

MAP16 CIVIC MOVEMENT

MAP16 Constitution

30 November 2019



PHUTHADITJHABA – MALUTI A PHOFUNG

ARTICLE 1: PREAMBLE

Whereas we, the people of Maluti a Phofung, conscious of the appalling and sub-standard living conditions of poverty and deprivation, are resolute that these conditions are man-made;

- And whereas workers, unemployed, youth, aged and people living with disability are treated with disdain;
- And further realizing that corruption, maladministration and malfeasance are perpetual;
- And whereas residents are determined to see justice and to realize high standard of service delivery. And also realizing that service delivery is on par with basic human rights;
- And also realizing that it is an inalienable right of any community to organize itself into a civic movement to express and manifest its aspirations, ideals and goals;

THEREFORE RESOLVE:

1. To establish a civic movement which will express and manifest the aspirations of the people of Maluti a Phofung.
2. To found a civic movement that will mobilize and unite all and liberate all Maluti a Phofung residents from the shackles of poverty, deprivation, disdain and non-service delivery.

ARTICLE 2: NAME, EMBLEM AND COLOURS

- The name of this movement shall be "MapSixteen Civic Movement", hereinafter called "the Civic".
- The abbreviation "MAP16" will be used in all official languages of the Republic of South Africa.
- The name shall not be translated.
- The name of the organisation "Map16" shall be independent and shall not be associated with any events nor owned by any individual.
- The emblem and colours of the MAP16 CIVIC MOVEMENT are as described and contained in Schedule "A".

ARTICLE 3: PURPOSE

The adoption of this Constitution lays the secured foundation for MAP16 to transcend maladministration, disdain and corruption which generated gross violations of human rights and perpetual poverty. The adoption of this constitution gives its texts, articles and sections, effect, power and authority over all MAP16 membership, all MAP 16 deployees in government and all office bearers. It is in pursuit of a prosperous, just and egalitarian society.

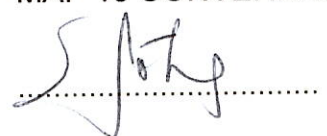
a. VISION

- i. To work with the people of Maluti a Phofung in realizing an accountable governance, free of:
 - Corruption and fraud
 - Maladministration and malfeasance
 - Nepotism, prejudice and unjust practices.
- ii. To serve the community with integrity accountability, reliability, honesty with distinction and fairness.
- iii. To have moral and ethical membership which will propagate implementation of Code of Good practice at all fronts where MAP 16 operates (inside and outside government).

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- iv. To implement consequence management without fear or favour.
- v. To establish, entrench and sustain MAP16 within communities.

b. MISSION

MAP16 strives to:

- i. Ensure gender representation and non racialism in all its activities.
- ii. Establish structures that will mobilize across all sectoral groups
- iii. Ensure high standard of reliable and sustainable service delivery at all times
- iv. Ensure fair distribution of resources at all times.
- v. Ensure the establishment of a well resourced and capable Integrity Commission accountable to the community.
- vi. As civic movement, Map16 will represent the people across all sectors at all material times.

c. MISSION STATEMENT

Declares that MAP16 aims to develop Maluti a Phofung in collaboration with all appropriate stakeholders. And be the epitome of Good Ethical Governance striving for job creation and opportunities for all the people of MAP.

ARTICLE 4: Aims and Objectives

a. Aims

- i. To improve the lives of the community
- ii. To root out corruption in the municipal and government
- iii. To provide reliable and sustainable services
- iv. To build self reliant society
- v. To establish conducive relations with the workers

b. Objectives

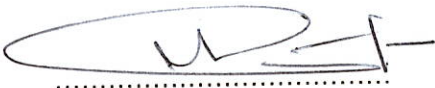
- i. Implement an accountable and reliable government with good morals and values
- ii. To development and implement clear policies against corruption
- iii. To develop and implement policy on economic development and good governance
- iv. To develop and implement policy guiding government officials
- v. To promote strong family and societal values
- vi. To develop transparent recruitment and employment policy.
- vii. To rebuild the community development centres
- viii. To develop well structured policy on reservation of specific economic centres
- ix. To revitalize sport arts and culture for economic development
- x. To resuscitate agro-economy

ARTICLE 5: MEMBERSHIP

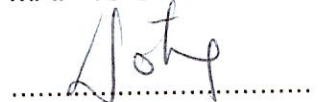
Section 1: Every South African born and the citizen of the Maluti a Phofung, who subscribes to the principles of the Civic, shall be eligible for membership.

Section 2: Members shall pay a subscription fee as determined by Central convention or Central Executive Committee if mandated by the convention itself. Membership fee, in the interim state, shall amount to R20.00

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per year and such membership is renewable. The status quo shall exist until it is decided otherwise by the Central convention or Interim Central Executive Committee.

Section 3: An expired membership shall be entitled to a 3 months grace period and if not renewed then such membership will cease to exist and such member is declared not in good standing and may forfeit all the benefits of Map16.

Section 4: Every applicant for enrolment as a member in good standing of the Civic shall sign membership application form bearing the under mentioned declarations as **oath of allegiance**;
I..... solemnly pledge to be a discipline and loyal member of MAP 16 civic movement. I will always safeguard the authority of its Constitution. I shall advance aims and objectives of MAP16 Civic Movement. I shall never under any circumstances divulge MAP16 strategic information for personal benefit/interest. I shall subject myself to individual scrutiny if called for public office. I will always advance the cause for which MAP 16 stands for. I will pursue the tasks bestowed upon me with integrity, honesty and discipline. I will strive for peace, harmony and prosperity for the people of MAP.

Section 5: Applications for enrolment as a member in good standing of the Civic at-large shall be acted upon by the Ward Executive Committee, then the District and Central Executive Committee Secretariat or Central Management Committee shall acted upon in case of disputes and its decisions are subject to review by the Central Executive Committee.

Section 6: In an unorganized wards the organizer appointed by the District or Central Executive Committees will organize membership and report to the district secretariat.

Section 7: Members of the Civic Movement are not allowed to have dual membership of any organisation. All members are barred from sharing or distribution Civic information to any parties without any consent from the Central Executive Committee.

5.1. Member recognition status

- i. Any qualified applicant, whether joining for the first time or rejoining the organisation shall be issued with a temporary membership form and shall participate in certain activities until approved by the organisation.
- ii. Membership card shall be issued to a member in good standing
- iii. Members in good standing are allowed to object to the applicant for any reason according to them deemed fit to oppose such a person to hold membership of the organisation.
- iv. Appropriate structures (ward, districts) depending on the circumstances shall act upon such objections if it is still pursued further then central committee shall be the final arbiter.
- v. There shall be no waiting period but any member or structure wishing to object against the applicant shall have to do so within a period of 3 months otherwise the objection shall not stick.
- vi. All Membership in good standing shall be kept in the central registration file, the branch may keep they file as well but shall be a subject of Central files.
- vii. In any unforeseeable circumstances, pertaining membership, any unresolved disputes between the ward and district or between ward and Central membership officer the central management committee may intervene and report to the CEC.
- viii. If the objection or rejection to the membership is valid an applicant shall formally be informed.

