

MAKANA CITIZENS FRONT



DEED OF FOUNDATION & CONSTITUTION

(SUBSTITUTING)

BACKGROUND

1. The Makana Citizens Front (MCF) was founded on 16 June 2021 after a service delivery protest and total shutdown.
2. MCF builds on campaigns of numerous civil society organizations that attempted to call the government to account including letters, meetings, petitions and High Court actions.
3. Having entered the fray of local government elections, we have met to refine our constitution and elect a management committee to take us through the elections and act as an interim executive.
4. This document was accordingly adopted as the Deed of Foundation & Constitution of MCF on 5 October 2021 and will be duly filed with the IEC substituting the previous Deed of Foundation & Constitution of the MCF as submitted to the IEC. It remains a working document.

AIMS, OBJECTS & PRINCIPLES

5. The following are the aims, objects and principles of MCF:
 - a. to promote the election of public representatives who are directly accountable to the constituency which they serve;
 - b. to achieve effective local government and efficient service delivery in Makana;
 - c. to eliminate nepotism and corruption and to hold to account those who have been guilty of corruption at any level of local government in Makana;
 - d. to promote the best interests of all who work and live in Makana;
 - e. to promote democracy, equality and the human dignity of all who live in Makana.
6. The above aims and objects will be achieved adherence to the following principles:

- a. to field only credible candidates of good standing and stature in the community who have signed MCF Code of Conduct;
- b. that anyone participating in any capacity with the MCF, including registered voters attending any general or special meeting, commits themselves to upholding the MCF's Deed of Foundation & Constitution and/or amended Deed of Foundation & Constitution, and to promote the exclusive interests of MCF;
- c. that MCF candidates undertake, if elected, to exercise an autonomous vote on all matters pertaining to local government in Makana, accountable to the community;
- d. that MCF public representatives at all times work to reach consensus on particular issues but have the freedom to vote according to their autonomous discretion subject to the right of recall by the community, as outlined in Section 9.k;
- e. that MCF public representatives and office bearers are subject a code of conduct that shall be adopted by the Interim Executive/Management Committee and will be binding.

7. Membership of the MCF shall be open to all registered voters and residents of Makana.

STRUCTURES – see Appendix 1

8. Electoral College/Selection Committee; Interim Executive/Management Committee

- a. the duly elected Electoral College/Selection Committee of the MCF will also constitute the founding interim executive/management committee of the MCF until after the announcement of the 2021 election results;
- b. it will comprise a minimum of eight persons with the right to co-opt alternative (in the event of a vacancy) or additional members up to a maximum of 12 persons;
- c. it will choose its own Interim Chairperson and will determine the criteria and procedures to be adopted for the selection and nomination of candidates with strict regard to the MCF's aims, objects & principles;
- d. ward candidates may serve on the Electoral College/Selection Committee; Interim Executive/Management Committee but must recuse themselves from the selection process for the ward in which they are standing;
- e. members of the Electoral College/Selection Committee; Interim Executive/Management Committee may be considered for selection as PR candidates;

- f. the Interim Chairperson will have a casting vote in respect of all matters that are put to the vote which can be done at the discretion of the Chairperson.

9. Executive/Management Committee

- a. The Interim Executive/Management Committee will continue until the holding of the first General Meeting of the MCF which must be held within 60 days after the announcement of the results of the 2021 local government election;
- b. Elected public representatives of the MCF (Ward and PR) are automatically members of the Executive/Management Committee but may not serve as office bearers;
- c. The Executive/Management Committee of the MCF must comprise a minimum of an 6 members with the power to co-opt alternative (in the event of a vacancy) or additional members up to a maximum of 12 members excluding elected public representatives, both ward and PR;
- d. Annual General Meetings must be held within 60 days before or after the anniversary of the first general meeting following a local government election;
- e. The quorum for ordinary meetings of the Executive Committee will be 50% of the total number of its members excluding public representatives and 50% of the elected public representatives.
- f. Members, including public representatives, who do not attend three ordinary meetings of the Executive/Management Committee between Annual General Meetings of the organisation without valid or satisfactory explanation, will be liable to removal at the discretion of the Executive/Management Committee subject to Clauses 9(j) & (k) below.
- g. The quorum for General Meetings, Annual General Meetings and Special General Meetings is 50 registered voters including members of the Executive Committee and elected public representatives.
- h. The primary function of the Executive/Management Committee is to uphold the MCF's Deed of Foundation & Constitution and to monitor the performance of the MCF's elected public representatives (both Ward and PR) individually and collectively in adhering to and the aims, objectives and principles of the MCF.
- i. The latter function will at all times be carried out in consultation with the relevant constituencies of the elected public representatives both ward and PR from which input must be obtained as regards the performance of the MCF's public representatives individually and collectively.
- j. Members of the Executive/Management Committee (apart from elected public representatives) may be removed by a 2/3 majority of the Executive/Management Committee, including elected public representatives, who are present at a duly constituted meeting and on a motivated motion presented at least 14 days prior to such meeting.

