

NATIONAL AFRICAN FEDERATED CHAMBER OF
COMMERCE AND INDUSTRY

(MPUMALANGA)

CONSTITUTION

May 2007

PREAMBLE

Whereas the National African Federated Chamber of Commerce and Industry (NAFCOC MPUMALANGA) has in the more than 25 years of its existence accomplished much with a structure appropriate to those times:

And whereas NAFCOC MPUMALANGA desires to meet the Challenges of the future by reconstituting itself , as a federation of provincial organizations representing all the economic activities in the Province in collaboration with the Youth and the Women Chambers.

It is noted that the autonomy of sector organizations has thus far created a power struggle within the organization, and that the Provincial Mother body and its Branches should form sector organizations accountable to it and that each sector organization shall adopt a constitution subordinate to the constitution of the Provincial Mother body.

And whereas NAFCOC MPUMALANGA also seeks to maintain the foundations that have sustained it in the past:

Now therefore it is resolved by the Council of NAFCOC MPUMALANGA, as follows:

CHAPTER 1

ARRANGEMENT AND INTERPRETATION

Arrangement of Clauses

1. This Constitution is arranged as follows:

- Chapter 1 Arrangement and interpretation (clauses 1 and 2);
- Chapter 2 The Federation (clauses 3 to 5);
- Chapter 3 The Federal Council (clauses 5 to 8);
- Chapter 4 Office-bearers (clauses 9 to 14);
- Chapter 5 Executive Committee (clauses 14 and 15);
- Chapter 6 Constituents (clauses 16 to 18)
- Chapter 7 Congress (clauses 19 and 20);
- Chapter 8 The Executive Director and Deputy (clauses 21 to 24);
- Chapter 9 Rules (clauses 25 and 26)
- Chapter 10 Financial Matters (clauses 27 and 28)
- Chapter 11 Miscellaneous Matters (clauses 29 to 45)

Interpretation

2. In this constitution, unless the context otherwise indicates:

- 1) Affiliate means our affiliate referred to in clause 18;
- 2) Constituent means a constituent contemplated or deemed to have been admitted to the Federation in terms of clause 17;
- 3) Council means the council established in terms of clause 6 (1);

- 4) Corporate Interface Association shall mean the corporate interface association established in terms of clause 33;
- 5) Deputy Executive Director means the Deputy Executive Director appointed in terms of clause 23 (1);
- 6) Executive Committee means the Committee established by clause 14;
- 7) Executive Director means the Executive Director appointed under clause 21 (1);
- 8) Federation means the federation referred to in clause 3;
- 9) Rule means a rule made under clause 25;
- 10) Senate means the Senate established in terms of clause 30 (1);
- 11) This Constitution includes the rules
- 12) Reference to one gender includes reference to other genders;
- 13) The singular includes the plural and vice versa.

CHAPTER 2

THE FEDERATION

Continued existence of NAFCOC MPUMALANGA as A Federation

3. The National African Federated Chamber of Commerce and Industry referred to in the previous Constitution shall:
 - a) Notwithstanding the withdrawal of that Constitution continue to exist with perpetual succession and
 - b) be known as NAFCOC MPUMALANGA

Objects of the Federation

4. The objects of the non-profit Federation are to:
 - a) represent, promote and defend the interests of its members;
 - b) promote and facilitate the restructuring and integration of the economy
 - c) promote the systematic improvement of the provincial economy together with development of African and international business relations;
 - d) contribute to the growth of the economy and wealth creation by promoting, developing and expanding entrepreneurship;
 - e) promote the national economy and also the development of continental and international business relations;
 - f) Facilitate the introduction of measures to promote a social free market economy;
 - g) Promote the removal of impediments to business;
 - h) Enable and encourage Constituents to collaborate and provide mutual support at national, regional and branch levels;

