEC elected in the first meeting of the NEC shall form the NWC

##### **2. The NWC shall have the following powers and duties:**

- a. Carry out decisions and instructions of the NEC,
- b. Ensure communication between provinces and the NEC,
- c. Submit reports at each NEC meeting,
- d. Coordinate and execute the day to day administrative tasks of the organisation,
- e. Head Office Staff on invitation by Secretary General shall also sit in the NWC meetings.
- f. The NWC may in consultation with the NEC establish working groups or committees to assist them with their tasks.

### **14. Section Fourteen**

#### **Meetings of NEC and NWC**

##### **1. The NEC meeting shall sit when;**

- a. Convened by the Secretary General in consultation with the President. or
- b. Requested by the NWC. or
- c. Requested by at least two thirds majority of NEC members in writing to the Secretary General. or
- d. The President in consultation with NWC members shall convene a special NEC meeting on seventy two hour notice.

##### **2. The NWC meeting shall sit when:**

- a. Convened by the Secretary General in consultation with the President or
- b. Requested by at least two thirds majority of NWC members in writing to the Secretary General or
- c. The NWC shall sit at least once in every month.

### **15. Section Fifteen**

#### **Duties and functions of the Officials**

##### **1. President:**

1. Shall be the Chief Executive Officer of the Organisation,
2. Shall issue statements on behalf of the organisation and represent it when ever necessary,
3. Shall preside at meetings of the NEC.

4. Shall be an ex officio member of all standing committees of the NEC.
5. Shall be the signatory to financial transactions of the Organisation

## **2. Deputy President:**

- a. Shall deputise the President and carry out whatever functions or duties entrusted to him/her by the NC, NGC, President, NEC or NWC
- b. Shall head, co-ordinate and lobby for SASCO policy within government and at all levels
- c. Shall be responsible for disciplinary matters and the implementation of the disciplinary code of SASCO.
- d. Shall in the event of permanent unavailability or permanent incapacity of the President assume all the functions and duties of the President until the NC or NGC elect new President.
- e. In the event of permanent unavailability or permanent incapacity of the President and Deputy President, the NEC shall appoint an Acting President amongst NEC members in its next meeting, until the NC or NGC elect new President. The Secretary General shall assume all functions and duties of the President until the next meeting.

## **3. Secretary General:**

- a. Shall be the Chief Administrative Officer of the Organisation on a full time basis,
- b. Shall keep a register of all members, branches and associate members,
- c. Shall head the National Working Committee of the organisation
- d. Shall be responsible for correspondence to and from the organisation
- e. Shall keep minutes of all NC, NGC's, NEC's, NWC's and any other special meetings,
- f. Shall liaise with other bodies for the purpose of establishing and improving relations,
- g. Shall constitute standing Committees and delegate specific functions whenever necessary and draw up standing rules for standing committees,
- h. Shall co-ordinate all NEC Meetings.
- i. Shall be a signatory to financial transactions of the Organisation.
- j. Shall in the event whereby the President and Deputy President are not available to carry out their duties, assume the duties of the President and the Deputy President.

## **4. Deputy Secretary General**

- a. Shall deputise the Secretary General and carry out duties and functions given to him/her by the NC, NGC, NEC, NWC or Secretary General

## **5. Treasurer General:**

- a. Shall liaise with the NEC and all PEC treasurers to ensure the financial coordination of the organisation,
- b. Shall open and operate banking accounts, in consultation with the President and Secretary General
- c. Shall be the Head of the Finance Committee of the Organisation, which shall also be composed of the President, Secretary General and any other member of the NEC who is not a member of the NWC.
- d. Shall disburse and issue out monies for organisational projects and for any purpose approved by the NEC or NWC and receive any money as may be due to the organisation,
- e. Shall keep records of all such applications and whenever necessary produce an income and expenditure statement at an interval period of every three months,
- f. Shall summon, if necessary a meeting of all Provincial Treasurers of the organisation to discuss any financial aspect,
- g. Shall draw up an annual budget of the organisation to be presented to the NEC for approval
- h. Shall draw and prepare a financial statement of the organisation and such be audited before presentation to the NC.
- i. Shall be responsible for all the income and expenditure of the Organisation
- j. Shall be a signatory to all financial transactions of the Organisation.

