



Civil Servants Pension Redress Movement

Est. 23 May 2019 |, South Africa (NPO 248-387)

Mr. Stephen Sass

(National Chairman)

+27 66 039 5350

stephen.sass@cspm.org.za

Paul Fisher

(National Vice Chairman)

+264 81 129 4425

paulef@iway.na

Mr. Bernard Wentzel

(National General Secretary)

+27 76 748 4767

bernard.wentzel@cspm.org.za

National Office Work Address: 29 Barnabas Shaw Road, Sir Lowry's Pass, W/Cape

31 July 2024

The National Chairman, ManCom Members, National Research and Planning Portfolio Committee Members, Provincial/ Namibia Executive Committee members, CSPRM Portfolio Committee Members; Regional and Branch Executive Committee members the CSPRM Members.

According to the Constitution Section: 5.1.3.2, the National Chairman in accordance with the decision taken at the National Executive Committee, NEC, meeting held 23 May 2024, called for a Special National Congress (Zoom) meeting to be held on Monday 6 September 2024 for the purpose to discuss and decide on such amendments to the present approved CSPRM Constitution.

A notice for this Special National Congress (Zoom) meeting was sent to all CSPRM Structures and Members on 21 June 2024 with an urgent request to submit proposals for any amendments to the CSPRM Constitution on or before Wednesday 21 August 2024 to the General Secretary.

The following is a draft submission on Research Proposals to amend the present approved CSPRM Constitution.

It must be emphasized that such proposals are based on the growth of the CSPRM since 2021, the many policy changes that were decided upon as well as the broader Socio Economic and Political developments in SA and Namibia.

It is therefore important that the proposals to amend the CSPRM present approved Constitution must be a holistic approach. It must consider that the Constitution must be overviewed in its totality. This implies that when proposals to specific sections of the Constitution are made, the result thereof must also be considered how it impacts on other sections of the Constitution.

This is only a draft submission and should serve as a basis for more submissions and proposals for possible amendments to the CSPRM Constitution.

Taking the above into account, I wish to submit the following specific proposals to amend the present approved (2021) CSPRM Constitution: Further details will be given and discussed at CSPRM meetings and also written replies on requests from members.

NB: It will also serve as an agenda item at the planned (Zoom) extended National Executive Committee planned for Thursday 15 August 2024.



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NB: **The blue notice = indicates that the relevant proposals need to be discussed and if accepted, be recorded.**

NB: **The RED notice = indicates that the proposals, if accepted, must be deleted.**

1. Specific Proposals

1) Table of Contents: Chapter Four: Management and control of the Organisation

Part Two: Organization Structure

Chapter 5: National Structures: 5.3 -National Finance Committee/ ~~and Human Resources Committee: (delete)~~

Proposed that: -this be deleted as it is a function that is proposed to be delegated to The CSPRM Executive Management Committee (ManCom)

2) CHAPTER 6: Provincial Structures

- 6.1 Annual Provincial Congress
- 6.2 Provincial ~~Executive~~ Committee ~~(delete)~~
- 6.3 **Provincial Executive ManCom Committee**
- 6.4 ~~Provincial Finance Committee (To be debated?)~~
- 6.5 ~~Provincial Human Resource Committee (delete)~~
- 6.6 Provincial Portfolio Committee
- 6.7 Province under curatorship

3) CHAPTER 7: Regional Structures

- 7.1 Annual Regional Congress
- 7.2 Regional ~~Executive~~ Committee ~~(delete)~~
- 7.3 **Regional Executive ManCom Committee**
- 7.3 ~~Regional Finance Committee (To be debated?)~~
- ~~7.4 Regional Human Resource Committee ((delete)~~
- ~~7.5 Regional Portfolio Committee (To be debated?)~~

4) CHAPTER 8: Branch Structures

- 8.1 Annual Branch Congress
- 8.2 Branch Executive Committee
- 8.3 ~~Branch Finance Committee (delete)~~
- 8.4 ~~Branch Human Resource Committee (delete)~~
- 8.5 ~~Branch Portfolio Committee (delete)~~

5) **ANNEXURES: (That this reference be replaced by a statement which declares that the performance of these functions will be vested in the ManCom Executive**



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[Committee and that Sections 2.4 \(Suspension, or Expulsion from Membership\) and 18 will be incorporated into the new process documents needs to be drafted.](#)