- i) Arbitrate disputes between its members and Constituents,

Functions and Powers of the Federation

- 5. The function of the Federation is to achieve its objects with the means available to it , and for that purpose the Federation may:
 - a) Make representations to governmental bodies on any matter affecting its Constituents;
 - b) enter into formal relations;
 - with Southern African and other international bodies relevant to the promotion of the interests of its member and the national economy;
 - with other South African bodies or institutes and undertake mutually beneficial initiatives:
 - c) liaise and enter into agreements with other Chambers or institutes of commerce or business, and any other relevant bodies, on any matter of common purpose or mutual interest;
 - d) establish NAFCOC MPUMALANGA districts and branches. Such districts are regarded as only coordinating structures accountable to the Provincial Executive. Such districts should comprise of chairpersons and secretaries of branches within a district
 - e) provide management, administrative, research, advisory and/or other services required by its Constituents;

- f) collect and impart information on any matter of interest to its Constituents;
- g) undertake and publish research on economic and business activity and the Federation`s object and functions;
- h) make compile or acquire printed, sound, visual or audio-visual material;
- i) purchase or otherwise acquire, develop and dispose of movable property, and hire, let, pledge or otherwise encumber that property;
- j) invest and borrow money in any manner and open and operate bank accounts with any financial institutions;
- k) determine and charge membership and service fees and also pay or charge interest rates on financial transactions;
- l) cause its assets and interests to be insured;
- m) sponsor the training of staff in activities related to their current and future duties;
- n) create trust or other accounts to sponsor development programmes for disadvantaged members of the community, including study schemes for students at institutions of tertiary, business or technical education;
- o) create trust for the purpose of furthering its projects and other activities;
- p) appoint such employees as may be necessary to enable it to perform its functions;
- q) disqualify a member or terminate its membership of the Federation;

- r) do any other thing incidental to or necessary or desirable for the attainment of its objects.

CHAPTER 3

THE FEDERAL COUNCIL

6. (1) There is hereby established a Council to be known as the NAFCOC MPUMALANGA Federal Council, for the government and general direction of the affairs of the Federation

(2) The Council shall:

- a) determine policy for the attainment of the objects and the fulfillment of the functions of the Federation
- b) exercise control generally over the Federation in the performance of its functions the exercise of its powers and the fulfillment of its duties;
- c) admit constituents, affiliates and associates to the Federation;

- d) establish branches within a Municipality and such branches shall exercise the powers of the Federal Council at the local municipality level;
- e) perform such other functions as may be assigned to it by this Constitution;

Constitution of the Council

- 7. (1) The Council shall consist of four representatives from each of the branches, Youth Chamber, Women Chamber, Provincial Sectoral Bodies and the entire Provincial Executive.
- (2) Each Constituent shall, subject to the provisions of sub-clauses (3) to (5) appoint:
 - a) One Councilmember for the first 25 ordinary paid-up members of such Constituent for which the fee referred to in clause 27 (a) has been paid;
 - b) an additional Council member for the second 25 such members or part thereof;
 - c) an additional Council member for each additional 50 such members or part thereof;
- (3) No Constituent shall appoint more than 4 Council members

- (4) Each Constituent may include the head of its governing body as one of the Council members appointed under sub-clause (2) (a) and (b).
- (5) A Constituent may in respect of any Council member appointed by it, designate another person from the governing body of the Constituent concerned to act in his stead as an alternate member of the Council, and alternate so designated may attend, and take part in the proceedings at any meeting of the Council, whenever the member for whom he has been designated as alternate is absent from such meeting
- (6) Each branch or constituent may appoint its head as one of its representatives on the Federal Council.
- (7) With the necessary adjustments, Branch Councils shall be constituted similarly to the Federal Provincial Council.
- (8) The Council shall resolve any dispute relating to the number of Council members which any Constituent may appoint

Meetings of Council

- 8. (1) A quorum for a meeting of the Council shall be the majority of its
Members;
- (2) A decision of the majority of the members of that meeting and in the event of an equality of votes, the member presiding at the meeting shall have a casting vote in addition to his deliberative vote.