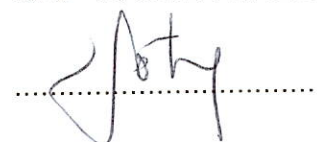
5.2. Rights;

Members are entitled to exercise all rights associated with membership, which includes:

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- i. to fully and actively participate in the discussion, formulation and implementation of the a policy of the MAP16 CIVIC MOVEMENT;
- ii. to receive and impart information on all aspects of MAP16 CIVIC MOVEMENT policy and activities, to offer constructive criticism of any member, official, policy programme or activity of the MAP16 CIVIC MOVEMENT within its structures;
- iii. to participate in elections and be elected or appointed to any committee, structure, commission or delegation of the MAP16 CIVIC MOVEMENT;
- iv. to submit proposals or statements to the Ward or District, or Central Executive Committee, provided such proposals or statements are submitted through the appropriate structures.

5.3. Obligations;

Members have an obligation to abide by the Constitution of the MAP16 CIVIC MOVEMENT

- i. personally pay their triennial membership fees as determined by the Central convention from time to time;
- ii. renew their membership triennially as determined by the Central convention from time to time;
- iii. actively take part in the activities of their wards unless authorized to do so in other wards.
- iv. ensure they are registered as voters in the Municipal Ward where they ordinarily reside and where they have taken membership;
- v. conduct themselves as MAP16 CIVIC MOVEMENT members in their civic activities with dignity and a sense of tolerance toward opposing views, giving effect to the provision that everyone has the right to associate freely in furtherance of the ideal of a free and democratic country.

ARTICLE 6: ORGANISATION

Section 1: The Map16 organisation shall consist of three constitutional structures in the following protocol; the Wards, Districts and Central structures.

Section 2: Hierarchically, Central Committee shall be the highest decision making body in between Central Convention and its decisions shall supersede and apply to the two lower structures. The Districts' decisions shall supersede and apply to the ward structures but shall be within the ambit of the Central decisions.

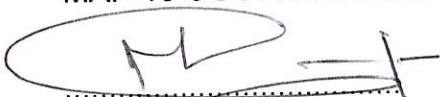
Section 3: The trio as established by this constitution shall be elected by the convention at their respective levels of jurisdictions;

Section 4: The District structures shall consists of a minimum of 3 wards. In terms of this constitution the following shall be considered as districts; Bolata, Harrismith, Makwane, Monontsha, Namahali, Phuthaditjhaba and Tsheseng.

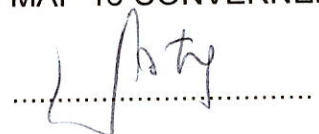
Section 5: Ward Executive Committees may be sanctioned by the Central Executive Committee, or the Central Convention, upon the application of two hundreds (200) or more members in a Ward. The interim committee shall seat and determine date, venue and time of an elective convention and shall make a written request to the district executive chairperson.

- a. Voting districts or voting stations coordinating structures shall exist in each ward but they shall wield no constitutional powers their functioning will centre on organizing for elections and for Map16 ward structure's existence.
- b. Voting Districts Coordinating Forums shall consist of an appointed or elected by consensus, convener and coordinator with fifteen additional members. The office bearer shall possess knowledge and experience in the elections field and must respect and hold Map16 principles and policies.

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- c. This forum shall operate under the leadership watch of the ward executive committee and shall meet monthly or anytime as may a need arise or as directed by the WEC.

Section 6: Where there is no Ward Executive Committee, a district office shall assign an organizer or its member to establish an interim structure led by convener and coordinator in order to organize for an existence of a constitutional structure in the affected ward/s. Once the branch is ready to launch then District Executive Committee Secretariat shall sanction for its elective convention, or where the District Executive Committee is non-responsive or non-functional, the Central Management Committee has the authority to establish Ward Executive Committee.

Section 7: Ward Executive Committee/District Executive Committee must submit regular reports to the Central Executive Committee Secretary as requested.

- a) Structure which does not report will be subject to automatic disbandment.
- b) The Central Executive Committee is empowered to draft rules on reporting.

Section 8: Ward Executive Committee and District Executive Committee are indivisible units of the Civic for the jurisdiction in which they are operating.

ARTICLE 7: ADMINISTRATION

Section 1: The affairs of the Civic shall be administered by the Central Executive Committee, the Central Management Committee, and the Civic's officers and subcommittees.

Section 2: Central Conventions, and Central Executive Committee decisions and policies shall take precedence over conflicting Ward and District decisions. In all other respects, Ward and Districts structures shall have full powers.

Section 3: District Executive Committee holds their authority subject to the Central Executive Committee which grants their election and may for cause revoke that launch after a hearing. Revocation of the District Executive Committee election may be appealed to the Central Executive Committee and the Central Convention.

Section 4: Ward Executive Committee hold their authority subject to the District Executive Committee or the Central Management Committee, whichever grants their election. Ward Executive Committee may be revoked for cause after a hearing. Revocation of a Ward Executive Committee existence may be appealed to the District Executive Committee, Central Management Committee and Central Executive Committee.

ARTICLE 8: ELECTIONS

Section 1: Map16 Civic Movement as an organisation shall contest elections and shall register with the electoral commission as Map16 Civic Movement.

Section 2: The decision to run District and Ward under the banner of the Civic shall be left to the discretion of the District and Ward Executive Committee.

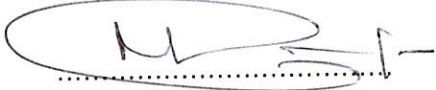
Section 3: District Executive Committee or Ward Executive Committee of the Civic may endorse independent candidates or candidates from similar independent political parties only after requesting and receiving the approval of the Central Executive Committee.

Section 3: District or Ward Executive Committees of the Civic may endorse, support, or run candidature for non-partisan political office after requesting and receiving the approval of the Central Executive Committee.

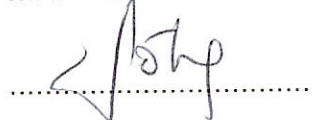
Section 4: District or Ward Executive Committees of the Civic shall not merge with any other political, civic or group.

Section 5: Nominations, endorsements, of the Civic candidacies in all areas/wards will be administered by the Central Executive Committee under the same rules outlined in this constitution. At-large members cannot declare themselves candidates of the Civic without formal nomination.

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MAP 16 CONVERNER



Section 6: The Central Executive Committee is empowered to delegate the responsibilities assigned to it to the Central Management Committee. This transfer of responsibilities is only valid during the term of the Central Executive Committee that approved it and must be re-approved after a new Central Executive Committee is seated.

