

PAC CONSTITUTION

**AMENDED AT THE 6TH NATIONAL CONGRESS HELD AT GA-MATLALA
CONGRESS: 7TH -9TH APRIL 2000**

1. NAME

1.1 The name of the Organization shall be PAN AFRICANIST CONGRESS OF AZANIA, (hereinafter referred to as the PAC).

1.2 COLOURS

1.2.1 The colours of the PAC shall be Green, Black, and Gold inserted against the background of black map of Africa containing a Gold star sending the light of freedom and total liberation throughout the continent of Africa.

2. AIM\$ AND OBJECTIVE\$

2.1 To rally and unite the African people into one national front of the basis of African nationalism.

2.2 To fight for the overthrow of all forms of domination, including neo-colonial domination, for economic empowerment of the African and for the implementation and maintenance of the right to self-determination of the African people, in a non-racial and unitary state.

2.3 To work and strive for the establishment and maintenance of an Africanist Socialist democracy recognizing the primacy of the material and spiritual interests of the Africans.

2.4 To promote the educational, cultural and economic advancement of the African people.

2.5 To propagate and promote the concept and ideology of Pan Africanism by promoting unity among the peoples of Africa and African descent through the projection of the African personality.

3. MEMBERSHIP

3.1 Any South African who accepts the principles, programme and discipline of the PAC shall be eligible for membership, provided that:

3.2 He/She is not a member of any political organization.

3.3 In case where is doubt whether a particular applicant for membership is so eligible, such an applicant shall be forwarded by the Branch Executive to the NEC with the reasons for doubt, before the applicant is accepted or rejected. Once the NEC is satisfied that such an applicant is eligible for membership, the NEC shall issue such applicant, upon payment of the prescribed enrolment fee, a membership card after which the applicant shall b regarded as a member of the PAC.

3.4 All members shall be supplied with membership cards

4. COMPONENT STRUCTURES

4.1 Component structures are PAC organs dealing with certain segments of the population. They are guided and bound by the PAC constitution, policies and programmes.

4.2 The component structures shall have one representative in the National Working Committee of the PAC, except PAWO, which shall have two representatives.

4.3 For the purpose of this constitution and for as long as the Annual National Conference has not terminated such a membership, the following structures shall be deemed to be component structures of the PAC.

4.3.1 Pan Africanist Women's organization (PAWO)

4.3.2 Pan African Students organization (PASO)

4.3.3 Pan Africanist Youth organization (PAYCO)

4.3.4 Pan Africanist Student Movement (PASMA)

4.3.5 APLA Veterans Association (APLAMVA)

4.3.6 Pan Africanist Labour Forum (PALF)

4.4 The Chairpersons of the component structures shall head the departments of Women, Students, and Youth Affairs in the PAC.

5. THE NATIONAL CONGRESS, THE ANNUAL NATIONAL CONFERENCE AND THE SPECIAL NATIONAL CONFERENCE.

5.1 The national conference shall be the supreme organ of the organization and shall lay down policies and programme of the PAC and its decision shall be binding on all members, components and organs of the PAC.

5.2 The Annual National Conference shall be held every 12 months and the Annual National Conferences held in the year of elections of the NEC shall become the National Congress. The National Congress shall be held every third year from the last one.

5.3 The functions, duties and powers of the National Congress shall be supervisory, deliberative and determinative.

5.4 Branches that are in full compliance with their fees shall be entitled to be represented at the National Congress by one delegate for every 20 members.

5.5 A special National Conference may be convened by the NEC if, in the opinion of the NEC, an emergency which warrants such a conference, has arisen or,

5.6 Upon receipt of a requisition signed by one third of the number of the branches represented at the previous National Congress, a special National Conference shall be called by the NEC in connection with the subject matter of the requisition within four weeks of such requisition by the Secretary General; provided that such a requisition is lodged with the Secretary General within a period of thirty (30) days after the last day of the previous congress.

5.7 At least eight weeks before the date of the holding of an Annual Conference, the NEC shall give a notice of a date and place of such conference and shall circulate the agenda to all component structures and organs of the PAC.

5.8 If any province, region, branch, component structure or organ of the PAC wants to secure the inclusion of any specified item in the agenda of the Annual National Conference, a notice setting out such item on the agenda must be forwarded to the Secretary General at least six weeks before the date of the Annual National Conference. Upon receipt of such notice for inclusion of any item in the agenda, the NEC shall cause an amended agenda to be circulated to provinces, regions, branches and component structures of the PAC.

5.9 Only provinces, regions, branches component structures and organs of the PAC and not individual members may send motions or proposed agenda items for determination at the Annual National Conference or Special National Conference.

5.10 The Annual National Conference shall consider and may adopt, amongst other, the following

5.10.1 The Annual Presidential Address

5.10.2 Presidential Report

5.10.3 The Annual Report of the Secretary General and;

5.10.4 The combined Annual Reports of the respective Secretaries of the NEC.
Audited Financial Statements and Accounts presented by the NEC.