- (3) Meetings shall be held at such times and places as the President may determine.
- (4) The Council shall meet at least twice in each calendar year
- (5) The President shall convene a meeting of the Council if at least one third of the members so request in writing
- (6) Council shall, at one meeting in each year, to be known as the Annual General Meeting, consider:
 - (a) a report presented by the President:
 - (b) a report presented by the General Secretary:
 - (c) reports from Constituents and Regions:
 - (d) reports presented by the Chairmen of the Sub-Committees:
 - (e) the budget for the following year presented by the Treasurer:
 - (f) the audited annual financial statements presented by the Treasurer:
 - (g) motions proposed by Constituents for submission to Congress:
 - (h) the appointment of auditors:
 - (i) any other business that may be properly discussed:
 - (j) the election of office bearers every three years.
- (7) Every two years the Council shall convene a special meeting as the NAFCOC MPUMALANGA Summit, to review policy and formulate strategies.

CHAPTER 4

OFFICE BEARER

Office of the President

9. (1) There shall be a President of the Federation elected in terms of clause 10

For a maximum period of three years in Office but shall be eligible to stand for election for a further three year period(s).

- (2) The President shall cease to hold office on a resolution adopted by a two-thirds majority of members present at a meeting of the Council specially convened for that purpose.
- (3) The President may resign by lodging his resignation in writing with the Council.

Election of President

10. (1) The President shall be elected by a majority of the Council present at a

meeting held:

- (a) on the expiry of the period of office of the President, not more than one month after the office becomes vacant:
 - (b) if the President dies or for any other reason vacates his office before the expiry of his period of office, not more than two months after the office becomes vacant.
- (2) If the President resigns and intimates that he will vacate office on a day not less than one after lodging his resignation, the meeting of the Council at which his successor is to be elected shall be held earlier than the day on which the office becomes vacant.
- (3) If Council removes the President from office in terms of clause 9 (2). It shall forthwith proceed to elect his successor.
- (4) A person shall be eligible for election as President if he is a member of the Council.
- (5) Nominations of candidates for election as President shall be called in the manner prescribed by the rules which shall, in addition to any others which may be prescribed, include written acceptance of nomination by any candidate who will, for any reason, not be present at the Council meeting held to elect the President.
- (6) If in respect of any election
 - (a) only one nomination has been received the person presiding at the meeting shall declare the candidate to be elected:
 - (b) two or more candidates are nominated, a vote shall be taken by secret ballot, and the candidate in whose favour a

majority of all votes cast is recorded shall be declared duly elected by the person presiding at the meeting:

- (c) no candidate obtains a majority of all votes cast, the candidate who received the smallest number of votes cast shall be eliminated and a further ballot taken in respect of the remaining candidates, this being repeated as often as necessary until a candidate receives a majority of all votes cast:
- (d) two or more candidates are the lowest on the poll and receive the same number of votes where no candidate receives a majority of all votes cast necessary, determine which of the those candidates shall be eliminated.

Other Office-Bearers

11. (1) There shall be the following other office-bearers elected for a maximum
period of three years in terms of the same procedure set out in
clause 10:

- (a) a Deputy President
- (b) a Senior Vice-President
- (c) a Second Vice-President
- (d) a General Secretary
- (e) an Assistant Secretary
- (f) a Treasurer
- (g) such office-bearers as Council may deem fit

Functions of the President

12. The President shall:

- (a) preside at meetings of the Council :
- (b) perform such functions as may be assigned to him by;
 - i. Constitution;
 - ii. The Council or
 - iii. The Executive Committee.
- (c) take all reasonable steps to ensure that the objectives of the Federation are attained.

Functions of Other office bearers

13. (1) The Deputy President shall, in the absence of the President, perform the

functions of the president.