## **16. Section Sixteen**

### **Co-options to the NEC**

1. The NEC during its term of office may by absolute majority of its members present and voting in the meeting co-opt not more than three additional members, at any time in order to provide a balanced representation that will reflect the character of the South African students.

2. Should a vacancy occur in the NEC for whatever reason, the NEC shall by absolute majority of its members present and voting in the meeting fill the vacancy by appointing a replacement. Such appointments must not exceed four.

## **17. Section Seventeen**

### **Term of Office**

1. The NEC shall be elected once in every two (2) years at the NC

## **18. Section Eighteen**

### **Provinces**

The demarcation of Provinces shall be conformed in line with the provincial demarcation as provided in the Constitution of the Republic of South Africa

## **19. Section Nineteen**

### **Provincial Congress.**

#### ***1. The PC shall have the following powers and duties:***

- a. Shall be the highest decision taking organ in the Province, but subjected to the National Congress and complete guidance of the NEC.
- b. Shall receive and consider reports of the PEC, which shall be presented by the Provincial Chairperson (Political report), Secretary (Organisational report) and Treasurer (Financial report).
- c. Shall deliberate on proposed policies and make a recommendation to the NC.
- d. Shall have the powers to elect the PEC.
- e. May appoint any commission or committee or individual(s) with specific guidelines.
- f. The PC shall be attended by the branches, REC and PEC.
- g. Shall promote and implement the decisions and policies of the National Congress, NEC or NWC.

## **20. Section Twenty**

### **Provincial General Council**

1. The PGC shall have the following powers and duties:

- a. The PGC shall be comprised of representatives from branches, REC's and PEC.
- b. The PGC shall be convened at least once in between the PC.
- c. The PGC shall review the program of action and make policy recommendations to the NGC or NC,
- d. It has powers to fill any vacant portfolios and elect a new PEC where necessary.
- e. It shall consider Political update, Organisational update and Financial update presented by Provincial Chairperson, Provincial Secretary and Provincial Treasurer, respectively on behalf of the PEC.
- f. The PGC may discuss and decide on any issue it deems necessary, including any other matter brought before it by the PEC and may decide on any issue falling within its jurisdictions, subjected always to the policies and directives of the National Congress, NGC, Provincial Congress or NEC.
- g. The PGC shall sit when convened by the PEC or upon demand by two thirds majority of branches in the Province, in writing to the Provincial Secretary.

## **21. Section Twenty One**

### **Provincial Executive Committee.**

1. It shall consist of the following members:

- a. Chairperson
- b. Deputy Chairperson
- c. Provincial Secretary

- d. Deputy Provincial secretary
- e. Provincial Treasurer
- f. Five (5) additional members

2. Regional Chairpersons and Regional Secretaries shall be ex officio members of the PEC.

3. The PWC shall be composed of the Provincial Chairperson, Deputy Chairperson, Provincial Secretary, Deputy Secretary and Provincial Treasurer.

4. The PEC may by absolute majority of its members present and voting in a meeting, suspend or dissolve a REC and/or BEC, where the REC and/or BEC fail to comply with the Constitution.

## **22. Section Twenty -Two**

### **Meetings of PEC and PWC**

#### **1. The PEC meeting shall sit when;**

- a. Convened by the Provincial Secretary in consultation with the Provincial Chairperson. or
- b. Requested by at least two third majority of PEC members in writing to the Provincial Secretary. or
- c. Requested by PWC meeting.

#### **2. The PWC meeting shall sit when;**

- a. Convened by the Provincial Secretary in consultation with the Provincial Chairperson. or
- b. Requested by at least two thirds majority of PWC members in writing to the Provincial Secretary. or
- c. The PWC shall sit at least once in every month.