ARTICLE 9: FINANCES

Section 1: Dues policy shall be set by the Central Convention.

Section 2: No applicant shall be enrolled as a member in good standing of the Civic without payment of the specified dues unless exemption is granted by the Central Management Committee or the Central Executive Committee.

Section 3: The Central Executive Committee shall establish policies for the Central Office to maintain the membership roles consistent with the provisions of this constitution.

ARTICLE 10: CENTRAL CONVENTIONS

Section 1: The Central Convention of the Civic shall have final authority in all matters of principles, policies and constitution.

Section 2: Central Conventions shall be held at the end of the term office bearers which is five years. The time and places shall be determined by the Central Executive Committee. The Central Executive Committee will strive to alternate the district in which the convention takes place so it doesn't occur consecutively in one sector repeatedly.

Section 3: The Central Executive Committee shall establish policies for the Central Office to maintain membership rolls consistent with the provisions of this constitution.

- a) The Central Executive Committee shall determine the total number of delegates to the convention. Delegates shall be apportioned on the basis of total Civic members in good standing.
- b) All delegations to the Central Convention shall be inclusive of female members and shall not be less than 50% male representation. The number of votes shall be reduced to the size of a balanced delegation by the Credentials Committee, unless the Credential Committee is persuaded that the District/Ward Executive Committee has made a good faith effort to meet the gender requirements.
- c) Where there is a District Executive Committee, it shall conduct delegate elections. If minorities exist, they shall be guaranteed representation by proportional representation. District Executive Committee shall also send delegates on the basis of gender parity.
- d) Where there is no District Executive Committee, Central Executive Committee shall elect their delegates through the same procedure.
- e) The Central Executive Committee shall conduct delegate elections among members at large where there is no District and Ward Executive Committees. The Central Management Committee shall attempt to ensure gender parity among delegates.
- f) The Central Management Committee shall fix the amount of the registration fee.

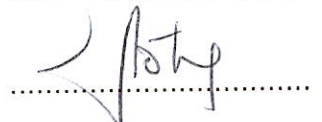
Section 4: The Central Convention shall elect 7 officials; *the Central President, Central Vice President, Central Secretary, Central Deputy Secretary I (Organisation), Central Deputy Secretary II (Governance), Central Chairperson and Central Treasurer*, and 50 Central Committee Members.

- a) Vacancies in the office of Office Bearers shall be filled by the Central Convention.

MAP 16 COORDINATOR



MAP 16 CONVERNER



- b) The term of office for the Office Bearers shall be five years.

Section 5: The Special Central Convention shall be convened to deal with preparations for municipalities and Central and provincial elections at least a year preceding the election year or at the appropriate time depending on the decisions by the central committee. The convention shall nominate candidates for Executive Mayor, Speaker and Council Whip of Maluti a Phofung Municipality.

- a) The central executive committee shall table a working document depicting processes and procedures to be followed towards internal as well external elections to the central convention.

Section 6: The Central Convention or the Central Executive Committee shall determine the site of the Central Office.

ARTICLE 11. CENTRAL EXECUTIVE COMMITTEE (CEC)

Section 1: The Central Executive Committee shall be the governing body of the Civic, with the authority to set policies and direct actions in accordance with Central Convention discussions.

Section 2: The central executive committee shall consist of 7 officials and 50 additional members. The convention shall observe gender and geographical spread representation.

Section 3: Organizational officials shall be in the form of; *The President, The Deputy President, The Central Secretary, The Central Deputy Secretary I (Organisation), The Central Deputy Secretary II (Governance), The Central Chairperson and The Central Treasurer.*

Section 3: The Central Executive Committee shall consist of all members, two representation from each component as determined by this constitution. Members of the Central Executive Committee must have been members of the Civic or its merged components at least twelve months preceding the convention. No more than half of the Central Executive Committee members elected by the convention shall have a male domination.

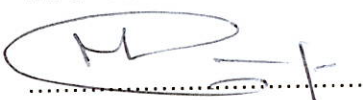
Section 4: The term of office for Central Executive Committee members shall be five years interval.

- a) In the event a member is unable to attend 3 consecutive meeting of the Central Executive Committee, that member automatically ceased to be part of the committee.
- b) If a member of the Central Executive Committee continuously apologise to meetings rule above also apply.
- c) In the event of a vacancy on the Central Executive Committee exists, the Central Executive Committee is empowered to fill the vacancy from the general membership. In this instance, the twelve month membership requirement shall be applied to the twelve months preceding the date of appointment.

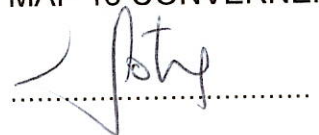
Section 5: Central Executive Committee meetings shall be called at least once every three months except by two-third consent of all Central Executive Committee members.

- a) Special meetings of the Central Executive Committee may be called by a majority vote of the total membership of the Central Executive Committee or shall be called by top 8 officials in extra ordinary circumstances.
- b) A quorum of any Central Executive Committee meeting shall be at least half plus one of all directly elected committee members.
- c) A motion put for vote must be sent to Central Executive Committee members within three days after the receipt by the Central Office.
- d) Central Executive Committee members who are absent for three regularly scheduled meetings in a row without being excused by Central Executive Committee shall be automatically removed from the Central Executive Committee.

MAP 16 COORDINATOR



MAP 16 CONVERNER



Section 6: The Central Executive Committee shall be elected by the Central Convention at which time the number of members of the Central Executive Committee shall be determined. Each nominee for Central Executive Committee member shall declare their availability to stand or decline by signing a nomination form before the convention.

Section 7: The Central Executive Committee shall elect the Central Secretary, two Central Deputy Secretaries, Central Treasurer, Administrator who shall be fulltime functionaries of the Civic, and any other officers that it deems advisable.

- a) The Central Executive Committee shall fix the salaries of the fulltime functionaries and any other officers.
- b) Central Secretary, Central Treasurer, and any other officers may be removed from their offices at any time by majority vote of those Central Executive Committee members voting.
- c) Central Secretary, Central Treasurer, and any other officers shall be under the supervision and authority of the Central Management Committee and the Central Executive Committee.
- d) The Central Secretary shall supervise the activities of the civic movement. This office shall consult, work with, and be under the supervision of the Central Management Committee and Central Executive Committee on all Civic matters, such as principles, policies, activities, and problems within the Central Office and the civic movement as a whole.

Section 8: The Central Executive Committee members may be suspended or removed from office for conduct unbecoming of the office they hold or for bringing the Civic into disrepute.

- a) Suspension or removal shall be conducted via one of the following:
 - i. A disciplinary Hearing
 - ii. A 2/3 vote of all Central Executive Committee members after a hearing.
- b) A vote of expulsion cannot take place until after the member is removed from office.
 - i. If the member is expelled by their District or Ward Executive Committee, the matter shall be automatically appealed to the Central Executive Committee.