- (2) The Senior Vice-President or the Second Vice-President shall in the temporary absence of the President and also the Deputy President and also the Deputy President, perform the functions of the President.
- (3) The Deputy President, the Senior Vice-President and the 2nd Vice-President may, in addition to their other functions and under direction and guidance of the President undertake the following functions to achieve goal directed results approved by the Executive Committees:

- (a) government relations
- (b) corporate sector relation

- (c) International trade relations
- (d) International business federation relations
- (e) Expansion of business opportunities in the country;
- (f) membership of entrepreneur services and project development:
- (g) perform the duties of chairmen of committees constituted by the Executive Committee vis;
 - i. the Strategy Committee;
 - ii. the Personnel Committee;
 - iii. Member Services committee;
 - iv. Any other committees which may be formed by the Council or the Executive Committee;
 - v. and in each of (a) through to (g) ensure the implementation of policies, strategies and system, approved by the Executive Committee.

(4) The General Secretary shall:

- (a) ensure the preparation and tabling of minutes of any meeting of the Council or the Executive Committee.
- (b) ensure, and where desirable seek the guidance of internal and external experts, that appropriate policies, strategies and systems are developed, approved by the Executive Committee, and implemented in respect of:
 - administrative and secretarial services;
 - legal obligations;

- other matters determined by the Executive Committee
- and to monitor and report on these matters.

(c) The Assistant Secretary;
shall in addition to recording minutes at meetings of Council/ Executive Committee perform such other functions and duties as shall be assigned to him by the General Secretary.

(5) The Treasure shall:

- (a) ensure that annual budgets based on sound professional standards are prepared for approval by the Executive Committee and adoption by the Council;
- (b) ensure, with the guidance of a Committee of international and external experts, that appropriate policies, strategies and systems are developed, approved by the Executive Committee, and implemented;
- (c) be responsible to ensure the good order of all financial matters;
- (d) monitor and report on the revenue and expenditure of the Federation;
- (e) be one of the signatories of the audited annual financial statements of the federation provided that if the Treasurer is not available, the Executive Committee with the approval of the Council may appoint another signatory in his stead.

- (6) An office bearer referred to in clause 13 may, in addition to any function conferred on him by this clause, perform such other functions as may be conferred on him by the Executive Committee.

CHAPTER 5

EXECUTIVE COMMITTEE

Constitution of the Executive Committee

14. There is hereby established an Executive committee of the Council, the members of which shall be:

- (a) the President
- (b) the Deputy President
- (c) the Senior Vice President
- (d) the 2nd Vice President
- (e) the General Secretary
- (f) the Assistant Secretary
- (g) the Treasurer
- (h) the head of any Constituent referred to in clause 16
- (i) Chairmen of Sub-Committees.

Functions of the Executive Committee

15. (1) The Executive Committee may, subject to the directions of the Council,

exercise all the powers and perform all the functions of the Council during periods between meetings of the Council.

- (2) The Executive Committee shall not have the power, save in so far as the Council otherwise directs, to set aside or amend any decision of the Council.
- (3) Any act performed or decision taken by the Executive Committee shall be of full force and effect unless it is set aside or amended by Council at its subsequent meeting.
- (4) The Executive Committee may appoint one or more Sub-Committees from among its members and / or members of the Federal Council to assist with the performance of its functions and the exercise of its powers. A Sub-Committee may co-opt with the approval of the Executive Committee an additional member or members

CHAPTER 6

CONSTITUENTS

Qualifications of Constituents

16. Constituents Bodies

- (1) An organization shall be eligible for admission as a Constituent if:
 - (a) its membership comprises at least 25 persons in good standing and involved in commerce, industry, agriculture,

transport, construction, management, profession or any other economic activity;

(b) subject to the provisions of clause 17 (5), it is organized on a municipal and/or provincial basis.