## **23. Section Twenty-Three**

### **Co-options at the PEC**

Should a vacancy occur on the PEC for whatever reason, the PEC shall have the powers to fill the vacancy by appointing a replacement. Such appointments must not exceed four.Å

## **24. Section Twenty- Four**

### **Term of Office**

The PEC shall be elected once in every year at the Provincial Congress.

## **25. Section Twenty Five**

### **Regional Executive Committee**

1. The Regional Executive Committee shall be constituted by:

- a. Chairperson
- b. Deputy Chairperson
- c. Regional Secretary
- d. Deputy Regional Secretary
- e. Treasurer
- f. Five (5) additional members.

2. The REC shall exist as per NC resolution.

3. The REC shall be an Executive and administrative body amongst branches that constitute it.



4. It shall be accountable to the PEC for its functioning and perform duties delegated to it by the PEC. It shall carry out the policies and programme of the organization in the region and do all the things necessary to further the interest, aims and objectives of the organization.Â Â Â

5. Ensure launching of branches and establishment of a database on membership within its jurisdiction. Shall also request and receive reports from the branches.

6. It shall convene the Regional General Council at least once in between Regional Congress.

7. Carry out the decisions and instructions of the Provincial Congress, PGC, Regional Congress, RGC and PEC. Shall also submit reports to the PEC, Regional Congress or RGC as required on the state of the region and such matter as may be specified.Â

8. Branch chairpersons shall be ex officio members of the Regional Executive Committee.

9.Â Â The REC shall be elected once in every year at the Regional Congress

## **26. Section Twenty- Six**

### **Branches.**

1. A branch shall consist of at least 50 members or any such number as the NC may decide

2. There shall be a Branch Executive Committee (BEC) at each institution where a branch exists,

3. Each branch shall supervise all aspects of the activities of the organisation within the area of its jurisdiction, subject to decisions of upper structures, policy positions and resolutions of Congresses.

4. The Branch Executive Committee shall create a platform whereby members exercise their basic democratic rights to discuss and make recommendations on policy matters to the higher structures.Â Â

5. Each branch may submit to the REC, PEC PGC, PC, NEC, NGC or NC for consideration any recommendation concerning the organisation,

6. The Branch Executive Committee shall be elected in the Branch Annual General Meeting and shall be comprised as follows:

- a. Chairperson
- b. Deputy Chairperson
- c. Branch Secretary
- d. Branch Deputy Secretary
- e. Branch Treasurer
- f. Media and Publicity Secretary
- g. Education and Transformation Officer
- h. Projects and Campaigns Officer
- i. Gender Officer
- j. Political Education Officer

7. The BEC shall within seventy-two hours after its election meet and allocate tasks and functions among its members to enable it to carry out the day-to-day activities of the Branch.

8. The BEC shall meet at least once in every week.

## **27. Section Twenty â€“ Seven**

### **Branch General Meeting**

1. The BGM shall be the highest decision taking body in between AGM's.
2. The BEC shall convene the BGM at least once in every month. Shall also submit an update on the state of the Branch to the Branch General meeting.

3. The BEC or any person assigned by the BEC shall give a political input in every BGM.Â
4. Shall ratify any co-option made by the BEC.Â Â

## **28. Section Twenty - Eight**

### **Co-options to the BEC.**

The BEC shall co-opt not more than four members to fill any vacancy. Such co-option shall be ratified by the BGM.

## **29. Section Twenty - Nine**

### **Discipline.**

Discipline and conduct of members shall be regulated and governed herein by the Code of Conduct as adopted by the National Congress.