~~ANNEXURE A: DISCIPLINARY CODE AND PROCEDURE FOR MEMBERS OF STAFF~~

~~ANNEXURE B: APPOINTMENT PROCEDURES FOR MEMBERS OF STAFF~~

6) PART 1: THE ORGANISATION **CHAPTER 1: FOUNDING PROVISIONS**

1.1 Offices

A head office shall be established to carry out the administration of the Organisation in accordance with the policies of the Organisation at such address as may be determined by the Organisation from time to time, due regard being had to the Organisation's leasing commitments and/or immovable property holdings from time to time. ~~The National Executive Committee can decide to open Branch Offices depending on the demand and financial/Budget provision?_(To be debated?)~~

1.5 Mission

- 1.5.1 To represent, engage and bargain on behalf of **all former civil servants of South Africa** on structures such as, but not limited to, the Government Employee Pension Fund (GEPF) and the Government Pensions Administration Agency (GPAA);
~~(To be debated! Inclusion of Namibia and former SATBVC State employees?)~~
- 1.5.8 To establish a **movement that can address common matters of concern?** to the members, which impact negatively on their well-being and dignity; and
~~(To be debated! Clarity on the statement"~~ that can address common matters of concern to the members?)
- 1.6.1 To seek negotiating possibilities and platforms **with the South African Government?** with the purpose of influencing a more progressive, competitive, safer, sounder **and more prosperous South African society? and in particular a better life for the senior citizens of our country?**
~~(To be debated! Inclusion of Namibia and former SATBVC State employees?)~~
- 1.6.3 **To seek the immediate bargaining independence of the GEPF from the activities and decisions of the Public Service Coordinating Bargaining Council (PSCBC)?** as it pertains to the bargaining process or any other matter concerning civil servants currently in the employ of the State and members of trade unions that represent such civil servants, as opposed to former civil servants who are no longer in the service of the State, and due to their status as former civil servants, bear no membership of trade unions anymore;
~~(To be debated! Clarity on the statement"?)~~
- 1.6.10 **To meet annually** as a national body for former civil servants to deliberate on contemporary, relevant and applicable issues that may affect their livelihood and well-being **in South Africa**, yet also to enjoy social interaction.



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(To meet “annually?” **on a regular basis!! -in South Africa?** Inclusion of Namibia and former SATBVC State employees?) To be debated

1.7 Means of achieving Objectives

1.7.3 Raising funds for any purpose which may be deemed necessary, including, but not limited to the raising of funds **through sponsorships with corporate South Africa?** Government, charitable organisations and the international community and individuals. **(To be debated! Inclusion of Namibia and former SATBVC State employees?)**

1.9 Scope

The Organisation may operate anywhere in the **Republic of South Africa and Namibia? and is open to any former civil servant.**

(To be debated! Inclusion of International members?)

CHAPTER 2: MEMBERSHIP

2.1 Qualification for Membership

2.1.1 To be eligible for membership in the Organisation, a person:

2.1.2 No former civil servant may be rejected as a member of the Organisation on any basis that constitutes **“unfair discrimination in terms of section 9 of the Constitution of the Republic of South Africa, 1996.” Only??**

(To be debated! Clarity on the statement”?)

CHAPTER 4: Management and control of the Organisation

4.1 Subject to the provisions of this Constitution the affairs of the Organisation shall be managed and controlled, and its powers and functions performed by –

4.1.1 A National Congress of Delegates.

4.1.2 A National Executive Committee.

4.1.3 A National Finance Committee.

4.1.4 ~~A National Human Resources Committee. (to be deleted)~~ **(To be included in the role and functions of The ManCom Executive Committee**

4.1.5 National Portfolio Committees provided for in this Constitution and as established by National Congress or the National Executive Committee.

4.1.6 Ad hoc committees appointed by the National Executive Committee; **The ManCom Executive Committee) and**

4.1.7 The Provincial Structures of the Organisation including a Provincial Congress, Provincial Committee, **Provincial ManCom Executive Committee**; Provincial Finance Committee, ~~Provincial Human Resources Committee, (to be deleted)~~ Provincial Portfolio Committees; Regions and Branches.