- (2) If an organization is not organized on a municipal and/or provincial basis, it may subject to the provisions of clause 17 (5), be admitted as a Constituent for a probationary period until, in the opinion of Council, it has become organized on a municipal and/or provincial basis as the case may be.
- (3) An organization shall be deemed to be involved in an activity mentioned in sub-clause (1) (a) if it is involved in any category of such activity.

Admission of Constituents

17. (1) An organisation may be admitted to the Federation as a constituent by the Executive committee, and such admission shall be subject to the approval

i. of the Council at its next meeting.

- (2) No organization shall, subject to the provisions of sub-clause (5), be admitted as a constituent if, in the opinion of the Council, an existing Constituent comprises persons or bodies who are involved in the same economic activity or category of such activity, as the case may be.
- (3) The Council may suspend or expel a Constituent on grounds which in the opinion of the Council justify such action, after considering representations by that Constituent.

- (4) An organization which immediately before the adoption of this Constitution was affiliated to NAFCOC MPUMALANGA as a NAFCOC MPUMALANGA affiliated organization shall be deemed to have been admitted to the federation as a Constituent.
- (5) Notwithstanding the provisions of clause 16 (1) (b) and (3) and sub-clause (2) of this clause:
 - (a) a Chamber of Commerce which immediately before the adoption of this Constitution was affiliated to NAFCOC MPUMALANGA as a NAFCOC MPUMALANGA Regional Chamber of Commerce shall, subject to this provisions of paragraph (b), be deemed to have been admitted as a Constituent under sub-clause (1): and
 - (b) any organization which may be formed as a result of a merger or reorganization of two or more such Chambers or parts thereof shall be deemed to have been so admitted.

Affiliates

18. (1) Any person or body may, with the approval of the Council affiliate to the

Federation in terms of the rules, such person or body:

- (a) has objects similar to the objects of the Federation; or
- (b) wishes to identity with the objects of the Federation.

- (2) Any affiliated organization or corporate member who immediately before the adoption of this Constitution was an affiliated organization or associate member of NAFCOG MPUMALANGA, shall be deemed to have affiliated under sub-clause
- (3) Corporate affiliates shall be entitled to attend meetings and participate in discussions but shall not exercise the vote.

CHAPTER 7

CONGRESS

Congress to be held Annually

19. Congress

- (1) A congress shall be held in each calendar year in subject to the provisions of sub-clause (2), June, July or August.
- (2) The Council may, in respect of any particular calendar year, determine that the Congress for that year shall be held during a month other than a month referred to in sub-clause (1).

Entitlement to Attend Congress

20. (1) Attendance at Congress shall be open to:

- (a) the members of each Constituent;
- (b) each affiliate;
- (c) any person invited by Council to attend.

- (2) Any company or other corporate body, and any association of persons, which is a member is a member of a Constituent may be represented at a Congress by a natural person.

- (3) The General Secretary shall give at least 21 days notice of the holding of a congress to the persons entitled to attend.
- (4) A notice referred to in sub-clause (3) shall specify the time, place and agenda of the congress.
- (5) Each Constituent shall, no less than two weeks before the date fixed for the commencement of the Congress furnish to the General Secretary the names and addresses to such members.

CHAPTER 8

EXECUTIVE DIRECTOR

Appointment of Executive Director

- 21. (1) The Executive Committee shall appoint an Executive Director and any
Employees considered necessary for the smooth running of the organisation.
- (2) The terms of employment of the Executive Director shall be set out in a written contract concluded with by the Executive Committee.
- (3) The Executive Director is an employee of the organization and he/she will report directly to the Secretary General

Functions of the Executive Director

22. The Executive Director shall manage the affairs of the Federation in accordance

with a written job description and also the policies and objectives determined by, and subject to the directions of the Executive Committee and approved by the Council at its next meeting.

Appointment of Deputy Executive Director

23. (1) The Executive Committee may appoint a Deputy Executive Director;

(2) The terms of employment of the Deputy Executive Director shall be set out in a written service contract concluded with him by the Executive Committee.