## **30. Section Thirty**

### **Quorum.**

1. The quorum of the NGC and the NC shall be a two third majority. If within two hours of the appointed meeting time a quorum is not formed, the meeting shall be adjourned for not more than twenty-four hours. If at the lapse of the said time the quorum is not met, the NGC or NC shall continue provided at least five provinces are present at the meeting.Â

2. The quorum for all others structures shall be a simple majority. If a meeting does not quorate, it shall be adjourned for not more than four hours. If at the lapse of the said time the quorum is not reached, such a meeting shall continue provided one third majority of members is present at such a meeting.

## **31. Section Thirty â€“ One**

### **Removal from office**

1. An office bearer shall cease to hold office if or when:
  - a. He/she ceases to be a student in terms of section 6 (1)
  - b. He/she fails to comply with section 6 (2)
  - c. He/she resigns in writing to the office of Secretary/ General
  - d. If he/she is prosecuted and imprisoned for more than twelve months, without an option of fine.Â .
  - e. NEC, PEC or BEC meeting may by absolute majority of its members present in a meeting suspend or demote from office any member or representative appointed by it pending disciplinary hearing. With regard to the BEC such a decision shall be ratified by the BGM.
  - f. He/she fails to attend three consecutive meetings of the Organisation without valid reasons. Without a simple majority of members present and voting for such reasons to be valid.

## **32. Section Thirty â€“ Two**

### **Quota**

There shall be a minimum of 40% gender representation in the NEC, PEC, REC and BEC

## **33. Section Thirty -Three**

### **Elections.**

1. NEC members shall be elected at the NC,
2. PEC members shall be elected at the PC
3. REC members shall be elected at the RC,

4. BEC members shall be elected at the Branch AGM.

### **34. Section Thirty-Four**

#### **Independent Electoral Commission (IEC)**

##### **1. The Functions of the IEC shall be:**

- a. To oversee and administer the entire elections process,
- b. To ensure that the elections are free and fair,
- c. Have a final word in case of any allegations of fraud or any other behaviour that may jeopardize free and fair elections,
- d. Ensure that only branch delegates, REC's PEC's and NEC shall be the only eligible voters through established credentials at the beginning of Congress,
- e. Handle all Protests,
- f. Count and Confirm Elections Results.
- g. The IEC shall have the Chief Electoral Officer.
- h. For the NEC elections the Chief Electoral Officer shall submit the report of the elections at the first meeting of the NEC after the NC

##### **2. Nominations to the NEC**

- a. Nomination shall be by Provinces,
- b. In order for the nomination to be in the final list, it must be supported by at least four Provinces or,
- c. A name shall be on the final list if raised from the floor and supported by at least one third of delegates.

##### **3. Nomination to the PEC**

- a. Nomination shall be by Branches
- b. In order for the nomination to be on the final list, it must be supported by at least one third majority of the branches present at the PC or,
- c. A name shall be on the final list if raised from the floor and supported by at least one third majority of delegates.Â Â Â Â Â Â Â Â Â Â Â Â

##### **4.Â Â Â Â Nomination to the REC**

- a. Nomination shall be by Branches
- b. In order for the nomination to be on the final list, it must be supported by at least one third majority of delegates present at the RC

##### **5.Â Nomination to the BEC**

- a. Nomination shall be by members of the Branch
- b. In order for the nomination to stand it must be supported by at least one third majority of members present at the AGM

##### **6. Balloting for the NEC**

- a. There shall be two ballot papers
- b. The first ballot shall be for the President, Deputy President, Secretary General, Deputy Secretary General and Treasurer General,
- c. The second ballot shall be for the other additional members provided for in the constitution,
- d. Only members of the IEC and Provincial Secretaries shall be allowed at the voting and counting station/s, with the latter as observersÂ
- e. After counting the Chief Electoral Officer shall announce the results during Congress.

##### **7.Â Balloting for the PEC**

- a. There shall be two ballot papers.
- b. The first ballot shall be for the Provincial Chairperson, Provincial Deputy Chairperson, Provincial Secretary, Provincial Deputy Secretary and Provincial Treasurer.