4.2 All national committees and ad hoc committees shall report to **The ManCom Executive Committee, who must in turn submit regular progress reports** to the National Executive Committee and all provincial committees and branches shall report to the Provincial Executive ManCom Committee, **who must in turn submit regular progress reports to the Provincial Committee. To be debated!**



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4.3 All structures of the Organisation shall be bound by the Constitution of the Organisation, whilst every structure shall act in accordance with Rules established by **higher structures of the Organisation? ("by The National ManCom Committee in conjunction with the National Executive Committee) To be debated!**

4.4 Notwithstanding clause 4.3, a **Provincial Executive ManCom Committee** may propose Rules and Standing Orders specific to that Province, provided it be submitted to **The National Executive ManCom Committee for approval? (To be debated!)**

PART TWO: ORGANISATIONAL STRUCTURES **CHAPTER 5: NATIONAL STRUCTURES**

5.1 NATIONAL CONGRESS ("NC")/

5.1.2 Composition

5.1.2.1 The National Congress shall comprise the following delegates:

5.1.2.1.1 The National Chairperson (as Chairperson);

5.1.2.1.2 The National Deputy Chairperson.

5.1.2.1.3 The National Treasurer and The Deputy National Treasurer

5.1.2.1.4 The Chairperson of each Province (SA) and Namibia

5.1.2.1.5 The Chairperson of each National Portfolio Committee.

5.1.2.1.6 The National General Secretary and Deputy National General Secretary (ex officio);

5.1.2.1.7 Provincial Secretaries of those provinces where such a post has been established (ex officio); and

5.1.2.1.8 Additional delegates from Regions as determined by proportional representation and appointed by each of the ~~Provincial Executive Committees (To be debated!)~~ (Provincial Executive ManCom Committee) of the Organisation

NATIONAL EXECUTIVE COMMITTEE ("NEC")

5.2.1 Composition

5.2.1.1 The National Executive Committee shall comprise–

5.2.1.1.1 The National Chairperson (as Chairperson).

5.2.1.1.2 The National Deputy Chairperson.

5.2.1.1.3 The National Treasurer and Nat. Deputy Treasurer

5.2.1.1.4 The Chairperson of each Province (SA) and Namibia

5.2.1.1.5 A representative of each National Portfolio Committee.

5.2.1.1.6 The National General Secretary ((ex officio); The deputy National Secretary and

4.5 5.2.1.1.7 The Provincial / ~~Namibia/~~ Secretary ~~and the Provincial /Namibia/ Treasurer of each Province (SA) and Namibia) (ex officio) of those provinces where such a post has~~



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5.2.4.2.13 to perform any disciplinary processes and procedures as contained in this Constitution and/or ~~it's~~ **the Rules as stated in the CSPRM Policies and Procedure Manual.**

5.3 National Management Committee NB Presently the Powers, Roles and Functions of the National Executive Management Committee is stipulated in the delegated decisions of the National Executive Committee and Congresses held over the past 3 years. NB It is now very important that these Powers, Roles and Functions be clearly defined in the Revised

Constitution. NB The Extended Role and Functions of the National Management Committee which will include the previous Functions of the National Human Resource Committee as stipulated in Section 5.3.2. The Section 5.3.2.2 will be further amended to authorize the National Executive Management Committee to determine the condition of service of all members of staff.

5.3.2 ~~The National Human Resources Committee~~ (New role and functions of Executive ManCom)

~~5.3.2.1—The National Human Resources Committee shall consist of:~~

~~5.3.2.1.1—The National Deputy Chairperson as Chairperson.~~

~~5.3.2.1.2—The Chairperson of each Provincial Human Resources Committee.~~

~~5.3.2.1.3—National General Secretary (ex officio); and~~

~~5.3.2.1.4—The National Treasurer and~~

~~5.3.2.1.5—Two representatives elected by members of staff of the Organisation.~~

~~5.3.2.2—The National Human Resources Committee shall advise the National Executive Committee on the conditions of service of all members of staff of the Organisation and shall meet at least twice per year~~

6.3.2 Composition of the Provincial /Namibia**/Executive Committee**

6.3.2.1 The PEC is composed of:

6.3.2.1.1 the Provincial/**Namibia** Chairperson,

6.3.2.1.2 Provincial /**Namibia**/Deputy-Chairperson

6.3.2.1.3 the Chairpersons of the Regional Executive Committees

6.3.2.1.4 Provincial / **Namibia**/Treasurer and Provincial/**Namibia**/ Deputy Treasurer

6.3.2.1.5 Provincial/**Namibia**/ Secretary and Provincial/**Namibia**/ Deputy Secretary.

6.3.2.1.6 Secretary of each Regional Executive Committee; and

6.3.2.1.7 ~~provincial officials except that they do not have voting rights at the PEC meeting. (Ex Officio)~~



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6.3.3.10 ~~to perform any disciplinary processes and procedures as contained in this Constitution and/or its Rules. (This Role and Function will now be performed by the National Executive Management Committee (ManCom))~~

5.3.6 Provincial /Namibia Committee (PC) (See structure as stated in Section 5.2 National Executive Committee). It is proposed that a similar structure should be established which will be a representative body of all the relevant office bearers of the specific Province /Namibia)

6.5 Provincial/ Namibia/ Finance ~~and Human Resource~~ Committee (Role and Functions of Executive Management Committee (ManCom))

6.5.2 ~~Provincial Human Resources Committee~~

NB The Extended Role and Functions of the National Management Committee which will include the previous Functions of the National Human Resource Committee as stipulated in Section 5.3.2. The Section 5.3.2.2 will be further amended to authorize the National Executive Management Committee to determine the condition of service of all members of staff.