5.10.5 Report of the National Organiser

5.10.6 Minutes of the previous conference/congress.

5.10.7 Reports from Component Structures.

5.11 The National Congress shall elect the President, Deputy President, and members of the NEC tri-annually.

6. COMPOSITION OF THE NATIONAL CONGRESS

6.1 The National Congress shall be constituted as follows:

6.1.1 Delegates from branches are elected subject to the provisions of Section 5.4 here above.

6.1.2 All members of the NEC and all members of NWC shall have full delegate status.

6.1.3 Congress delegation shall be presented for accreditation by the Provincial Executive Committees twenty-one days before Congress/Conference to the office of the Secretary General.

6.2 No person shall be a delegate to National Congress/Annual Conference for more than one branch, region, component structures or organ of the PAC.

6.3 No person who is not in good standing in regard to enrolment or subscription fees shall be eligible as a voting delegate to the National Congress.

7. THE NATIONAL EXECUTIVE COUNCIL (NEC)

7.1 The NEC shall, subject to the supervisory powers of the National Congress, be the highest executive, administrative and disciplinary authority within the PAC.

7.2 The NEC shall be constituted as follows:

7.2.1 The President

7.2.2 The Deputy President

7.2.3 The Secretary General

7.2.4 The Assistant Secretary General

7.2.5 The Secretary For Finance

7.2.6 The National Organiser

7.2.7 Secretary For Publicity And Information

7.2.8 The Secretary For Foreign Affairs

7.2.9 The Secretary For Political And Pan African Affairs

7.2.10 The Secretary For Legal And Constitutional Affairs

7.2.11 The Secretary For Labour

7.2.12 The Secretary For Education And Human Resources

- 7.2.13 The Secretary For Culture Sports And Recreation, Science And Technology
- 7.2.14 The Secretary For Health
- 7.2.15 The Secretary For Economic Affairs And Development Planning, Trade, Commerce And Industry
- 7.2.16 The Secretary For Projects And Development, Minerals And Energy
- 7.2.17 The Secretary For Youth Affairs, Chairman Of PAYCO
- 7.2.18 The Secretary For Environmental Affairs And Tourism
- 7.2.19 The Secretary For Religious Affairs
- 7.2.20 The Secretary For Social Welfare
- 7.2.21 The Secretary For Local Government Housing And Civil Affairs
- 7.2.22 The Secretary For Transport
- 7.2.23 The Secretary For Land And Agricultural Affairs
- 7.2.24 The Secretary For Post And Telecommunication
- 7.2.25 Two Members Nominated By Each Component Structure That Shall Become The Members Of The NEC, Provided That At Least One Of The Nominees Of Each Component Structure Is A Women.
- 7.2.26 Provincial Chairpersons shall be ex officio members of the NEC

7.2.27 A number of National Executive Members equal to the portfolios set out in paragraph 7.2.1 to 7.2.24 shall be elected at the National Congress by majority vote.

7.3 The allocation of specific portfolio or departments' referred to in 7.2.7 to 7.2.24 to members of the NEC shall be done by the Presidency.

7.4 The President, after due consultation with the Deputy President, may from time to time, and notwithstanding the provision of 7.3 here above, allocate to any member of the NEC any portfolio or department; and may co-opt not more than five persons into the NEC on the basis of the expertise that they possess.

7.5 The NEC shall hold the office for the period of three years.

7.6 No elected member of the NEC shall hold office in any Province, Region or Branch Component Structure.

7.7 The NEC shall meet in a plenary session at least once every three months.

7.8 The NATIONAL CHAIRPERSON.

There shall be a National Chairperson elected at the National Congress whose duties shall be ceremonial, and any other official duty or delegate to him/her by the presidency and/or the NEC.

8. DUTIES OF THE NATIONAL EXECUTIVE COMMITTEE

8.1 The duties of the NEC shall among other be:

8.1.1 To act as the supreme of the PAC between congresses/conference.

8.1.2 To carry out the aims, objectives of the PAC and to implement policies and programmes of the party as well as implementing the resolutions and directives of National congress/conference.

- 8.1.3 To organize, supervise and co-ordinate all the activities of the party; and to this end, it shall coordinate the activities of the provinces, region and branches.
- 8.1.4 To ensure that the political education workshops on Pan Africanism as well as on the vision, mission and the aims and objective of the organization are conducted by all the structures of the organization.
- 8.1.5 To conduct a strategic workshop for its members within three months after the beginning of each new term of office to ensure unanimity to its members on Pan Africanism as well as on the vision, mission and aims and objectives of the organization.
- 8.1.6 To take final decisions on all disciplinary decisions/recommendations and to act as the organ of appeal.
- 8.1.7 To act as the custodian of all assets of the party and to present to congress an inventory of party assets.

9. THE NATIONAL WORKING COMMITTEE (NWC)

- 9.1 The National Working Committee shall be the main sub-organ of the NEC and shall consist of the President, Deputy President, and Heads or Secretaries of the following departments or portfolios: Secretary General, Assistant Secretary General, National Organiser, Finance Secretary, Legal and Constitutional Affairs, Publicity and Information, Political and Pan African Affairs, Foreign Affairs and two nominees of PAWO and one of PASO and PAYCO, PASMA, APLA Veterans & PALF provided that at least one of the nominees of each component structure is women.
- 9.2 The NWC shall, subject to the supervision of the NEC, execute the decisions and resolutions of the National Congress and the NEC.