ARTICLE 12: CENTRAL MANAGEMENT COMMITTEE

Section 1: The Central Executive Committee shall establish a Central Management Committee that shall be responsible for the carrying on of Civic business affairs and the application of Civic decisions between the meetings of the Central Executive Committee.

Section 2: The Central Management Committee shall be composed of the Office Bearers plus fifteen percent (20%) of the total members of the central committee and one representation of each component.

- a) The Central Management Committee shall meet bi-monthly or on call of the Central Secretary in consultation with all officials, or by a majority of its members at such times as it may designate.
- b) A quorum for any meeting shall consist of a two third majority of the Central Management Committee.
- c) All actions and decisions by the Central Management Committee shall be subject to ratification vote of the entire Central Executive Committee, upon the request of half of Central Executive Committee members.

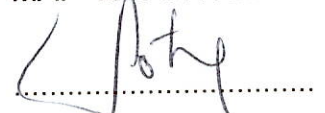
ARTICLE 13: INTERIM CENTRAL EXECUTIVE COMMITTEE (ICEC)

Section 1: The Interim Central Executive Committee shall be the governing body of the Civic, with the authority to set policies and direct actions in accordance with this constitution. The ICEC shall be composed of former

MAP 16 COORDINATOR



MAP 16 CONVERNER



councillors, not compulsory though, and other Map16 founder members determined to serve the citizens with vigour or enthusiasms.

Section 2: The ICEC shall be empowered by this constitution to perform all duties at the interest of Map16 but all activities whatsoever shall strictly be performed through the decisions taken by the interim central committee duly constituted.

Section 3: The ICEC shall appoint the convener and coordinator, from its members, who shall lead Map16 organisationally and governmentally after having engaged and adopt names raised or proposed in a meeting to formulate the ICEC structure.

Section 4: The interim structure shall run the affairs of Map16 and prepare for local, provincial and central elections notwithstanding preparations for Map16 constitutional structures through conventions.

Section 5: The convenor and coordinator shall perform duties assigned to them by the ICEC body and they shall act within the ambit of such authority and if the need arise recommendations may be made to interim committee to resolve to extend or reduce the scope.

Section 6: The ICEC may establish sub-committees relevant to the scope of work as determined by the interim body. Such committees shall observe gender parity and generational mix representation. Members of the ICEC may be assigned to chair those respective committees and report to the full seating of the interim committee.

Section 7: At the interim juncture there shall be no districts interim committee, there shall be Ward Task Teams established by the wards from Map16 members and founders approved by ICEC. The appointed district coordinator together with interim committee members deployed shall oversee the program and activities of the WTT without any hindrances or dictatorship.

Section 8: There shall be an extended ICEC meeting where districts and ward coordinators will observe the tabling of their reports by the central coordinator. There shall be a bi-monthly coordinators; (wards, districts inclusive of all existing components, as adopted by ICEC), meetings convened by the central coordinator for reporting and strategising purposes.

Section 9: In terms of this constitution and any decisions taken by the ICEC,

- i. The convener shall convene, chair and directs the meeting, and shall be a spokesperson of Map16 and has the authority to delegate.
- ii. The coordinator shall coordinate the meetings; ICEC and coordinators meeting respectively, keep records, minute meeting proceedings, communicates externally through correspondence, emails etc, report all activities and recommends to ICEC.
- iii. The treasurer shall manage finances of Map16, head and coordinates Financial Task Team, keep financial records, raises funds and donations, members are at liberty to raise funds but such funds must get to Map16 coffers. Any member who fundraises for his/her personal gains using Map16 name, that is tantamount to fraud and corruption, and shall be dealt with ruthlessly so. The treasurer must report all the income and expenditures and shall prepare annual financial statement and shall obtain a clean audited financial statement.

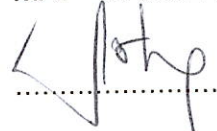
ARTICLE 14: DISTRICTS

Section 1: The districts shall be represented by the District Executive Committee which is going to be the second higher decision making body in its area of jurisdiction after the CEC/ICEC. The District Executive Committee shall be elected by district convention and must at least elect not less than 6 and not more than 20 members.

MAP 16 COORDINATOR



MAP 16 CONVERN



Section 2: The District structures shall consist of a minimum of 3 wards. In terms of this constitution the following shall be considered as MAP16 districts; Bolata, Harrismith, Makwane, Monontsha, Namahadi, Phuthaditjhaba and Tsheseng and all other lands under the jurisdiction of Maluti a Phofung Local Municipality shall be considered Districts.

Section 3: In the interim space the ICEC shall appoint district coordinators to oversee the functioning and performances of ward task teams under the supervision of central committee.

ARTICLE 15: DISTRICT CONVENTION

Section 1: Central convention will deliberate and formally formulate constitutional district committees and procedures to be followed in terms of district conventions.

ARTICLE 16: WARDS

Section 1: Wards shall consist of all members residing in the area designated in line with ward boundaries as demarcated by the municipal demarcation board.

Section 2: Applications for membership shall be acted upon by the Ward Secretary, subject to review by the Ward Executive Committee. Ward Executive Committee shall have authority over the approval of membership admission, transfer, and expulsion using procedures and standards established by the Central Executive Committee.

- a) In cases where there is no lower level structure, or in extraordinary cases, the powers described in Section 2 may be assumed by the District Executive Committee, Central Management Committee or Central Executive Committee, whichever is most appropriate. In this instance, or in cases of the revocation of a ward powers and functions.

Section 3: Applicants for membership and transfers may join where they registered as voters and at their place of residence and activities, subject to the jurisdiction of the Ward concerned.

Section 4: Ward Executive Committee shall keep membership and finance records and may hold public meetings, forums, classes, and other functions.

- a) Wards shall represent the Civic in the area assigned for their jurisdiction.
- b) Wards may run candidates for public office, representing the area in their jurisdiction sanctioned by relevant upper structures.

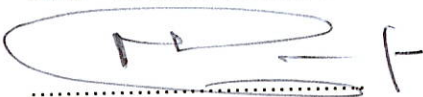
Section 5: Ward shall elect an executive committee and it shall consist of the Ward Chairperson, Assistant Chairperson, Ward Secretary, Assistant Secretary and Ward Treasurer and not more than 10 Additional Members.

- a) The term of office for Ward Executive Committee shall not exceed two years, if the mandate expire automatically that Ward Executive Committee has no mandate from its constituency
- b) The Ward Executive Committee shall be responsible for carrying on the Civic's business affairs between membership meetings of the local organization.
- c) Their main task is to make Civic movement visible and vibrant in their constituency

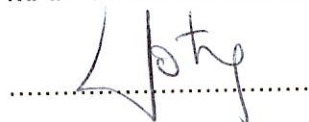
ARTICLE 17: Youth Component

Section 1: The MAP16 Civic may create a youth component.

