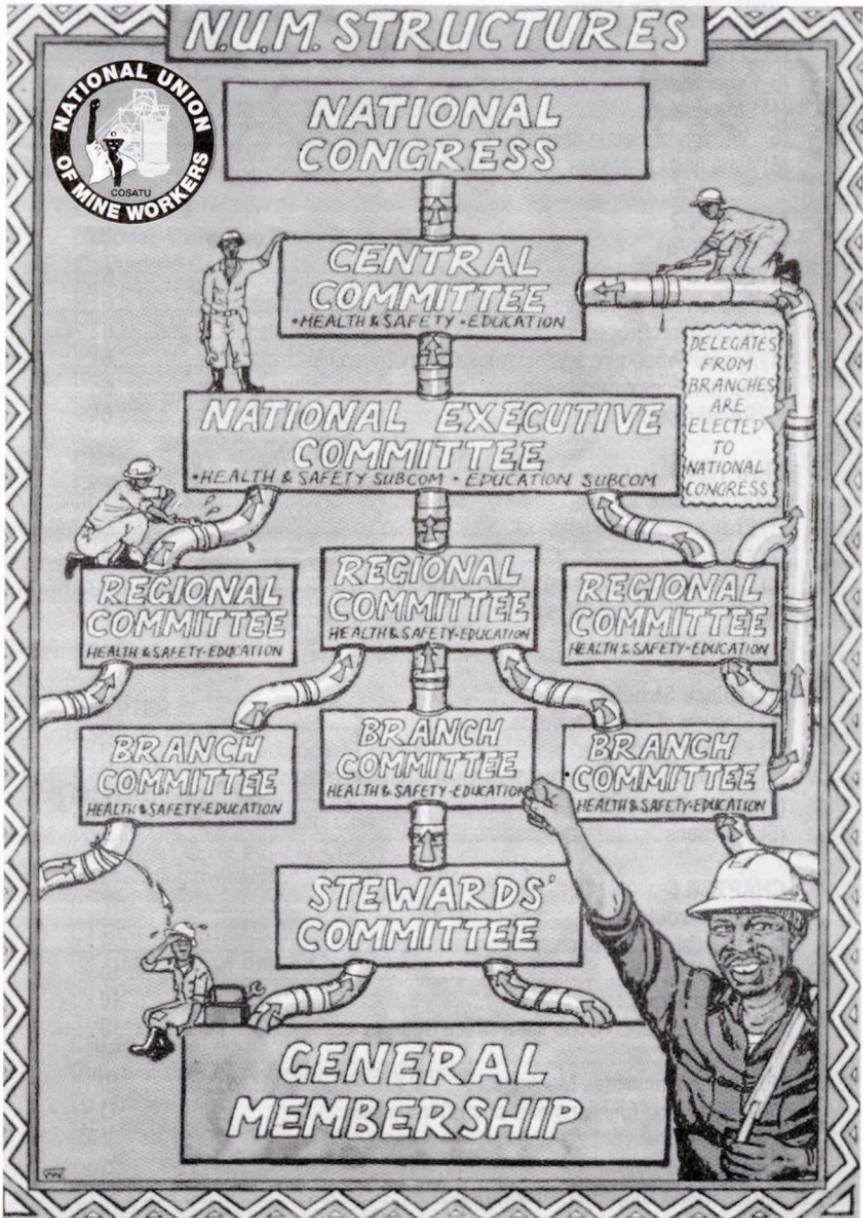

NATIONAL UNION OF MINEWORKERS



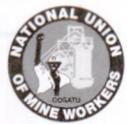
CONSTITUTION



NATIONAL UNION OF MINEWORKERS CONSTITUTION

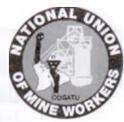


As Amended in January 2002



NUM Constitution - January 2002

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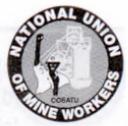
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CHAPTER 1

1. CHARACTER OF THE UNION



(1) Name

The name of the union is the National Union of Mineworkers, abbreviated as "NUM".

(2) Scope

The Union will operate as a Trade Union in the Mining, Construction and Energy Industries.

(3) Legal Status

- (a) The Union is a body corporate with perpetual succession.¹ the union can in its own name:
 - (i) enter into contracts;
 - (ii) sue; and
 - (iii) be sued.
- (b) The Union shall hold property apart from its members.
- (c) The liability of individual members is limited to the amount of their outstanding subscriptions or other monies due to the Union.
- (d) The Union is an association not for gain.²

(4) Structure

The Union consists of the following structures:

- (a) Shaft Stewards and Shaft or Workplace Committees;
- (b) Branch Committees;
- (c) Regional Committees;
- (d) National Executive Committee ("NEC");
- (e) Central Committee; and
- (f) National Congress.

(5) Location of Head Office

The NEC determines from time to time the location of the Head Office.

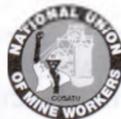
(6) Aims and Objectives

The aims and objectives of the Union are:

- (a) to recruit and unite into a single labour organisation all workers employed in the mining, Construction and energy industries in order to enhance their economic and social welfare;
- (b) to improve the wages, salaries and terms and conditions of employment of members through collective bargaining and other lawful means;

¹ [This means that the Union is a structure which remains constant - with its own separate legal personality - despite changes in membership. Members may come and go but the Union remains constant. The Union's legal personality allows it as structure, rather than the individual members, to become involved in legal transactions.]