- k. An elected Public representative may be removed following a process initiated by a motivated motion supported by the signatures of a minimum of 100 registered voters of the public representative's constituents. This motion must be reviewed by the MCF Management Committee. A 2/3 majority of the MCF Management committee is required to convene a disciplinary committee that will hear the case for removal.

NOTE: The constituents of a ward councillor are the registered voters of the ward councillor's ward; the constituents of a PR councillor are the registered voters of Makana (which definition applies wherever the term constituent/s is referred to in the Deed of Foundation & Constitution of the MCF)

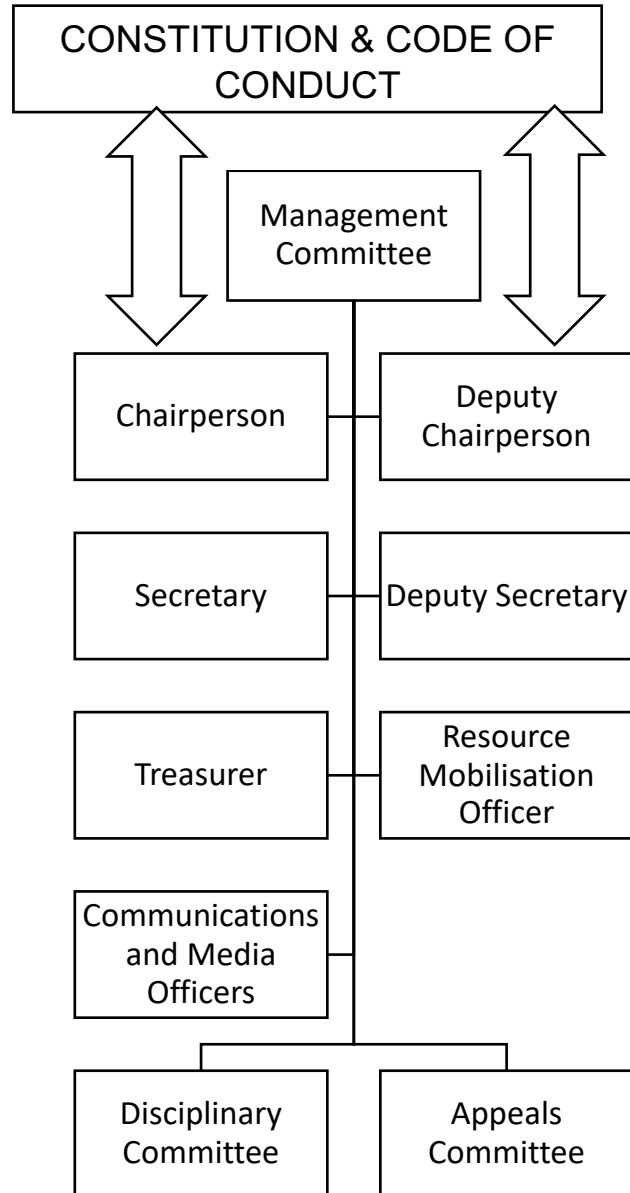
- l. The Chairperson of the Executive/Management Committee will have a casting vote in respect of all matters that are put to the vote which can be done at the discretion of the Chairperson.

AMENDMENTS TO DEED OF FOUNDATION & CONSTITUTION

- 10. Any clauses of this document can only be rescinded or amended at an Annual General Meeting of the MCF by a 2/3 majority of registered voters in attendance including members of the Executive/Management Committee and elected public representatives.
- 11. The proposal and motivation for any such rescission or amendment must be received at least 14 days prior to the date of the Annual General Meeting and must be supported by a minimum of 50 registered voters who must be in attendance and/or represented by a proxy with their formal written consent.

Appendix 1

ORGANISATIONAL STRUCTURE FOR MAKANA CITIZENS FRONT



DULY CONSIDERED, ADOPTED & SIGNED BY THE UNDERSIGNED OFFICE BEARERS OF THE; INTERIM EXECUTIVE/MANAGEMENT COMMITTEE AT MAKHANDA ON THIS THE _____ DAY OF _____, 2021.

1. Chair

NAME IN CAPITALS

SIGNATURE

WITNESS:

2. Secretary

NAME IN CAPITALS

SIGNATURE

WITNESS:

WITNESS:

_____ ENDS