- 9.3 The NWC shall control and shall supervise the administrative machinery of the organization on a National, Provincial , Regional and Branch level and shall take such administrative measure at it deems necessary to enforce the decisions and programmes of the organization.
- 9.4 The NWC shall hold office for the same as that of the NEC.
- 9.5 The NWC shall meet in a plenary sessions at least once every month provided that is an emergency relevant to aims and objects, policies and programmes of the organization should arise, the NWC shall meet as often as such emergency situations reasonably require, to safeguard the existence, aims, objectives and basic programmes of the organization.
- 9.6 The NWC shall take and execute all emergency administrative decisions and report such decisions to the NEC provided such decision do not impinge on policy.

10. THE DIRECTORATE

- 10.1 The member of the NEC charged with any post or department provided in paragraph 7.2.7 to 7.2.24 shall also be the political head and shall make recommendations to the NEC to the appointment of the organization in his/her secretariat or department.
- 10.2 The directorate shall of consist of at least 5 members of the organization, one of whom shall be the director of the directorate.
- 10.3 Members of the directorate shall be appointed by the NWC within 30 days of receipt of such recommended from the NEC members charged with the relevant portfolio or secretariat

- 10.4 The NWC shall upon good cause have power to recommend disciplinary steps against any members of the directorate to the NEC.

11. PROVINCIAL STRUCTURES

- 11.1 For Administrative, organizational and other purposes there shall be a provincial structure in each of the state provinces, i.e. Mpumalanga, Gauteng, Northern Province,, North West, Eastern Cape, Northern Cape, Free State ,Kwa-Zulu Natal and Western Cape.

- 11.2 The boundaries of the provinces shall be those of the state provinces as mentioned in 11.1 except in cases where the NEC feels that the administration of a province shall be better served by a further demarcation. In this case the NEC shall have the power to implement the decision subject to ratification by congress/annual conference. This decision shall be preceded by discussion with the province affected.

12. COMPOSITION OF THE PROVINCIAL CONGRESS AND EXECUTIVE COMMITTEE

- 12.1 The provincial congress shall consist of delegates from branches within the province as prescribed in section 5.4 above and members of the REC as full delegates.
- 12.2 Provincial congress shall be held at such a time and place as may be decided upon by the previous provincial congress and in a absence of such a decision, by the PEC, or as directed by the NEC.
- 12.3 The provincial congress shall elect a PEC composed of the following members:

- 12.3.1 A Chairperson and Vice Chairperson
 - 12.3.2 A Secretary and Assistant Secretary
 - 12.3.3 A Treasurer
 - 12.3.4 A Provincial Organiser and,
 - 12.3.5 Ten Additional Members
- 12.4 Regional Chairpersons shall become members of the PEC

13. DUTIES AND FUNCTIONS OF THE PROVINCIAL EXECUTIVE COMMITTEE

- 13.1 To establish, organize and co-ordinate the activities of the regions within the province.
- 13.2 To carry out the aims, objectives, policies and programmes of the organization as well as instructions and directives or resolution of the NEC, NWC and the National Conference.
- 13.3 To implement the decision of the Provincial Congress, provided that such decision are not in conflict with any programmes, directive or resolutions of the NEC, NWC and/or the National Congress.
- 13.4 To submit annual financial statements, accounts and annual reports to the Provincial Congress and the PEC.
- 13.5 To help manage, control and guide the implementation and projects of the organization in the Province.
- 13.6 To make recommendations and suggestions to the NEC on matters affecting the welfare of the organization in the province.
- 13.7 To undertake all such activities as may further the policies and programmes of the organization in the province.

13.8 To keep the register of branches and branch members under its jurisdiction and to collect membership fees branches and pay such fees to the national account monthly.

13.9 To report on outstanding membership fees on monthly basis to the national treasury.

13.10 The PEC shall hold the office for a period of three years.

14. THE PROVINCIAL FUNDS

14.1 The provinces shall be entitled to raise money in their immediate vicinity and through such funds, finance programme as approved by the NEC. Funds so raised shall be for the exclusive use for projects related to the province concerned. All funds received by the province shall be deposited in a centralized banking account determined by the NEC.

14.2 The PEC shall at the end of the financial year cause the provincial treasure to prepare and submit audited financial statements and accounts to the provincial Conference/Congress. The PEC shall manner and means of revenue and expenditure for the Province.

14.3 The Annual Provincial Conference each province shall adopt a budget for the forthcoming financial year which budget shall be submitted to the PEC for approval. In terms of 13.8 and 13.9 the PEC shall pay the membership fees to the national treasury and given a monthly report of such a flow of money to the national office.

15. REGIONAL STRUCTURE

- 15.1 For organization, administrative and other purpose there shall be a region in each of the nine provinces, i.e. Mpumalanga, Gauteng, Northern Province, North West, Eastern Cape, Northern Cape, Free State, Kwa-Zulu Natal, and Western Cape.
- 15.2 The number and geographic demarcation of region in each province shall be determine by the NWC upon the recommendation of the National Organiser, who shall be obliged to consult with the effect branches and region before such recommendation are made to the NWC.
- 15.3 Minimum number of five branches shall form a region.