Functions of the Deputy Executive Director

24. The Deputy Executive Director shall:

(1) perform all functions delegated to him by the Executive Director:

(2) in addition to the function to the functions agreed in (1) above, undertake

such other duties as may be allocated to him by the Executive Committee.

CHAPTER 9

RULES

Council may make Rules

25. The Council may from time to time make rules as to:

- (a) the convening of meetings of the Council
- (b) the manner of voting by members of the Council, including such provision for voting by proxy as the council may deem fit;
- (c) the procedure to be followed at Congress;
- (d) the exercise of any function by the Executive Director or any other employees;
- (e) any matter which by this Constitution is required permitted to be specified by the rule;
- (f) the conduct of any election contemplated in the Constitution;
- (g) the office bearer and their powers to sign contracts, official documents, cheques and agreements on behalf of the Council;
- (h) the criteria and procedure for the payment of special member donations over and above the annual fees determined by the Council;
- (i) the establishment, accreditation and effective administration of NAFCOC MPUMALANGA district and branch structures;
- (j) the establishment and implementation of a code of conduct;
- (k) the nature and level of fees in consultation with the representatives of Consituents;

- (l) in general any other matter the regulation of which is in the opinion of the Council necessary or desirable for the effective carrying out of the objects of the Federation or any provision of this Constitution.

Amendment or repeal of Rules

- 26. The Council may from time to time repeal or amend any rule made under clause 25.

CHAPTER 10

FINACIAL MATTERS

Fees

- 27. A fee, specified by the rules and determined by Council, shall be paid in advance in respect of each calendar year by;
 - (a) a branch or each bona-fide member who shall be registered with any of the NAFCOC MPUMALANGA constituents and be in possession of a valid annual membership card;
 - (b) an affiliate.
 - (c) A constituent may charge a supplementary fee approved at its constituent meeting upon resolution by its two third majority.

Audit

28. The financial accounts and records of the Federation shall be audited annually by an auditor who is registered in terms of the Public Accountants and Auditors` Act 51 of 1951

CHAPTER 11

MISCELLANEOUS MATTERS

Exemption from Liability

29. No Constituent, Affiliate or Associate, or any member of any such body, shall be liable for any loss that may be suffered by the federation unless such loss was caused in part or in whole by dishonesty or recklessness of such person or body.

Establishment of a Senate

30. (1) There is hereby established a Senate with the purpose of:
- (a) giving recognition to past portfolio holders and other prominent members who have made outstanding contributions and retired from active participation in the affairs of the Federation;

- (b) creating a forum of experienced and influential members who can be a source of support and sound advice and knowledge;
- (c) retaining on-going contact with such members.

Functions of the Senate

31. The functions of the Senate are:

- (1) to receive information from the office of the Executive Director regarding the activities and progress of the Federation;
- (2) to act as a source of advice and support to the members of the Council and the Executive Committee on request;
- (3) to support representatives of the Federation at official functions and other events when requested to do so by office bearers of the Federation;
- (4) to promote the Federation within the framework of its objects and policies;
- (5) to determine its own rules and procedures.

Membership of the Senate

32. The membership of the Senate shall be:

- (1) life members;
- (2) any person nominated by the Council;
- (3) all Past Presidents

Corporate Interface Association

33. The Corporate interface Association is hereby established.

Objects of the Corporate Interface Association

34. The objects of the Corporate Interface Association are:

- (1) to provide structure and mechanisms for regular ordered communications with the corporate sector;
- (2) to enable the parties to exchange information and advice regarding activities and developments in their respective fields;
- (3) to facilitate the identification of required expertise and to enable it to be acquired;
- (4) to promote the Federation and facilitate funding of its projects within the framework of its objects, polities and approved plans.