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- (o) deliberate non-compliance in paying Civic dues
- (p) joining another political organisation;
- (q) behaving in a corrupt manner that includes also the soliciting of bribes or other financial gain based on selfish motives;
- (r) deliberately disrupting of meetings and other activities of the Civic to sow confusion or dysfunction of the Civic;
- (s) engaging in behaviour that is deemed to bring the Civic into disrepute;
- (t) recruitment of members who do not reside within the constitutional boundaries to influence the outcome of Ward, District and Central Convention elections;
- (u) influencing or attempting to influence the outcomes of conferences or other activities by offering inducements or any other forms of bribes. ¶

Article 30: SANCTIONS FOR MISCONDUCT

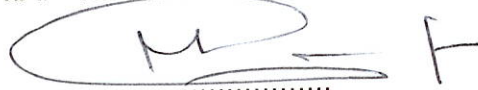
- a) In accordance with the Disciplinary Policy, any sanction that is imposed for misconduct will be intended to deter repetition of that behaviour. The sanction imposed must be based on the seriousness of the offence and considering the member's disciplinary record.
- b) The imposition of discipline is progressive in that sanctions are to be applied with increasing severity with the repetition of the offence, as well as with the higher the level the member holds in the Civic offices. Sanctions will generally be applied by first issuing a written warning and then a final written warning, except in cases of misconduct which would constitute grounds for immediate expulsion from the Civic or the imposition of a final written warning.
- c) All written warnings and suspensions are to be recorded by the Secretary and copies thereof sent to the Central Executive Secretary for record keeping.
- d) suspension from the Civic shall be regarded as a sanction that is more serious than a final written warning.
- e) As a guideline, a member may be expelled on the first occasion for, inter alia: ¶
 - ii. intimidation, fighting and/or assault;
 - iii. any act of gross dishonesty or corruption; (c) gross insubordination;
 - iv. willful and wrongful disclosure of privileged information;
 - v. any act of bribery or corruption; (e) any other act of misconduct which would constitute just cause for dismissal;
 - vi. theft, unauthorized possession of the Civic's property;
 - vii. malicious damage to the Civic's property.

ARTICLE 31: MISCELLANEOUS REGULATIONS

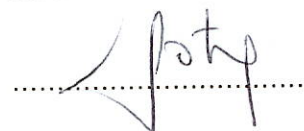
States and locals may be organized to coordinate the work of the Civic, to perform any duty or function required by state, county, or local election laws.

ARTICLE 32: AMENDMENTS

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MAP 16 CONVERNE



This constitution may be amended by Central Conventions by a two-thirds vote of those delegates present and voting, or by a majority vote of the votes cast in referendum as provided herein. Amendments passed during a Central Convention go into effect at the adjournment of the Convention.

ARTICLE 33: LEGAL PERSON

- a. The MAP16 CIVIC MOVEMENT is a body corporate with perpetual succession.
- b. The MAP16 CIVIC MOVEMENT, as a juristic person, is capable of suing and being sued in its own name, may purchase, hire, lease, mortgage, pledge or in any other way acquire, own, alienate or deal with moveable and immoveable property, and may perform all legal and lawful activities as provided for by this Constitution and such legal activities ordinarily associated with a body corporate.
- c. Only the Central Office Bearers, have the authority to bind the MAP16 CIVIC MOVEMENT or to create any legally binding relationship. Any other person purporting to bind the MAP16 CIVIC MOVEMENT must provide a written authorization from three of the Central Office Bearers, one of which must be the Central Executive Secretary, and which authorization must expressly indicate the extent of the prior authority granted.

SCHEDULE A: LOGO

The Map16 logo is designed in a circular shape representing human catalyst drive to the consciousness of the whole society to solid, resolute and be united for their Central and local recognition, human rights and dignity. This logo has three circular facet; the outer, middle and inner circles.

The outer core is bold bordered by aqua blue circle with white interior part bearing no features inside representing civic society's consciousness vowed to remain resolute in opposition to all forms of injustices; social injustices, ineffective and inefficient economic policies and anarchism.

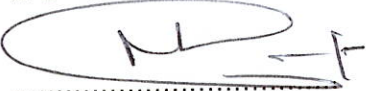
The middle circle symbolizes 'multiple crisis and disgracefully bad history turned into a stepping stone beckons Maluti people to mauled collective will and conscious into one family Map16'. The design northwardly features the five aqua blue coloured dots; (two first left and right are equal sized and has a hole inside, whilst the subsequent two dots are smaller to the first two and are both solid, then middle dot is bigger to the rest and also solid. The bottom of the middle circle featured the blue bold coloured writings; '**KE HABO RONA**' (**THIS IS OUR HOME**) meaning 'dictatorship shall never borne again, not anymore,' not in OUR democratic space"!

The inner circle represents MAP16 ascribing to core value principles being organizational integrity and ethics, respect, innovation and drive. The inner core features the brand name MAP16, (MAP in red colours with finer writings '*Maluti habo rona*'; '*Maluti*' in red '*habo rona* in blue). Number 1 of 16 is written in blue whilst a 6, with muscles, of 16 is written in black colours, underneath number 16 there is finer writings 'sixteen in red colours. Slightly above 'MAP' in red, there's Maluti mountain range image stretching from the far left of letter 'M' towards the right hand side nearly touching number 1 of 16, and the mountains are black in colour.

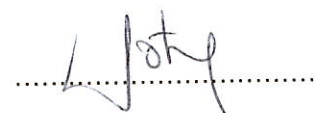
Colours Represents

1. White - peace and serenity amongst the community

MAP 16 COORDINATOR

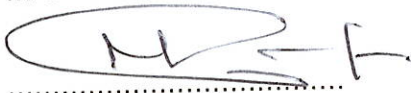


MAP 16 CONVERNE

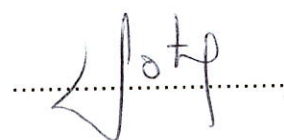


2. Aqua blue - The strong inspiration of serving and uplifting our community
3. Red - selfless sacrifice to shield the community and fight any form of injustice against the community
4. Mountain - Beautiful Maluti Mountains which symbolizes Thaba Bosiu a mountain which Basotho nation climbed during war times
5. 6 with muscles - The strength of a united community in fighting against the injustices they face
6. Ke habo Rona - devotion, unapologetic and vigorous support for Maluti A Phofung and self determination of the community of Maluti A Phofung
7. Inner circle - Defence shield against the injustices subjected to our community
8. Outer circle - The society defending their own community versa verse all forms of injustices.
9. Dots.
 - 9.1. First left dot with smaller hole – imitation of bird's-eye view simulating visionary, the highest integrity, promotion of community participation and consensus orientated leadership
 - 9.2. Second left dot - selfless leadership which is transparent and it is unconditionally accountable
 - 9.3. First right dot – united and solid leadership with morals and values, promotes equity and inclusivity.
 - 9.4. Second dot - leadership which is responsive, champions of effectiveness, efficiency and accountability across the spectrum of society.
 - 9.5. Middle dot.- the community is the centre nerve of MAP16 CIVIC MOVEMENT

MAP 16 COORDINATOR



MAP 16 CONVERN



Section 2: The youth component shall be an independently constituted organization and shall be subject to the Civics' regulation and policies. As autonomous structure the youth component shall craft their own constitution and shall not contradict but compliment Map16 constitution.