16. COMPOSITION OF THE REGIONAL CONGRESS

- 16.1 The regional Congress shall consist of delegate from each branch within the region and in such number as prescribed by in Section 5.4 above.
- 16.2 The Regional Congress shall be held at a time a place as may be decided upon by previous Regional Congress and in the absence of such a decision by the regional executive committee.
- 16.3 The regional Congress shall elect a REC composed of the following members:
- 16.3.1 The Chairperson and the Vice Chairperson
 - 16.3.2 The Secretary and the Vice Secretary
 - 16.3.3 The Secretary and the Assistant Secretary
 - 16.3.4 The Treasurer
 - 16.3.5 The Regional Organiser and
 - 16.3.6 Three additional members.
- 16.4 A regional conference shall be held annually and the last of such congress shall be held a month before the National Congress.

**17. DUTIES AND FUNCTIONS OF THE REGIONAL EXECUTIVE COMMITTEE
(REC)**

- 17.1 To establish, organize and co-ordinate the activities of the branches within the region.
- 17.2 To carry out the aim, objectives, policies and programmes of the organization as well as instructions and directives or resolutions of the PEC, NEC, NWC and National Congress.
- 17.3 Implimentary the decision of the Regional Congress provide such decision are not in the conflict with any programmers, directives or resolution of the PEC, NEC or the National Congress.
- 17.4 To submit audited annual financial statement, accounts and annual reports to the Regional Congress and the PEC.
- 17.5 To help manage, control and guide the implementation and project of the organization in the regional and in particular in educational, cultural and sporting activities I the religion.
- 17.6 To make recommendation and suggestion to the PEC on the matters affecting the welfare of the organization in the region.
- 17.7 To undertake all such activities as may further policies and programmes of the organization in the region.
- 17.8 To keep a register of all activities of all branches and branch members and pay all membership fees from branches into the regional account on the monthly basis.

17.9 The REC shall hold office for the period of three years.

18 THE REGIONAL FUNDS

18.1 The regions shall be entitled to raise in theirs in their immediate vicinity funds; funds so raised shall be exclusive use for projects related to the region concerned.

18.2 All funds received by the Region shall be deposited in a centralized banking account determined by the PEC. The REC shall at the end of the financial year cause the Regional Treasure to prepare and submit written financial statements and accounts to the Regional Congress. The REC shall determine the manner and the means of revenue and expenditure for the Region.

18.3 At its annual Regional Congress each Region shall adopt a budget for the forthcoming financial year, which budget shall be submitted to the PEC.

19. BRANCHES

19.1 Each branch shall be governed by a Branch Executive Committee (BEC) which shall consist of:

19.1.1 A Chairman and a Vice Chairman

19.1.2 A Secretary and a Assistant Secretary

19.1.3 Treasure

19.1.4 Branch Organiser and,

19.1.5 Three other members

19.2 The BEC shall be elected at the Branch Annual Meeting.

19.3 Every member of the organization in the branch shall be entitled to attend a Branch Annual Meeting; however voting on any deliberations of the meeting

shall be limited to branch members who have paid up all fees payable by a member.

19.4 The annual meeting of a branch shall be at such time and place as may be decided upon by the previous annual branch meeting, and in the absence of such a decision, by the BEC, provided that such a branch annual meeting shall be held on a date earlier than the Annual National Conference and the Annual Regional Congress as well as the Annual Provincial Congress.

19.5 There shall be a branch meeting at least once every month.

19.6 At least 20 members shall constitute a branch

20. DUTIES AND FUNCTIONS OF THE BRANCH EXECUTIVE COMMITTEE

20.1 To carry on organizational and educational work amongst the masses in order to acquaint them with the aims and objects, policies and programmes of the organization.

20.2 To keep close contact with the masses and provide continual leadership and guidance to the oppressed people in the area.

20.3 To foster the spirit of initiative among the people by taking leading part in organizing them to solve problems in the area.

20.4 To recruit new members and to collect membership and subscription fees as well as paying on a monthly basis these membership fees into the regional account or as directed by national treasury and send such records to the national office.

20.5 To keep a branch register and to forward from time to time a list of members to the REC.

20.6 To report any act of misconduct and other dishonour and dispute to the REC.

20.7 To discipline any member of the branch as provided in the Disciplinary Code.

21. BRANCH FUNDS

21.1 The branch shall be entitled to raise funds in its immediate vicinity, through such fund raising methods and programmes as approved by the NEC. Funds so raised shall be for exclusive use for projects related to the branch concerned.

21.2 All funds received by the branch shall be deposited in a centralized banking account, which shall be determined by the NEC.

21.3 No BEC, REC or PEC shall engage in any national or international fund raising except under the directive of the NEC or NWC as part of fund raising campaign the NEC or NWC.

21.4 At every branch annual meeting, the branch treasure shall submit for approval a budget for the forthcoming year, and an audit financial statement covering the receding year which shall have endorsed as correct by the REC.

22. THE DISCIPLINARY CODE OF THE PAC

22.1 There shall be a disciplinary code, which binds all organs, member and component structure of the PAC. This code also repeals all previous disciplinary codes.