- c. The second ballot shall be for other additional members provided for in the Constitution.Â Â Â
- d. The Chief Electoral Officer shall after counting announce the results during PC.

### **35. Section Thirty-Five**

#### **Voting.**

##### **1. Eligible to vote**

- a. Voting at the NC shall be by delegates and the NEC
- b. Congress shall be attended by delegates democratically elected from BGM,
- c. Voting at the PC shall be by Branch delegates, REC and PEC,
- d. Voting at the branches shall be by branch members,
- e. Voting at all meetings shall be by show of hands unless the meeting decides otherwise,
- f. The term of office for elected members shall be one year for BEC, REC and PEC, the NEC shall be two years.
- g. Voting at the NC and PC shall be by branches existed not less than two months before the National or Provincial Congress.
- h. Voting at the NC and PC shall be proportional, guided by the number of members a branch has.
- i. Voting at the AGM shall be by members joined not less than four weeks before the AGM.Â Â

##### **2. Eligibility to be elected**

- a. A person shall be elected in to the BEC provided he/she joined the Organisation four weeks before the AGM
- b. A person shall be elected in to NEC or PEC provided she/he joined the Organisation one year before the NC or PC.Â

### **36. Section Thirty-Six**

#### **Protests**

1. Any Protest regarding the elections must be handed in writing to the IEC within twenty-four hours of the announcement of the elections results,
2. Protests must have the support of at least one third of branches present at the NC or PC.Â
3. The Chief Electoral Officer shall have the final decision on any protest.Â Â Â
4. In case of a successful protest, new elections shall be held within twelve hours.

### **37. Section Thirty-Seven**

#### **Headquarters.**

The site for the National Headquarters of the organization shall be determined by the NEC and endorsed by the National Congress.

### **38. Section Thirty-Eight**

#### **Alumni and Convocation**

There shall be Alumni and Convocation of the organisation.Â Â

### **39. Section Thirty-Nine**

#### **Amendment to the Constitution**

Any amendment to this constitution shall be submitted to National Congress for consideration and shall be passed by a two-thirds majority vote.

### **40. Section Forty**

## **Dissolution**

1. The National Congress of the South African Students Congress shall be entitled to decide on the dissolution of the organisation. Such a decision shall be subjected to adoption or rejection at the National Congress by a two-thirds vote.
2. Upon dissolution or winding up, the assets of the organisation, remaining after satisfaction of all its liabilities shall be entrusted in the hands of any person as decided by Congress for disposal.

## **41. Section forty â€œ One**

**Structure of the South African Students Congress shall be as follows:**

1. National Congress
2. National General Council
3. National Executive Committee
4. National Working Committee
5. Provincial Congress
6. Provincial General Council
7. Provincial Executive Committee
8. Provincial Working Committee
9. Regional Congress
10. Regional Executive Committee
11. Branch Annual General Meeting
12. Branch Executive Committee
13. Branch General Meeting

## **42. Section Forty â€œ Two**

### **Definition Clause**

**Explanation of the terms used in the Constitution.**

1. SASCO shall mean the South African Students' Congress
2. NC shall mean the National Congress
3. NGC shall mean the National General Council
4. NEC shall mean the National Executive Committee
5. NWC shall mean the National Working Committee
6. PC shall mean the Provincial Congress
7. PGC shall mean the Provincial General Council
8. PEC shall mean the Provincial Executive Committee
9. PWC shall mean the Provincial Working Committee
10. RC shall mean the Regional Congress
11. REC shall mean the Regional Executive Committee
12. AGM shall mean Annual General Meeting
13. BEC shall mean the Branch Executive Committee
14. BGM shall mean the Branch General Meeting
15. Ex officio member shall mean a member without voting powers
16. Simple majority shall mean fifty plus one
17. One third majority shall mean 33%
18. Two thirds majority shall mean 66%
19. Absolute majority shall mean two third majorities
20. IEC shall mean the Independent Electoral Commission
21. SASCO member shall mean any registered student who has paid the subscription fee
22. Delegate shall mean any person who is having voting powers.