~~6.5.2.1 The Provincial Human Resources Committee shall consist of the following persons:~~

~~6.5.2.1.1 The Vice Chairperson of the Province as Chairperson.~~

~~6.5.2.1.2 The Provincial Secretary; Provincial Treasurer~~

~~6.5.2.1.3 An elected representative of the members of staff of the province.~~

~~6.5.2.2 The Provincial Human Resources Committee shall meet at least two times per year.~~

~~6.5.2.3 The Provincial Human Resources Committee shall advise the Provincial Executive Committee on the conditions of service of members of staff of the Organisation within the Province.~~

Province under curatorship

In a province where the National Executive Committee has, -----

~~. Members of staff employed in such a province shall report to the National General Secretary or the relevant Provincial Secretary.~~

7.3.3 Composition of the Regional Executive Committee

7.3.3.1 The REC is composed of:

7.3.3.1.1 the Regional Chairperson, Regional Deputy-Chairperson, Regional Treasurer and Regional Secretary.

7.3.3.1.2 the Branch Chairperson, the Branch Secretary; and

7.3.3.1.3 ~~regional office staff, except that they do not have voting rights at the Regional Executive Committee meeting.~~



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7.4.2 Powers of the Regional Congress

7.4.2.1.5 ~~liaise with the Provincial Office Bearers and the National Office Bearers on the employment of officials, subject to the National Executive Committee determining the terms of employment of such officials.~~

7.4.3 Composition of the Regional Congress (RC)

7.4.3.1 The RC is composed of: ---and 7.4.3.1.4 ~~all regional officials (members of staff), except that they do not have voting rights at the Regional Congress meeting.~~

7.4.3.2 Each branch may appoint **one?** delegate for **each 50 members? (please discuss?)**, or portion thereof, in that branch, but every delegate must be a member in good standing at the time of appointment, and at the time of the Regional Congress meeting for which they are selected as a delegate.

8.3 Branch Executive Committee

8.3.3 Composition

8.3.3.3 ~~and branch Staff members, except that they do not have voting rights at the Branch Congress meeting.~~

8.4.3 Composition of the Branch Congress

8.4.3.1 The Branch Congress is composed of the Branch Chairperson, Branch Deputy-Chairperson, Branch Treasurer and Branch Secretary and the delegates as stated in sections 8.4.4.2 and 8.4.4.3

8.4.3.2 ~~and branch Staff members except that they do not have voting rights at the Branch Congress meeting.~~

PART THREE: THE ORGANISATIONAL LEADERSHIP

CHAPTER 9: NATIONAL LEADERSHIP

9.1 Composition

The National Leadership of the Organisation shall be the National Chairperson, the National Deputy Chairperson, the National Treasurer, the National Deputy Treasurer, the National General Secretary, and at least three (3) other persons **(to be discussed who appoints the three other persons? / ManCom?)**

9.2.7 Powers and functions

9.2.7.1 The National Chairperson

9.2.7.1.1.1 to preside as chairperson over meetings of the National Congress and the National Executive Committee. **(and Executive ManCom)**



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9.2.7.2 The National Deputy Chairperson

9.2.7.2.1 The National Deputy Chairperson shall preside as chairperson over meetings of the National Finance Committee ~~and National Human Resources Committee, respectively.~~

9.2.7.4 The National General Secretary

9.2.7.4.1 The General Secretary is responsible for all correspondence and notices including

9.2.7.4.1.1 tabling correspondence where necessary, at NEC meetings. **(and National Executive ManCom)**

9.2.7.4.1.2 sending out notices and minutes of all meetings of the NC, NEC **(and National Executive ManCom)** and other related committees and sub-committees.