22.2 There shall be a branch, Regional, Provincial and National Disciplinary Committee.

- 22.3 All hearing before disciplinary Committee (DC) shall comply with the Constitution, the disciplinary Code and basic level of procedural and substantive justice.
- 22.4 Disciplinary proceedings shall ordinary be heard at the level where the alleged dispute or misconduct took place, that is, either at the National, Provincial, Regional or Branch level and shall be conducted by the relevant organ.
- 22.5 Until an appeal has been finalised, the decision of an appropriate level of authority shall be effective and binding.

23. DISCIPLINARY STRUCTURE

23.1 NATIONAL DISCIPLINARY COMMITTEE (NDC)

- 23.1.1 The National Disciplinary Committee shall consist of a Chairperson, a Deputy Chairperson, and three other members.
- 23.1.2 All members of the of the NDC shall be appointed by the NEC
- 23.1.3 The Chairperson shall be the ex-Officio of the NEC.
- 23.1.4 Members of the NDC shall hold office for a period of three years.
- 23.5 The NDC shall hear and adjudicate upon all matters, dispute, acts of misconduct which relate to or involve:
- 23.1.5.1 Any member of the NEC
- 23.1.5.2 Any PAC member of Parliament/Legislature or Council

23.1.5.3 Any matter between two or more provinces, or between two regions in different provinces.

23.1.5.4 Any matter between any component structure and other organ(s) or component structure(s) of the PAC.

23.2 PROVINCIAL DISCIPLINARY COMMITTEE (PDC)

23.2.1 The Provincial Disciplinary Committee shall consist of five members all of whom shall be appointed by the PEC.

23.2.2 Members of the PDC shall hold office for a period of three years.

23.2.3 The PDC shall adjudicate upon all such disputes, or misconduct relation to one or more of the PEC members, or one or more of the Regions of its Province.

23.3 THE REGIONAL DISCIPLINARY COMMITTEE (RDC)

23.3.1 The regional disciplinary committee shall consist of five members, all of whom are appointed by the REC.

23.3.2 The Chairperson of the RDC shall be an ex-officio member of the REC.

23.3.3 The RDC shall hold office for a period of two years.

23.3.4 The RDC shall adjudicate upon such disputes or misconduct relating to one or more of the REC members, or one or more of the branches of its region.

23.4 THE BRANCH DISCIPLINARY COMMITTEE (BDC)

- 23.4.1 The Branch Disciplinary Committee shall consist of five members, all of whom are appointed by the REC.
- 23.4.2 The Chairperson of the BDC shall be an ex-officio member of the BEC.
- 23.4.3 Members of the BDC shall hold office for a period of one year.
- 23.4.4 The BDC shall adjudicate upon all such disputes or misconduct relating to one or more of the BEC members or one or more of the members of its branch.

24. DISCIPLINARY RULES AND PROCEDURES

- 24.1 When a matter has been referred to the Disciplinary Committee, the latter shall forthwith inform the members in writing of the allegations against him/her and convene a hearing within 14 days after having so informed the member.
- 24.2 The member shall be entitled to respond in writing to the allegations prior to the hearing.
- 24.3 A member has a right to be represented as his/her own expense at a disciplinary hearing.
- 24.4 At the hearing, the member shall be entitled to test the credibility of the evidence against him/her and to adduce evidence in support of his/her argument.
- 24.5 A disciplinary committee may make additional rules and regulations to govern the conduct of disciplinary hearings which must be ratified by the appropriate authority that is BEC, REC, PEC or NEC, provided that rules of natural justice shall be adhered to.

25. SANCTIONS AND PENALTIES

- 25.1 Sanctions and penalties shall include, reprimand or warning, suspension and expulsion.
- 25.2 Where in the opinion of the BEC, REC, PEC or NEC the security interests and image of the PAC is seriously threatened by the actions of a members or that the activities of members seriously endanger the running and integrity of the organization, and an appropriate level of authority is satisfied that delay will further the very threat it seeks to avoid, it may without a hearing for the suspension, suspend the member or remove him/her from a particular position or function of responsibility pending the outcome of the disciplinary hearing.
- 25.3 A disciplinary committee's decision shall be reported to the appropriate level of authority, that is, the BEC,REC,PEC or NEC for ratification or otherwise.
- 25.4 The disciplinary committee shall inform the member in writing of the outcome of a hearing within 21 days after its decision has been rectified or otherwise by the appropriate level of authority. It shall also advise a member of his/her right of appeal.

26. APPEALS

- 26.1 A member aggrieved by a final decision of a branch disciplinary committee may within 14 days from the date of such a decision lodge an appeal in writing to the RDC,PDC and finally to the NDC. This procedure shall apply with the necessary changes to members who are aggrieved either by a decision of the RDC, PDC or NDC. The 14 days period shall apply with the necessary changes in appeals at all levels.
- 26.2 Appeals shall be handled expeditiously by the appropriate disciplinary committee and/or level of authority.

26.3 In limited cases which the NEC regard as of national significant to the organization, a person aggrieved by the final decision of the NEC shall have a right of appeal to the National Congress/Annual Conference. Such appeal shall be in writing and not later than a month from the date on which the decision appealed against was known.