Section 3: The youth component shall recruit all young people between the age of 14 years to 35 years/ or the age restriction be aligned to that of the RSA constitution.

Section 4: The youth components' main task is to make Civic movement visible and vibrant in their constituency,

ARTICLE 18: Women's Component

Section 1: The MAP16 Civic may create a women component.

Section 2: The women component shall be an independently constituted organization and shall be subject to the Civics' regulation and policies.

Section 3: The women component shall recruit all women residing in Maluti a Phofung Municipality irrespective of age.

Section 4: The women components' main task is to make Civic movement visible and vibrant in their constituency; societies, stokvels, church organisations, etc.

ARTICLE 19: Men Components

Section 1: The MAP16 Civic may create men's component.

Section 2: The men component shall be an independently constituted organization and shall be subject to the Civics' regulation and policies.

Section 3: The men component shall recruit all men and young men residing in Maluti a Phofung Municipality irrespective of age.

Section 4: This component's main task is to nurture, develop and guide the African young mind to act responsible against all violations of human rights especially women and criminal activities.

ARTICLE 20: Elder Citizen Component

Section 1: The MAP16 Civic may create a elder citizen component.

Section 2: The elder citizen component shall be an independently constituted organization and shall be subject to the Civics' regulation and policies.

Section 3: The elder citizen component shall recruit all senior citizens from the age of 60 years up wards

ARTICLE 21: Disability Component

Section 1: The MAP16 Civic may create a disability component.

Section 2: The disability component shall be an independently constituted organization and shall be subject to the Civics' regulation and policies.

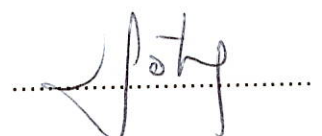
Section 3: The disability component shall recruit all disability people residing in Maluti a Phofung Municipality irrespective of age.

ARTICLE 22: Business Component

MAP 16 COORDINATOR



MAP 16 CONVERNER



Section 1: The MAP16 Civic may create a business component.

Section 2: The business component shall be an independently constituted organization and shall be subject to the Civics' regulation and policies.

Section 3: The business component shall recruit all women residing in Maluti a Phofung Municipality irrespective of age.

ARTICLE 23: Labour Component

Section 1: The MAP16 Civic may create a labour component.

Section 2: The labour component shall be an independently constituted organization and shall be subject to the Civics' regulation and policies.

Section 3: The labour component shall recruit all workers residing in Maluti a Phofung Municipality irrespective of age.

Section 4: Members shall not hold dual membership

ARTICLE 24: Student Movement Component

Section 1: The MAP16 Civic may create a student movement component.

Section 2: The component shall be an independently constituted organization and shall be subject to the Civics' regulation and policies.

Section 3: The component shall recruit all students in their respective campuses irrespective of age and their areas of origin.

ARTICLE 25: FAITH BASED DESK

Section 1: The MAP16 Civic may create faith based organisation desk.

Section 2: Religious and faith leaders are the most trusted in many places and are on the cutting edge of developing innovative and are capable to providing long term solutions to societal problems.

Section 3: the purpose of this desk shall be to focus much on;- leading role in addressing the root cause of issues in the communities like homelessness, focus on issues of morality, and on any matter assigned to it by the organisational convention or policy.

ARTICLE 26: TRADITIONAL BASED DESK

Section 1: The MAP16 Civic may create traditional based organisation desk.

Section 2: traditional healers and leaders are the most best suited and trusted in customary, cultural and traditional aspects in many sections of the society.

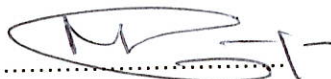
Section 3: the purpose of this desk shall be to focus much on;- playing the leading role in the respect, restoration and practising of traditional, cultural and customs relevant to specific communities and on any matter assigned to it by the organisational convention or policy.

ARTICLE 27: ETHICS COMMISSION

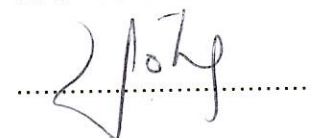
Section 1: The MAP16 Civic must create integrity commission..

Section 2: The commission shall form an integral part of the organisation but independently constituted and shall be subjected to the Civics' regulation and policies.

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MAP 16 CONVERNER



Section 3: The purpose of traditional desk shall be:-

- a. to maintain the character of Map16 civic; anti-corruption, honesty and to promote its status within the public arena.
- b. to maintain Map16 sloganeering;- to promote good, clean, accountable and sustainable governance.
- c. exist to threatens the continuation of perpetual corruption and maladministration without appropriate consequences
- d. deal with cases of unethical or immoral conduct referred to it by the ICEC / CEC.

Section 4: This commission shall:-

- a. be formed by prominent figures identified by central convention who holds the organisation's membership.
- b. be answerable and accountable to Central Convention or to I/CEC if so decided by the convention.
- c. determine the fate of implicated member whether to step aside or not pending the disciplinary hearing or the outcomes of the court of law.
- d. submit its recommendations to the CEC.
- e. findings of the commission binds to anyone in the organisation including person/s implicated.

ARTICLE 28: DISCIPLINE

Disciplinary Policy

Section 1: Discipline is to be effected fairly, consistently, progressively and promptly.

Section 2: The maintenance of discipline is the responsibility of the Executive Committees of the various structures of the Civic.

Section 3: The principles of natural justice and fair procedure must be adhered to notwithstanding any criminal and/or civil action having been instituted. ▯

Section 4: Subject to the requirements of substantive and procedural fairness, the Disciplinary Tribunal has the right to determine the sanction to be applied, having regard to the seriousness of the offence and provided that the sanction is consistent with the provisions set out herein.

Section 5: The Disciplinary Procedure must be made known to all Civic members so that all members are aware, explicitly, of the standard of conduct for all Civic members. ▯

Section 6: This procedure, as refined from time to time by the Central Executive Committee, will define the disciplinary process read together with the rights and obligations of the Civic membership. ▯

Disciplinary Procedure

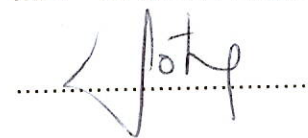
Section 7.1: An accusation of misconduct against a member shall be brought in writing before the Chairperson of the Ward or his authorised representative, – to which the member is affiliated, for investigation. If the Ward Chairperson or his representative is satisfied that there is a *prima facie* cause to believe an act of misconduct has been committed, he may institute disciplinary proceedings.