9.2.7.4.2 reports including –

9.2.7.4.2.1 the preparation, in conjunction with the National Treasurer, and circulation of the Financial Annual Report which must include statements of income and expenditure and the balance sheet; and

9.2.7.4.2.2 the circulation of the auditor's report and annual Budget to the **(National Executive ManCom), NEC and National Congress.**

9.2.7.4.3 general co-ordination and supervision including –

9.2.7.4.3.1 office work and administration of the affairs and activities of the Organisation; and

9.2.7.4.3.2 ~~the supervision of staff and the Provincial Secretaries,~~

9.2.7.4.3.3 other duties including tasks issued by the NC, NEC **and National Executive ManCom.**

CHAPTER 10: PROVINCIAL EXECUTIVE LEADERSHIP

10.2 Nominations

10.2.1 Each Region may nominate a maximum of one member for each of the positions of Chairperson, Deputy Chairperson, Treasurer, Deputy Treasurer, Secretary and Deputy Secretary.



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10.2.2 For a nomination to be valid the nominee –

10.2.2.1 **must be nominated by at least two Regions; or (needs to be discussed)**

10.2.2.2 **shall have served on the Provincial Executive Committee of the Province. (needs to be discussed)**

10.6.3 **Provincial Treasurer**

The Treasurer shall in terms of procedures approved by the National Executive Committee **and National Executive ManCom** requisition moneys authorised by the Provincial Executive Committee or by Provincial Congress from an annual grant of funds of the Organisation as decided by the National Executive Committee **and Executive ManCom. (discuss)**

The role and functions of the Provincial Treasurer

10.6.5.1 - financial affairs including the submission of **annual audited financial accounts (discuss ?)**; annual budget; including the keeping of books and accounts as may be required by the PEC.

10.6.5.2 ~~the collection of affiliates fees.~~

10.6.5.3 the banking of monies received in the name of the Organisation.

10.6.5.4 the preparation and circulation of detailed monthly financial statements to members of the PEC, ~~and the~~ NEC **and National Executive ManCom.**

CHAPTER 11: REGIONAL EXECUTIVE LEADERSHIP

11.2 Nominations

11.2.1 Each Branch may nominate a maximum of one member for each of the positions of Chairperson, Deputy Chairperson, Treasurer and Secretary.

11.2.2 For a nomination to be valid the nominee –

11.2.2.1 **has to be nominated by at least two Regions; or (discuss?)**

11.2.2.2 **shall have served on the Regional Executive Committee of the Region for at least three of the preceding six years. (discuss?)**

11.2.2.3 Nominations must be submitted to the Regional Secretary at least 14 days prior to the Annual Regional Congress meeting at which the election of the Regional Executive Leadership is due to take place.

11.3 Elections

11.3.1 At the Annual Regional Congress, in the year in which the Organisation shall elect its Provincial Executive Leadership, the delegates shall elect a Chairperson, Deputy Chairperson, Treasurer, Deputy Treasurer and Secretary and Deputy Secretary; **provided that each of these members of the Regional Executive Leadership shall be**



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drawn from a different branch, where there are three or more branches in the province. (discuss?)

11.6 Rights and Functions of the Regional Executive Leadership

11.6.1 The Regional Chairperson

11.6.1.1 The Chairperson of a Region shall-

11.6.1.1.3 **have the right to speak on behalf of the Organisation in the Region and shall be empowered to delegate this right, provided that no public statements shall be made which conflict with policies of the Organisation. (discuss?)**

11.6.2 The Regional Deputy Chairperson

11.6.2.1 The Regional Deputy Chairperson shall –chair the Regional Finance Committee ~~and the Regional Human Resources Committee, respectively~~

11.6.3 Regional Treasurer

The Treasurer shall in terms of procedures approved by the Provincial Executive Committee requisition moneys authorised by the Regional Executive Committee or by a Regional Congress from an annual grant of funds of the Organisation as decided by the National Executive Committee.

The role and functions of the Regional Treasurer

11.6.5.2 ~~the collection of affiliates fees.~~

11.6.5.3 the banking of monies received in the name of the Organisation.

11.6.5.4 **the preparation and circulation of detailed monthly financial statements to members of the REC and the PEC. (discuss)**

12.6 Rights and Functions of the Branch Executive Leadership

12.6.1 The Branch Chairperson

12.6.1.1 The Chairperson of a Branch shall-

12.6.1.1.3 **have the right to speak on behalf of the Organisation** in the Branch and shall be empowered to delegate this right, provided that no public statements shall be made which conflict with policies of the Organisation. **(discuss?)**

12.6.2 The Branch Secretary

12.6.2.1 The Secretary of the Branch

12.6.2.1.1 forward to the Provincial Secretary of the following particulars immediately after the Annual Regional General Meeting:



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12.6.2.1.2 the annual report of the Branch Chairperson, the **annual financial statement (discuss)** and any other documentation required by the Regional Congress.