Functions of the Corporate Interface Association

35. The functions of the association, within the framework of its objects and also the Federation's policies and plans are:

- (1) to arrange and hold meetings;
- (2) to receive from the Executive Director information regarding the activities and progress of the Federation;

- (3) to undertake appropriate activities to further the objects of the Federation within the frame work of its policies;
- (4) to assist in providing financial assistance for the Federation;
- (5) to advance the acceptance of the policies of the Federation by the Corporate community.

Establish an Association Committee

36. The Corporate Interface Association shall establish a committee to co-ordinate its activities and the members shall be:

- (1) a Chairman elected by the corporate sector members from their ranks for a terms of office which shall not exceed three years in succession;
- (2) a Vice Chairman nominated by the Federation's Council from the ranks of elected members of the Executive Committee;
- (3) members of the Federation's Council nominated by the Council;
- (4) members of the senate nominated by the Council consultation with the Senate;
- (5) any other member who may be nominated by the Council.

Seat of the Federation

38. the seat of the Federation shall be Nelspruit or any other place which may be determined by the Council from time to time.

- (1) The Executive Committee may from time to time recommend to the Council the payment, in terms of structured scale, of honoraria for the performance of defined duties by office bearers.
- (2) No payment of pensions or other allowances which will detract from the temporary or revolving nature of elected office shall be paid to elected office bearers.
- (3) In extraordinary circumstances, the Council may pay honoraria to other elected members of the Executive Committee.

Notice of Meetings

40. Twenty one clear days notice at least, shall be given in writing to Conference, Council and Executive Committee meetings and such notice shall specify the place, the date and the hour of the meeting, and in the case of special business the general nature of such business and the exact content of any motion to be moved.

Notice

41. The Council may give notice to any member of Council by post at the registered address of such member. Service of such notice shall be deemed to be effected by properly addressing, preparing and posting a letter containing the notice and (unless the contrary is proved) shall be deemed to have been effected at the time at which the letter would be delivered in the ordinary course of the post or (in the case of a fax message) the time of transmission of such message.

Disqualification and/or termination of membership

42. The Council shall have the right to terminate:
 - (1) or suspend the Constituent membership of any member failing to pay within three months after due date, fees or other membership obligations notified in writing in terms of the rules.

- (2) summarily or, after such period as it shall fix, or suspend any member including a Constituent body, membership of Council, Executive Committee, Senate, any other committee if in the opinion of the Council such member is guilty of conduct which has brought or is likely to bring NAFCOC MPUMALANGA or organized business into disrepute; provided that such member shall be furnished with full particulars of such alleged conduct and provided further that the Council shall furnish its reasons for such termination or suspension. Such member or body shall be afforded the opportunity of stating his or its case , whether at the meeting of the Council or its appointed Sub-Committee, either personally or by representation.
- (3) the Committee membership of any member for:
 - (a) failure to attend three consecutive meetings without an apology acceptable to the Council, Executive Committee or any other Committee to which he may have been elected or appointed as member;
 - (b) failure to disclose his interest in his personal or representative capacity in any contract or negotiations, of which he is aware, in which NAFCOC MPUMALANGA may be involved in or interested in;
 - (c) unauthorized disclosure to external parties of matters of a confidential nature;
 - (d) misrepresentation of the organization in any way;

Disciplinary Committee

43. The Executive Committee shall have the right to appoint a Disciplinary Committee.

- (1) The Disciplinary Committee shall comprise of five members.**
- (2) The Disciplinary Committee shall implement the NAFCOC Disciplinary Code as amended from time to time.**

- (3) The Disciplinary Committee shall, in consultation with the Executive Committee, refer all appeals of its decisions to a Special Committee of the Council.**
- (4) Members of the Disciplinary Committee shall not be eligible to participate in the Special Committee of the Council.**

Winding Up of the Federation

44. NAFCOC MPUMALANGA shall be wound-up if, at a general meeting convened for this purpose, a special resolution to this effect is passed in a manner prescribed in the Act governing non-profit organizations.