## **South African Students Congress**

### **Code of Conduct**

### **Annexure to the Constitution**

#### **1. Introduction**

- SASCO is an independent student organisation of South Africa pursuing tertiary education and further education and training transformation, in order to meet its aims and objectives, all its members have voluntarily joined accepting its common discipline,
- The basic rights and duties of all members are therefore set out in the Constitution,
- This document must therefore be seen as complementing and reinforcing rather than replacing or modifying the fundamental principles of the organisation as stated in the Constitution,
- The Code of Conduct seeks to create our own standards based on the traditions of our struggle in line with our strategic objectives and convictions,
- This is a document which by its nature needs to be studied and understood by the whole membership, for in last resort, it is higher political consciousness and the voluntary assumption of rights and duties by the members, which lies at the heart of the discipline of our members and Cadres.

## **2. Objectives of the Code of Conduct**

1. Promote and protect the principles of the Organisation
2. Promote and defend the rights of SASCO members
3. Ensure the creation of a just and fair procedure for members
4. Afford an opportunity for members to defend themselves
5. Ensure that every member of SASCO is presumed innocent until proven guilty

## **3. Classification of offences**

### **3.1. Grave offences against the organisation**

- a. Any offence aimed at destroying the integrity of the organisation, its personnel, property, or its fighting capacity, shall be considered a grave offence.
- b. A grave offence shall be committed by a person who inter alia:

### **3.2. With intent to destroy the integrity of the organisation, its personnel, property or its fighting capacity:**

- a. Sabotages the activities of the organisation,
- b. Creates divisions within the ranks of the organisation,
- c. Impair its proper functioning,
- d. Attacks or threatens to attack or put in jeopardy its personnel, property, and programmes,
- e. Does any thing or act in a calculated manner deemed to undermine its effectiveness as an organisation,
- f. Sexual Violence.

### **2.3 Infiltrate the organisation acting on behalf or in collaboration with:**

- a. Other organisations, groups or person hostile to the policies and principles of SASCO,
- b. Any person or group who wishes to destroy the organisation or prevent it from fulfilling its set aims and objectives.

## **3. Serious Offences**

1. Any violation of the principles of the organization and standards of behaviour expected of members, which seriously threatens the safety, property, good name of SASCO or which impedes its functions, or which relates or is calculated to create disunity and demoralization amongst its members, shall be considered a serious offence.

### **2. Such Offences shall include:**

1. Acting in a manner that exposes members to serious harm or death,
2. Deliberately destroying the property of the organisation or recklessly exposing it to danger,
3. Behaving dishonestly in respect of the property of the organisation,
4. Carelessly passing information that may be of substantial use to the opponents of the organisation,
5. Espionage,
6. Accepting or seeking to accept any illicit reward for performing or not performing any task(s) on behalf of the organisation,
7. Abusing office by using one position to obtain material or sexual favours or other undue advantages from members or other persons,

8. Fighting or behaving in a grossly disorderly or unruly manner,
9. Dealing in and consuming drugs,
10. Persistently sowing racial, tribalism, regionalism and sexism in the organisation,
11. Behaving in such a way as to provide serious divisions and a break down of unity in the organisation,
12. Sexually assaulting or in any other way seriously offending the dignity of members,
13. Persistently and without cause undermining the respect for or impeding the functioning of the structures of the organisation,
14. Engaging in organized factional activity that goes outside the recognized norms of free debate in a manner that threatens the unity of the organisation

#### **4. Violations of Discipline**

1. Any person who acts in a un comradely fashion or manner and breaches the standard of conduct normally expected of members, and whose behaviour is not so serious to constitute a grave offence, shall be guilty of violation of discipline,

2. In addition to all the forms of misconduct mentioned in this code of conduct and other official documents of the organisation, violation of discipline shall include:

- a. Rowdy and aggressive behaviour,
- b. Abusive and disrespectful behaviour to other comrades,
- c. Gossiping maliciously to set comrades against each other,
- d. Carelessness in relation to the property of the organisation,
- e. Interfering and disrupting the orderly functioning of the organisation
- f. Any negligent behaviour that harms or threatens to harm the organisation and or its members

#### **5. General Guiding Principles for Classifying Offences and Violations of the Code of Conduct:**

1. The difference between a grave offence and serious offence lie in the degree to which the offender(s) conduct is directed towards destroying, subverting, neutralizing the effectiveness of the organisation,
2. The difference between a serious offence and a violation of discipline lie in the degree of intent of the offender, the extent of the actual and or potential harm to the organisation, the extent of the repetition and what would normally be regarded as a breach of discipline.

#### **6. Schedule of Penalties**

1. Should one be found guilty of a grave or serious offence or violation of discipline, **the following shall be the sentences available;**

- a. Re deployment,
- b. Demotion,
- c. Deposition,
- d. Temporary forfeiture of membership rights,
- e. Suspension,
- f. Expulsion.

#### **7. Disciplinary Procedure**

##### **1. Adjudicating Bodies**

- a. A complainant shall lay a charge in writing with the Secretary of the Branch, who shall bring such a complaint to the attention of the BEC.
- b. The BEC shall after reading such a complaint decide whether to refer the issue to the Branch Disciplinary Committee or not.
- c. The Disciplinary Committee shall in writing notify the respondent about the complaint raised against him/her.
- d. The Disciplinary Committee shall in writing notify all the parties involved about the date, venue and time of the hearing.
- e. After hearing all the parties involved and or interacting with whatever evidence, the Disciplinary Committee shall recommend to the BEC on the penalty to be delivered.

- f. The BEC shall by simple majority of its BEC members take or reject the Disciplinary Committee's recommendations. In case of a rejection the BEC must in writing provide reasons for such a rejection to the Disciplinary Committee.
- g. In case the BEC takes or adopt such recommendations, the issue shall be referred to the Branch General Meeting for ratification. In case the recommendation involves expulsion, the issue shall be referred to the National Congress.
- h. The executive committee of a branch shall appoint a Disciplinary committee of five, which shall be chaired by the Deputy Chairperson of the Branch. Three of the five must be none BEC members
- i. The PEC or NEC shall during the provincial or National Congress or Council constitute a Disciplinary Committee, which shall adjudicate matters arising during the meeting.

## **2. Suspension**

- a. When a member is suspended, the organ suspending him/her shall state the period, which shall not exceed one month and conditions of such suspension,
- b. In respect of serious offences, the period of suspension shall not exceed two months.

## **3. Reprimand**

Reprimand shall be in public (in the presence of as many fellow members) here the organisations media apparatus shall be utilized if necessary or and appropriate. The objective of a reprimand shall not be to humiliate the person concern, but to remind him/her and the whole membership of the standards expected of members, and to reinforce a sense of unity and shared values in the organisation.

## **4. Demotion**

A member who holds a position of responsibility in the organisation will be demoted if the continued holding of the position is indefensible owing to the conduct or failure to act or is in explicable or embarrassing because of a particular transgression.

## **5. Recommendations for Expulsion**

A recommendation for expulsion for an offence classified as grave or serious lies within the power of the adjudicating body, but is to be ratified by National Congress

## **6. Right of Appeal**

An accused or member who has been found guilty of a particular offence shall have a right of appeal to a senior organ. The National executive Committee shall be the Supreme Appeal Body in between Congresses. In case of the accused being an NEC member the Supreme Appellate Body in between Congresses shall be the National General Council.

## **7. The Branch Structure and its Powers over Violations of Discipline**

The Branch Executive Committee shall be competent to deal with all categories of misconduct and impose appropriate penalties prescribed in this Code of Conduct with the exclusion of the penalties, which would amount to expulsion.