12.6.3 Branch Treasurer

The Treasurer shall in terms of procedures approved by the Branch Executive Committee requisition moneys authorised by the Regional Executive Committee or by a Branch Congress the from an annual grant of funds of the Organisation as decided by the National Executive Committee.

The role and functions of the Branch Treasurer

12.6.5.1 - **financial affairs including the submission of annual audited financial accounts; annual budget; including the keeping of books and accounts as may be required by the BEC. (discuss)**

12.6.5.2 ~~the collection of affiliates fees.~~

CHAPTER 13: FINANCIAL MATTERS OF THE ORGANISATION

13.1 The financial year of the Organisation shall be 1 January to 31 December of each year

13.2 The accounts and financial statements of the Organisation shall be audited by a nationally appointed registered auditor.

13.3 The budget of the Organisation shall be met from-

13.3.1 membership contributions and entry fees.

13.3.2 donations and bequests.

13.3.3 any other income received; and

13.3.4 accumulated funds in whatever form from whatever source.

provided that the receipt of any such funds would not constitute a breach of this Constitution. Furthermore, National Congress shall by way of resolution issue rules relating to the receipt of funds (discuss)

13.8 Funds required for a petty cash account shall –

13.8.1 not exceed the limit determined by the **Executive ManCom in conjunction with** the National Finance Committee

13.8.2 be provided by electronic transfer or cash; and

13.8.3 be kept safely in such a manner as the **Executive ManCom in conjunction with** the National Finance Committee may determine from time to time.

13.11 After the National Office annual financial statements and the consolidated annual financial statements of the Organisation have been submitted for audit to the registered auditor appointed by the Organisation and then submitted to the National Executive Committee for approval, these statements shall be countersigned by the National Chairperson, **National Treasurer** and the National General Secretary.



Civil Servants Pension Redress Movement

Est. 23 May 2019 |, South Africa (NPO 248-387)

Mr. Stephen Sass

(National Chairman)

+27 66 039 5350

stephen.sass@cspm.org.za

Paul Fisher

(National Vice Chairman)

+264 81 129 4425

paulef@iway.na

Mr. Bernard Wentzel

(National General Secretary)

+27 76 748 4767

bernard.wentzel@cspm.org.za

National Office Work Address: 29 Barnabas Shaw Road, Sir Lowry's Pass, W/Cape

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13.15 These requirements shall apply *mutatis mutandis* to the Financial Matters of each Province, Namibia, Region or Branch of the Organisation except where and as specifically stipulated otherwise in this Constitution. (discuss?)

CHAPTER 14. GENERAL MEETING PROVISION

14.7.3 Voting shall be by way of a show of hands, or in terms of Rules established on round robin voting, except –

14.7.3.1 in the case of the election of members of the National and Provincial Executive Leadership, Regional and Branch Leadership or representatives of members, in which case it shall be by way of a secret ballot, and (discuss)

14.8.5 An electronic copy of the virtual meeting shall be circulated to the members immediately after such meeting and in terms of clause 1.11 be regarded as the official minutes which is a true reflection of such meeting and be regarded as the official minutes which is a true reflection of such meeting (discuss?)

15.5.1 ~~A member of staff of the Provincial Office, assigned by the Provincial Secretary or a person appointed by the PEC, for positions at the regional and branch levels.~~

16 16.3 Ballots

“Ballot” is a method of voting in secret by marking a paper and putting it in a sealed box.

16.3.1 A ballot on any question shall be taken if the National Executive Committee so decides, and shall also be taken –

16.3.1.1 if demanded in writing by not less than 5% of the members of the Organisation.

16.3.2 Ballots shall be conducted in the following manner:

16.3.2.1 **Notice of a ballot shall be given to each member in writing by the Provincial Secretary acting on written instructions of the National General Secretary, at least three days before the ballot is to be taken: (discuss)** Provided that a ballot may be taken without notice at any general meeting on the decision of a majority of the members present.

CHAPTER 17. MEMBERS OF STAFF OF THE ORGANISATION

17.1 General

17.1.1 All appointments of members of staff of the Organisation will be made in terms of the procedures prescribed in ~~Annexure B to the Constitution.~~ (In terms of CSPRM Policies and Procedures)

17.1.2 The terms and conditions of employment of any person appointed as a member of staff shall be as determined ~~by the Organisation,~~ Executive ManCom in conjunction



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with the NEC provided that ~~the Organisation~~ **it** may determine different terms and conditions of employment for different categories of members of staff for inclusion in their relevant contracts of employment.