27. MEETINGS

27.1 All meetings referred to in this constitution a quorum shall be at least 50% of the members entitled to attend the meeting or of members on good standing of the relevant Branch, Region Component Structure, or Organ of the organization.

27.2 Members who fail to attend three consecutive meetings without valid reasons shall be regarded as having resigned their positions.

28. FINANCE

28.1 The basic funding of the PAC shall be derived from membership subscription. Additional Funding shall be derived from raising activities such as levies, donations, bequests, sales of PAC artifacts and literature as well as proceeds of functions such as parties, dances, football matches etc. and such sources as will be determined by the NEC or the National Conference from time to time.

28.2 It shall be the competency of the NEC to finance projects and to request members to make contributions to such projects should funds be inadequate.

28.3 Funds contributed by members for any specific purpose shall not be alienated for any other purpose save by the resolution of the NEC or the National Conference/Congress.

28.4 The NEC shall establish, manage and administer a Special Reserve Fund, and at the end of the Financial Year may vote a sum to be determined for this purpose. There shall be an investment fund source from a percentage of all party income. The investment fund shall be used to fund the investment portfolio.

28.5 The NEC shall at the end of the year prepare estimates of Revenue and Expenditure for the ensuing year, such estimates shall be submitted to the Annual National Conference for consideration.

28.6 The financial year of the PAC shall begin on the 1st of March to the end of the last day of February of the following year.

28.7 All revenue of the NEC, regions and branches shall be deposited in a banking account, which shall be specified by the NEC from time to time. The following accounts shall also be kept by the party:

28.7.1.1 PAC Main Account

28.7.1.2 Election Account

28.7.1.3 Development Account

28.7.1.4 Investment Trust Fund

28.7.1.5 Special Reserved Account

28.8 The NEC shall determine procedure, regulations and rules, which shall apply to the revenue and expenditure of the organization at Provincial, Regional, Branch and Component Structures and any other organ of the organization.

28.9 Subscription fees shall be distributed among all the organs of the PAC in such a manner as will be determined by the Annual National Conference. In such

distribution, regard shall be had of the contribution to the National Reserved Fund by each such organ.

28.10 The national treasure shall control all funds in the National Reserved Fund of the party and shall report all the activities of the fund monthly to the NWC and to the NEC whenever it meets, and present an audited statement of the previous financial year, approved by the NEC, to congress.

28.11 All disbursements shall be made through the medium of cheques duly authorized by the NWC, except when a fixed capital payment which may be made through electronic transfers.

28.12 Misappropriation and mismanagement of party funds be regarded as a serious breach of discipline and appropriate punishment shall be meted out, and/or legal action taken.

29. DEBT\$

29.1 No office bearer or official of the party shall have the right to bind the party or party HQ in a hire Purchase contract, or enter into a contact on behalf of the party with any company or individual except where such a mandate is given pressly, in writing by the NEC Provinces and Regions as well as component structures shall under no circumstances enter into any debt contact or agreement with any company or individual on behalf of the PAC.

29.2 The party shall repudiate all unauthorized agreement made on behalf of the party and over and above that, take disciplinary action against such individuals. The onus of proof shall be on the service provider to check whether the transaction is authorized by the party.

30. DELEGATES

30.1 The party shall be entitled to send delegates to represent it to all or any local; interest of the party and their nations is the subject of discussion. In cases where individuals are delegated to represent the party, such individuals may be compensated, provided that the forum does not pay delegates an allowance/per diem/salary. The party shall reserve the right to levy a percentage of such an allowance/per diem/salary for the upkeep of party HQ. The party reserves the right to withdraw and replace appointed delegates if in the opinion of the NEC such a replacement/withdrawal serves party interests. Alternatively if a delegate is found guilty of an offence by the DC, such a delegate shall be replaced. Appointed delegates are expected to report to the NEC whenever it sits. All members of parliament, members of provincial legislatures, local councilors who have assumed such positions as delegates of the party shall be expected to pay a percentage of allowances to the party as shall be determined by the NEC from time to time. Failure to pay shall constitute an offence in terms of this constitution. Such a member shall be brought before the party disciplinary committee.

31. REMOVAL OF OFFICE BEARERS

31.1 An individual member of the NEC,PEC,REC or BEC may be removed from office in between Congress if she/he is found guilty of contravening the disciplinary code.

32. COLOURS

32.1 The official colours of the organization shall be green, black and gold.

33. HEADQUARTERS

33.1 The Headquarters of the PAC shall be at a place to be determined by the NEC from time to time.

34. AMENDMENT OF THE CONSTITUTION

34.1 This constitution or any part thereof may be amended or rescinded, altered or added thereto by a two-thirds majority present and voting at the National Congress.

34.2 Proposals regarding any amendment of the National Constitution must be sent to the Secretary General's Office at least two months before the Conference/Congress at which they are to be discussed, and circulated, in writing, to the branches at least one month before such conference/congress.

ADOPTED AT THE 6TH NATIONAL CONGRESS HELD AT GA-MATLALA, ON 7-9 APRIL 2000.