Section 7.2: Depending on the seriousness of the alleged misconduct, the Chairperson or his representative may refer the matter before either an Informal Ward Enquiry or the District Disciplinary Tribunal that shall be

MAP 16 COORDINATOR



MAP 16 CONVERNER



administered by the District Executive Committee. An Informal Ward Enquiry proceeding shall be reserved for matters where the competent sanction is a verbal warning. In proceedings before an Informal Ward Enquiry, the member shall enjoy the same rights, as he would have before a Disciplinary Tribunal.

Section 7.3: If in the opinion of the Ward Chairperson or his representative, the misconduct is serious and may result in a sanction of suspension, demotion (if in a position of the Civic) or expulsion, a Disciplinary Tribunal shall be established to conduct the enquiry.

Section 7.4: In which event:

- a. The Ward Chairperson or his authorised representative shall send the case docket to the District Executive Committee's (DCC) Chairperson who shall then constitute the Disciplinary Tribunal by appointing a suitably competent person to serve as the Presiding Officer;
- b. The DCC's Chairperson or his authorised representative shall also appoint a person to be referred to as the Prosecutor to represent the Civic and to serve the function of prosecution. ¶
- c. The Prosecutor shall within ten (10) days of his appointment, formulate and present the charges to be brought against the member. The charge(s) is (are) to be set out in a Notice Of Misconduct detailing:
 - d.
 - i. the alleged misconduct as is contemplated in section ; ¶
 - ii. the time, date and venue at which the enquiry will be conducted; ¶
 - iii. name of the Presiding Officer and the Prosecutor;
 - iv. the fact that the member may appoint a representative of choice who may be a fellow member, and if this is not possible or desirable, any suitably qualified person, but not a practicing attorney or advocate; ¶
 - v. the fact that the member or his representative fails to attend the enquiry; it may be conducted *in absentia* ¶
- e. The member should, whenever possible, acknowledge receipt of the Notice. ¶
- f. The Disciplinary Enquiry should commence on a date not less than five (5) days or more than fifteen (15) days calculated from the date of service of the Notice of Misconduct on the member. ¶
- g. The period referred to in 2.7 above may be varied by agreement and failing agreement, either Civic may apply to the Disciplinary Tribunal for an extension of the period. ¶
- h. The Disciplinary Tribunal, on good cause shown, may extend any period fixed by or under this clause provided a return date is fixed and made certain.

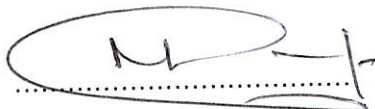
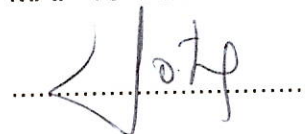
Conduct of the Enquiry

Section 8: The hearing shall be conducted by the Presiding Officer who may determine the procedure to be followed subject to the following:

- a) the rules of natural justice must be observed in the conduct of the proceedings; ¶
- b) unless otherwise agreed by the parties, the hearing must be adversarial in nature and character, and ¶
- c) the Presiding Officer in discharging this obligation is to exercise care, proceed diligently and act impartially. ¶
- d) The Prosecutor shall bear the duty to commence and the burden to prove each allegation(s) as set out in the Notice of Misconduct.
- e) In discharging these duties, the Prosecutor shall be entitled to call before the Disciplinary Tribunal any

MAP 16 CONVERNER

MAP 16 COORDINATOR

- witnesses and produce any books, documents or things; or present argument based on the evidence in support of any submission.
- f) The member summoned before the Disciplinary Tribunal shall have the right to be heard in person or through a representative and to call before the Disciplinary Tribunal any witnesses and produce books, documents or things; and to
 - g) cross-examine any witness subject to legal objection called to testify on behalf of the Civic and to inspect books, documents or things produced; and
 - h) present arguments based on the evidence in support of any submission.

Section 9: The Presiding Officer shall have power to:

- a. determine the procedure to be followed for the conduct of the enquiry that he deems appropriate with the minimum of legal formalities provided that the rules of natural justice shall be observed;
- b. put question, without cross-examining, to the parties or their witnesses on any matter relevant to the issue;
- c. proceed with the enquiry in the absence of a Civic who is in wilful default or fails to attend any meeting despite the expiry of a notice to attend;
- d. make such interim determinations or rulings as he deems necessary;
- e. propose to the parties compromise settlements in disposal of the whole or portion of the issues;
- f. make a finding of fact after having considered the evidence;
- g. invite and hear any plea in mitigation, aggravation or extenuation prior to deciding on the sanction to impose; and
- h. impose, inter-alia, any of the following sanctions: (i) written warning; (ii) final written warning;
 - i. suspension from membership (with or without demotion or removal from a position held in the Civic structures) for a determined period of time;
 - ii. removal from a position of responsibility in the Civic (with or without loss of membership);
 - iii. expulsion.

Section 10: The Presiding Officer shall within ten (10) days of the last day of the hearing confirm in writing the finding of fact, sanction imposed and the reasons in support thereof and provide a copy of the determination to the CEC Chairperson or his representative and to the member or his representative.

Summary Procedure

Section 11: If the Civic and the accused member so agree in writing, the Summary Procedure as set out hereinafter may apply to the proceedings. The Presiding Officer shall, at such meeting(s)

Right of Resignation

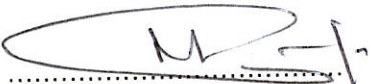
Section 12: A member who receives a Notice of Misconduct shall be entitled to resign from the Civic, provided that:

Section 13: In such an event the disciplinary enquiry shall not proceed.

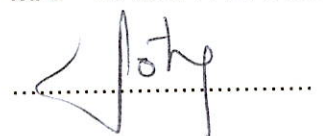
Disciplinary Tribunal

Section 14: In general a person appointed to serve as the Presiding Officer should be a member of the District

MAP 16 COORDINATOR



MAP 16 CONVERNER



Executive Committee (DCC). However, if this is not possible or desirable, any other suitably qualified person may be appointed.

Section 15: During the conduct of the enquiry, the accused member may make application on good cause shown for the recusal of the Presiding Officer.

Section 16: The Presiding Officer shall not consult, confer or have casual contact with any of the parties or their representatives while handling a matter without the presence of the other Civic.

Section 17: Receive evidence or submissions, orally or in writing, sworn or un-sworn at joint meetings with the parties or, if the parties so agree, by the interchange of written statements or submissions, between the parties with copies to the Presiding Officer provided that each Civic shall be given reasonable opportunities of presenting evidence or submissions and of responding to those of the other; to deliver a determination, in writing, within ten (10) days of the last day of the hearing or submission of the last document to the Presiding Officer, if there was no hearing.

- a. the member does so prior to the handing down of a determination;
- b. the member consents in writing to the settlements of any money or dues to the Civic;
- c. the member who has so resigned shall not be eligible for membership for a period of four (4) years.