17.1.3 ~~The Organisation~~ **The Executive ManCom in conjunction with the NEC** shall not pay to any member of staff, office bearer, member or any other person any remuneration as defined in the Fourth Schedule of the Income Tax Act **as amended**, which is excessive, having regard for what is generally considered reasonable in the education sector and in relation to the service rendered.

17.2 NATIONAL LEVEL

17.2.1 The National General Secretary

17.2.1.1 Appointment

The National Executive Committee shall appoint the National General Secretary in accordance with the procedures prescribed in ~~Annexure B to the Constitution~~. **(in terms of the CSPRM Policies and Procedures)**

17.2.1.2 Powers, functions, and duties

17.2.1.2.1.5 **to bank all moneys received on behalf of the Organisation in terms of the Organisation's financial policy. (discuss)**

~~17.2.1.2.4 The National General Secretary shall have the power to institute an enquiry into the operations and/or functioning of a provincial office provided that he has received credible information that the administration of the province has been compromised or is of the opinion that an enquiry into the administration is justified due to the non-compliance with national policy directives. Such enquiry shall only be instituted after the Provincial Executive Committee has been informed of the basis for the enquiry and after the Provincial Executive Committee has failed to act on the information. The National General Secretary shall report any proposed enquiry to the National Executive Committee~~

17.2.1.2.5 In all cases where a province received financial assistance approved by the **Executive Management Committee and/or** National Executive Committee from the National treasury and/or any combination of the provincial treasuries, **the National General Secretary shall have the right to monitor the administration of the province (discuss)** ~~and to act if the members of staff~~ or leadership of the province do not comply with the conditions and guidelines for the award of additional funds for the purpose of assisting the province. Such action may include the temporary withholding of additional finances and/or withdrawal of any benefits acquired by the Province until the National Executive Committee may rule on the matter. In addition, the National General Secretary may refer any member of staff or National or Provincial Leader of the Organisation for action(s) in terms of ~~Annexure A to the Constitution~~ **in terms of CSPRM Policies and Procedure Manual**, whichever is applicable. **(Role and Function of the National Treasurer and National Finance Committee).**



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17.2.1.3 Reporting lines

17.2.1.3.1 The National General Secretary shall report to the National Chairperson and the National Congress and the National Executive Committee **and National Executive ManCom.**

17.2.1.3.2 Members of staff employed in the National Office of the Organisation shall report to the National General Secretary.

17.2.2 Other Members of Staff at National Level

Subject to clause 17.2.1.1, the National Executive Committee shall appoint all members of staff employed in the National Office in accordance with the procedures prescribed in ~~Annexure B to the Constitution.~~ **In terms of CSPRM Policies and Procedure Manual**

17.3 PROVINCIAL LEVEL

17.3.1 Provincial Secretary

~~17.3.1.1 Appointment~~

~~A Provincial Secretary shall be appointed by the National Executive Committee acting on the recommendation of the Provincial Executive Committee and in accordance with the procedures prescribed in Annexure B to the constitution.~~

~~17.3.1.2 Powers, functions, and duties~~

~~17.3.1.2.1 The Provincial Secretary shall, where applicable, perform the functions referred to in clauses 17.2.1.2.1 and 17.2.1.2.2, read with the necessary changes required.~~

~~17.3.1.2.2 The Provincial Secretary shall provide the National General Secretary, and any other person or body entitled thereto, with information relating to the operations of the province, required by him/her/it.~~

~~17.3.1.2.3 The Provincial Chief Executive Officer shall, where applicable, keep in safe custody at the Provincial Offices of the Organisation, for periods as determined in the Rules,—~~

~~17.3.1.2.3.1 a copy of the approved minutes of the Annual Provincial Congress, and the Provincial Executive~~



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~~Committee of the Organisation, duly signed by the person who presided at such meeting.~~

~~17.3.1.2.3.2 the financial statements and all records in relation thereto, including the books of account, supporting vouchers, records of subscriptions or fees paid by~~

~~members and associates, income and expenditure statements, balance sheets, and~~

~~auditor's reports, in an original or reproduced form; and~~

~~17.3.1.2.3.3 ballot papers.~~

~~17.3.1.3 Reporting lines~~

~~17.3.1.3.1 The Provincial Secretary of a Province shall report to the Chairperson of the Province, the Provincial Congress and the Provincial Executive Committee.~~