SIGNED: DR MMUTLANYANE STANLEY MOGOBA (**PRESIDENT**)

THAMI PLAATJIE (**SECRETARY GENERAL**)

**PAN
AFRICANIST
CONGRESS
OF AZANIA
DISCIPLINARY CODE**

DISCIPLINARY CODE

1. NAME

1.1 The name of the organization shall be the Pan Africanist Congress of Azania

2. MOTTO

2.1 S.S.S Serve, Suffer and Sacrifice

3. AIMS

- 3.1 To unite and rally the African people into one national front of the basis of African Nationalism.
- 3.2 To fight for overthrow of all forms of domination, including neo-colonial domination, for economic empowerment of the African people, in a non-racial and unitary state.
- 3.3 To work and strive for the establishment and maintenance of an Africanist Socialist democracy recognizing the primacy of the material and spiritual interests of the Africans.
- 3.4 To promote the educational, cultural and economic advancement of the African people.
- 3.5 To propagate and promote the concept and ideology of Pan Africanism by promoting unity among the peoples of Africa and African descent through the projection of the African personality.

4. DISCIPLINARY

- 4.1 There shall be a Disciplinary Tribunal of Justice consisting of three or more members appointed by the National Executive Committee.
- 4.2 Its decision shall be reported to the NEC for ratification or otherwise.

- 4.3 Until Appeal comes before the Annual national Conference the decision of the NEC shall be effective and binding.

5. SANCTIONS AND PENALTIES

- 5.1 The Disciplinary Tribunal of Justice shall enforce all the provisions of this code in their entirety.
- 5.2 Sanctions and penalties shall include fines, ostracism, isolation, suspension and outright expulsion for a long or short period or for good.

6. EXPRESSION OF IDEAS

- 6.1 Statements relating to policy programme of principles and tactical line of the PAC should not be light uttered.
- 6.2 All public utterances or statements must reflect the policy programme and principles of the PAC.
- 6.3 Policy statements in the media must be made by the President or the NEC, or the National Secretary.
- 6.4 Irresponsible statements made by anybody shall not be countenanced.

7. RESPONSIBILITY

- 7.1 Members must develop a high sense of responsibility and discipline with respect to all matters relating to the Pan Africanist Congress of Azania.
- 7.2 They should refrain from tale bearing, backbiting, gossiping, rumour mongering and spreading lies and distortions of the truth.
- 7.3 Their utterances must reflect the idea, philosophy, policy and programme of the PAC. The ideas of Africa for the Africans, Africans for Humanity and Humanity for God must be understood and appreciated.

8. SPREADING OF IDEAS

- 8.1 Members must spread the ideas of the PAC through the media and other appropriate platforms fearlessly.
- 8.2 It is the duty of members to circulate ideas contained in official dodger's bills, circulars, lectures, journals, written addresses etc.
- 8.3 It should be the duty of each and every member to strive to convert people to the ideas of the PAC and into the movement itself.
- 8.4 Members must spread the ideas of our cause in the streets, in house to house campaigns, in the trains, in the restaurants, at the state functions, cinemas, sports fields, at railway platforms, in social gatherings, tea parties, dance parties, in schools and at orations by the graveside.

9. ACQUISITION OF KNOWLEDGE

- 9.1 It shall be the duty of each member of the PAC to improve, increase and develop his/her knowledge of the affairs of mankind in general and of the continent in which we live in particular.
- 9.2 Members must read books and news papers, for it is an offence in the PAC to be ignorant of current events.
- 9.3 Members should make it their duty to read and to hold discussions Lectures should be arranged the rank and file and the less advanced.
- 9.4 The more theoretically advanced members should conduct classes for the less advanced.
- 9.5 A library of pamphlets, newspaper clippings, extracts should be compiled to improve and develop and build the ideas of the members around the central philosophy of African nationalism.

10. PERSONAL HABITS

- 10.1 Members of the PAC should develop healthy and sound personal habits.
- 10.2 Members should maintain an exemplary standard of cleanliness.
- 10.3 They should be tireless in day-to-day work in the interest of the PAC.

- 10.4 They should develop and demonstrate honesty, frankness and courtesy towards one another.
- 10.5 They should strive to be principled in their approach to the main problems of life and the world.
- 10.6 They should develop and show a true respect for African womanhood and demonstrate in practice the theory of sex equality with respect to men and women in the PAC.
- 10.7 They should develop a true love for the African people, the Fatherland in particular, and for all mankind in general.

11. RELATION WITH OTHER MOVEMENTS:

- 11.1 Pan Africanists should be armed with ideological theory to such an extent that they can meet other movements or groups on the basis of equality, but must not promote the ideas of other Movements or Parties.
- 11.2 Members of the PAC should be keen to study different ideologies especially the philosophy of Pan Africanism in order to equip themselves fully.
- 11.3 Members should deport themselves with poise, calmness and dignity in the presence of other movements or groups, in debating chambers or elsewhere.
- 11.4 They should not display immaturity or pettiness, or apologeticness of ill-conceived inferiority.
- 11.5 Their poise should be natural, dynamic and human but ruthless where necessary.
- 11.6 Vanquish the other man with arguments, and not with a knuckle le-duster.