Section 18: The determination of the Disciplinary Tribunal shall be final and binding on the member save that the member may lodge an appeal thereto.

Section 19: In general a person appointed to serve as Prosecutor should be a person in the employ of the Civic. However, if this is not possible or desirable, any suitably qualified person may be appointed.

Recording

Section 20: Where possible, the proceedings of a Disciplinary Tribunal shall be recorded by means of a mechanical device, and where not possible, shall be recorded in writing by a scribe appointed by the Constituency Chairperson.

Section 21: The District Executive Committee (DCC) shall keep the record of the proceedings in safe custody and upon request, a copy thereof shall be provided to the member or his representative.

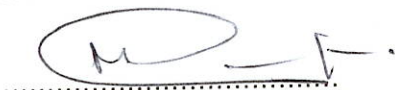
Non-Attendance

Section 22: In the event of the failure by the member, or a duly appointed representative, to attend an enquiry or appeal without good cause, and after proper service of the Notice of Misconduct was effected, the enquiry may be conducted in absentia and discipline effected.

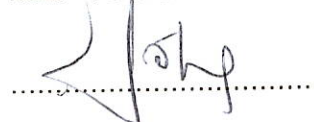
Right Of Representation

Section 23: A member shall be entitled to representation at any enquiry by another Civic member who is willing and able to represent the member and, if this is not possible or desirable, any suitably competent person. However, members of the District Executive Committee, and Central Executive Committee are prohibited from representing members during a Disciplinary Tribunal at a lower level.

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MAP 16 CONVERNER



Suspension

Section 24: The Civic, through the DCC, may at any time before or after the member has been charged with , suspend the member should the DCC Chairperson or his authorised representative be of the opinion that it would be detrimental to the interests of the Civic if the member remain active in the position that the member holds.

- a) If the DCC Chairperson intends to suspend a member he/ she shall give notice of such intention and afford the member with an opportunity to make representation as to why he/ she should not be suspended. The enquiry shall be done by mean of the Summary Procedure as provided herein.
- b) The suspension shall be for a fixed and pre-determined period and at any rate shall not exceed a period of three (3) months. Should the member be a Public Representative of the Civic, such suspension shall entitle the member to his/ her remuneration as a Civic Public Representative. (A Civic Public Representative is a Councillor, Member of the Provincial Legislature or a Member of Parliament).

Appeal

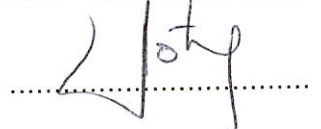
Section 25: The member has the right to appeal against any disciplinary sanction, which has been given at a Disciplinary Tribunal/Enquiry.

- a) An Appeal must be lodged within five (5) days of receipt of written notification of the disciplinary decision and the grounds of appeal must be clearly set out provided that the failure by a Civic to raise a ground of appeal shall not preclude that Civic from subsequently raising it before the Disciplinary Appeal Tribunal. □
- b) Appeals will be heard by the District Executive Committee (DCC) Chairperson, or any suitably qualified member of the DCC.
- c) By agreement, an impartial arbitrator appointed may hear an Appeal by the parties to the appeal from a panel or list.
- d) The Appeal will only be heard on the grounds of appeal submitted by the member and any amendment thereto and by having regard to the record of the proceedings and submissions and arguments based thereon. The Appeal should not entail the rehearing of the matter.
- e) Presiding Officer of the Appeal Disciplinary Tribunal shall have the power to confirm or set aside any decision, determination or finding and to reduce any sanction imposed.
- f) The Presiding Officer of the Appeal Disciplinary Tribunal shall fix the time and date of the hearing which will take place within ten (10) days of date of appointment. In consultation with the parties, the Presiding Officer may vary the time and date and order a mutually convenient time, date and place.
- g) The parties shall deliver to the other and to the Presiding Officer a brief statement of the case at least two (2) days prior to the hearing and no further pleadings shall be exchanged unless otherwise agreed.
- h) The statement of case shall concisely set out facts upon which the Civic relies, the conclusions of law upon which the Civic relies and the relief which the Civic seeks.
- i) hearings will be conducted by the Presiding Officer whatever manner and procedure, including the Summary Procedure as set out in clause 4 above that will produce the most expeditious hearing of the matter.
- j) Appeal Disciplinary Tribunal shall make its determination, in writing, within ten (10) days from the last day of the hearing and provide a copy of the determination to the District Chairperson or his representative and to the Civic or the Civic representative.

MAP 16 COORDINATOR



MAP 16 CONVERNER



- k) the Civic member be not satisfied with the decision of the District Appeal Tribunal, and subsequently to the Central Executive Committee. The final arbiter shall be the Central Convention.
- l) who hold office from the level of the Ward, District and Central levels shall be brought before the Disciplinary Tribunal constituted by the Central Executive Committee. They can only appeal to the Central Convention

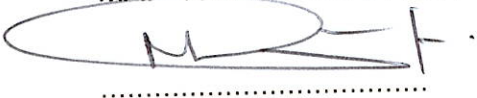
Article 29: CONDUCT AND SANCTIONS.

Standard of Conduct

Section 26: Civic members are expected to comply in every aspect with the Standard of Conduct so as to enhance the Civic image and promote unity, peace and cooperation at all levels of the Civic.

1. The kind of behaviour that shall result in an investigation whereby the Ward and District Executive Committee shall institute a Disciplinary Tribunal shall include:
 - (a) Willfully and wrongfully disclosing privileged Civic information;
 - (b) Participating whether alone or with others in action that brings about factionalism, and serious divisions within Civic ranks;
 - (c) Undermining the authority and functioning of the Civic structures;
 - (d) Seeking to advance own interests by using the Civic or any of its organs in an underhand way or by manipulation;
 - (e) Rude, abusive, insolent, provocative, intimidatory or aggressive behaviour to fellow members or Civic office bearers and/or employees;
 - (f) Behaving in a manner that results in criminal action against the member; and the member ends up with a criminal conviction against him;
 - (g) involvement in physical, mental and sexual abuse of men, women and children;
 - (h) supporting a political Civic that is not in alliance with the MAP16 Civic Movement;
 - (i) standing in elections against MAP16 CIVIC MOVEMENT members, or standing without the consent of the Central Executive Committee or the Central Convention of the Civic;
 - (j) prejudice the actions of the legitimate structures of the MAP16 CIVIC MOVEMENT in any manner whatsoever;
 - (k) promoting sexism, religious and political intolerance, regionalism/factionalism or any other form of discrimination;
 - (l) false representation or deception within the Civic with the intention of advancing one's selfish motives;
 - (m) misappropriation of Civic funds for whatever reason;
 - (n) deliberate failure by elected office bearers or Public representatives in their duties or obligations;

MAP 16 COORDINATOR



MAP 16 CONVERNER