~~17.3.1.3.2 The Provincial Secretary in a province shall provide any reports to the National General Secretary as required.~~

~~17.3.1. 3..3 The members of staff of the Organisation employed in a province shall report to the Provincial Secretary.~~

~~17.3.2 Other Members of Staff at Provincial Level~~

~~Subject to clause 17.3.1.1, the Provincial Executive Committee shall appoint all members of staff employed in the province in accordance with the procedures prescribed in Annexure B to the Constitution.~~

CHAPTER 18: DISCIPLINE it is recommended that the Discipline stipulated in this Chapter 18.1-18.6.3 must be incorporated into the CSPRM Policies and Procedure Manual as indicated in Section 2.4 (CSPRM Policies and Procedure Manual) and be added to the Constitution as an Annexure

CHAPTER 20: AMENDMENT OF THE CONSTITUTION

20.1 Subject to clause 20.4, the Constitution may be amended by way of a two-thirds majority resolution of the National Congress (NC) or a Special General Meeting (Congress) called by the NC. If the NC is not in sitting a special NC meeting can be arranged (by a Resolution taken at a Constituted Meeting of the National Executive Committee), to deal with this matter.



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(National Vice Chairman)

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20.4 The Constitution may be amended by the National Executive Committee (without a resolution of the National Congress) if the Organisation receives amendment instructions from-

20.4.1 ~~the Registrar of Labour in compliance of the Labour Relations Act, 1995; or~~

20.4.2 ~~the South African Revenue Service in compliance of the Income Tax Act, 1962, provided that the decision of the National Executive Committee shall be taken by way of a two-thirds majority.~~

20.4.3. The Department of Social Development in compliance with the NPO Act, provided that the decision of the National Executive Committee shall be taken by a two-thirds majority.

20.5 Any amendment to this Constitution must be submitted to the ~~Registrar of Labour Relations and to the Commissioner for Inland Revenue and the~~ Department of Social Development in terms of the **NPO Act within 30 days of its amendment and will take effect only after certification. (discuss)**

CHAPTER 21: INTERPRETATION

21.1 The word "province", when used as a geographic reference, means a particular province as defined in the Constitution of the Republic of South Africa, 1996 **and Namibia** and when used to refer to a constituent element of the Organisation means the operation of the Organisation within a province **and Namibia**.

CHAPTER 22: PROPERTY OF THE ORGANISATION

22.1 The NEC ~~or PEC~~, as the case may be, holds in trust, as property of the Organisation

~~22.1.4 any account in a financial workplace in the name of the Organisation;~~

22.1 The National General Secretary **in conjunction with the National Treasurer** is responsible to maintain a current inventory of the property of the Organisation and attach a summary of that inventory **on a regular basis to the report to Executive ManCom**.

CHAPTER 25: DISSOLUTION/AMALGAMATION OF THE ORGANISATION

25.1 The Organisation may be dissolved by resolution supported by not less than two thirds of those voting on the resolution at a NC meeting.

25.2 If a resolution to dissolve the Organisation is passed or if, for whatever reason, the Organisation is unable to continue to function, the following rules apply.



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(National Vice Chairman)

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25.2.1 The NC or **the National Executive Committee in conjunction with the Exco ManCom** any available national office-bearer must appoint a liquidator to carry out the winding-up of the Organisation affairs. The liquidator must not be a member of the Organisation and must be paid such fees as are agreed upon by the national office bearers.

CHAPTER 26: DELIBERATION AND CONSULTATION

The Organisation or its committees may, for purposes of deliberation and consultation, invite anybody to attend a meeting (discuss). Such persons are not empowered to vote at such a meeting and the conditions regarding financial implications shall apply.

We, the National Chairperson, National Vice Chairperson, National Treasurer, and the National General Secretary of the Organisation, certify that the provisions and regulation of the adoption of this constitution have been complied with

Approved and accepted at the CSPRM National Congress: 2024.

NATIONAL CHAIRPERSON

NATIONAL DEPUTY CHAIRMAN

NATIONAL TREASURER

NATIONAL GENERAL SECRETARY

CSPRM (Civil Servants Pension Redress Movement) NPO: 248-387

31 July 2024

Yours faithfully

B Wentzel

Bernard Wentzel | Nat. General Secretary

CSPRM (Civil Servants Pension Redress Movement) NPO: 248-387

@ bernard.wentzel@csprm.org.za



+27 76 748 4767