12. MEETINGS

- 12.1 There should be punctual attendance at meetings which should be made known in good time to all members concerned.
- 12.2 Meeting should be short, precise and to the point.
- 12.3 The Chairman of the meeting must be respected.

- 12.4 He must conduct the meeting in a proper procedure and with fairness to the members.
- 12.5 His rulings must be respected by all members of the PAC.
- 12.6 Clear decision with no equivocations must be taken and these should be practicable and within the scope of the PAC.
- 12.7 Meeting of the PAC must be business like and serious minded. The Chairman must know his job well, and must have studied methods of conducting meetings
- 12.8 Members must be open, objective, brief and business like in their approach to discussions. There should be no waste of time; redundancy or irrelevant bickerings.

13. DISCUSSION DECISION

- 13.1 Decisions affecting the PAC should be arrived at after the issue has been properly discussed by a quorum.
- 13.2 In the course of a discussion each and every member is free to air his views and to agree or disagree with all or any member of the movement, including the leader.
- 13.3 No man or woman will if necessary enjoy a privileged position entitling his or her view to greater weight than those of merely because they are expressed by so-and-so. The weight of views should depend on relevance and substance, and not on who puts them forth.
- 13.4 All discussions shall be on a democratic basis. Every man or woman is entitled to a hearing, and each and all are subject to criticism.
- 13.5 Once a decision has been properly taken after a democratic and objective discussion of the subject matter, then it becomes binding on all. In the execution of such a decision, no differences must be allowed, the leader of the movement has to issue directives which must be obliged and carried out.
- 13.6 At that stage the leader exercises almost dictatorial powers which he wields with impunity, so long as he acts within the letter and spirit of the democratic decision and the code.

14. DEMOCRATIC CENTRALISM

- 14.1 This means that the power of directing the PAC is centralized in the NEC which acts through the Presidency who wields unquestioned powers as long as he acts within the grounds laid by the decisions of the organization which must have been democratically arrived at. It means a centralization of directive, and executive implementation of a decision. If PAC wants to forge ahead, it must adopt and carry out this principle with firmness and thoroughness.
- 14.2 The President shall have emergency powers, which he may delegate, to suspend the entire constitution of the PAC so as to ensure that the movement by decree, and is answerable for his actions to the National Conference or National Congress.

15. FACTIONALISM

- 15.1 Factionalism is the enemy of solidarity and unity of action.
- 15.2 To destroy it at its roots, maximum self-criticism should be encouraged within the movement. A movement that adopts democratic centralism in its approach to its organizational problems will know how to deal with the virus of factionalism.
- 15.3 Where the normal processes of free discussion fail to curb factional tendencies, then firm iron discipline should come into play, and functional elements, no matter how important, should be chopped off without ceremony.

16. OATH OF ALLEGIANCE

- 16.1 on my life, honour and fortunes I solemnly pledge and swear that I shall always live up to the aims and aspirations of the PAC, and shall never under any circumstances, divulge any secrets, or plans of the organization, nor betray an

Africanist, and that if I dare to divulge any secrets, or plans of the PAC, or betray a member of the cause, or use the influence of the PAC for my own personal interest or advertisement, I do so at my own risk and peril. I will irrevocably obey and act upon the orders, commands, instruction and direction of the NEC of the PAC. I will always serve, suffer and sacrifice anything for the cause for which the PAC stands, and will at all time be ready to go on any mission that may be called upon to perform. I will make it my duty to foster the cause for which the PAC stands, in any organization that I may become a member of. I accept the leadership of the PAC.

17. PUBLICATION:

- 17.1 The organization shall publish its own literature whenever deemed desirable and directed.

18. OUR NATIONAL HEROES' DAY:

- 18.1 The Anthony Muziwakhe Lembede Anniversary held on the 31st July annually should be treated and regarded as African Heroes Day, which all members of the PAC should observe and rededicate themselves to the cause of Pan Africanism and the goal of United States of Africa.
- 18.2 The Lembede Scholarship Fund should be firmly established so that the right youth of the country should be helped to obtain higher learning.

19. OTHER DAYS OF HISTORIC IMPORTANCE TO BE OBSERVED ARE

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|------|------------------------|---------------------------|
| 19.1 | Sobukwe Day | 27 th February |
| 19.2 | Sharpsville Day | 21 st March |
| 19.3 | Anniversary Of The PAC | 6 th April |
| 19.4 | Workers Day | 1 st May |
| 19.5 | African Liberation Day | 25 th May |
| 19.6 | Soweto Day | 16 th June |

- | | | |
|------|----------------------|----------------------------|
| 19.7 | Hero's Day | 31 st July |
| 19.8 | National Women's Day | 9 th August |
| 19.9 | POQO-APLA Day | 11 th September |

20. AMENDMENTS

- 20.1 Amendments to the code shall be made by a two-thirds majority of members present at an Annual National Conference, provided that notice has been given in accordance with provisions of the Constitution with regard to amendments.

Signed by: Mmutlanyane Stanley Mogoba (**President**)

Thami ka Plaatjie (**Secretary General**)

PAN AFRICANIST CONGRESS (PAC) OF

AZANIA

2000 CONSTITUTION

AMENDED AT GA-MATLALA

7TH – 9TH APRIL 2000