² [New LRA 95 - amendments section 95(5)(a)]



- (c) to protect the job security of members;
- (d) to advance the employment prospects of members;
- (e) to improve the political, social, economic interests and material welfare of former, current and prospective members of the Union, workers and labour organisations generally;
- (f) to foster unity and co-operation amongst all workers in the mining, Construction and energy industries and other industries;
- (g) to establish contacts and relationships with other trade unions, trade union federations and labour organisations nationally and internationally for the benefit of members; and
- (h) to do all other lawful things which are in the interest of the Union and its members and which are consistent with this Constitution.

CHAPTER 2

2. MEMBERSHIP

(1) Eligibility

Subject to the approval of the Branch Committee which has jurisdiction, membership of the Union is open to all workers who are:

- (a) employed in the mining, Construction and energy industries;
- (b) about to enter employment in such industries;
- (c) former members in such industries who are temporarily without work; and
- (d) elected office bearers of the Union.

(2) Entitlement to Benefits

- (a) Only members in good standing are entitled to the benefits of membership.
- (b) Members in good standing are members who are not more than 3 months in arrears with their subscription fees.
- (c) Members who are between 3 and 6 months in arrears with their subscription fees remain members of the Union subject to the approval of the branch but are not entitled to the benefits of membership.
- (d) Members who are more than 6 months in arrears lose their membership.³

(3) Application Procedure

- (a) Workers must apply for Union membership to the Branch Committee with jurisdiction over the area where they are employed, or seek to be employed.
- (b) Former workers in the industry, temporarily without work, and not already members, may apply at any branch for membership.
- (c) The Branch Committee may reject any application if it is of the opinion that the worker is not a fit and proper person to be a member of the Union.

(4) Appeal Procedure against refusal of membership

- (a) If the Branch Committee rejects an application for membership, the

3

[Take note however of clause 2(5)(c) and (d) which deals with the rights of members whose membership has been terminated by an employer.]



worker may appeal against the decision at the next meeting of the Regional Committee.

- (b) The worker must lodge the appeal with the Regional Secretary in writing at least 7 days before the meeting.
- (c) The worker may appear personally at the meeting to argue the appeal.
- (d) The decision of the branch annual general meeting is final, for a period of 12 months.
- (e) After 12 months an unsuccessful applicant for membership may apply again to the Branch Committee.

(5) Termination of membership

(a) Resignation by member

- (i) Any member may resign from the Union after giving one months written notice to the Branch Committee.
- (ii) The member must pay all amounts owing to the Union.

(b) Suspension or Expulsion by Branch Committee

- (i) If a Branch Committee is of the opinion that a member has conducted himself or herself in a manner which is harmful to the interests of the Union or its members then the Branch Committee must hold an enquiry into that member's conduct.
- (ii) The member must be given an opportunity to present his or her case at such an enquiry.
- (iii) The Branch Committee may therefore decide:
 - 1) to excuse the member;
 - 2) suspend the member for a fixed period on such conditions as they deem fit; or
 - 3) expel the member.
- (iv) Within 7 days of the Branch Committee notifying the member of the disciplinary action they have chosen the member may lodge an appeal to the Regional Committee with jurisdiction.
- (v) Members may not be disciplined or have their membership terminated for failure or refusal to participate in a strike if:
 - 1) no ballot was held about the strike; or
 - 2) a ballot was held, but the majority of the members who voted did not vote in favour of the strike.⁴

c) Termination of contract of employment by employer

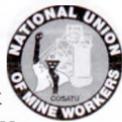
If an employer terminates a member's contract of employment but that member intends resuming employment in the mining Construction and energy industries then he or she:

- (i) remains a member of the Union for up to one year only, unless re-employed in the industry; and
- (ii) is exempt from paying subscription⁵ fees for the period of unemployment.

d) Labour Disputes or Unfair Dismissals

- (i) If an employer terminates a member's employment as a result of a labour

⁴ [Requirement of the new LRA - Section 95(5)(q). See too, clause 18 in this Constitution for more information on industrial action.]



dispute or under circumstances which the Branch Committee believes are unfair, that member remains a member of the Union:

- 1) for a period of 6 months from the date of termination: or
 - 2) until legal proceedings challenging the dismissal have been finalised.
- (ii) The member is exempt from paying subscription fees until he or she is re-employed or reinstated, or until the Branch Committee so determines.

(7) Re-admission

Any member who has resigned or who has been expelled from membership may be re-admitted to the Union if that member complies with the conditions determined by the Branch Committee.

CHAPTER 3

3. SUBSCRIPTIONS

(1) Entitlement to Benefits

- (a) Only members in good standing are entitled to the benefits of membership.
- (b) Members who are in good standing are not more than 3 months in arrears with their subscription fees
- (c) Members who are between 3 and 6 months in arrears with their subscription fees remain members of the Union but are not entitled to the benefits of membership
- (d) Members who are more than 6 months in arrears lose their membership.

(2) Amount

- (a) The National Congress sets the subscription fees from time to time.
- (b) Subscription fees must not be more than 1% of a member's basic monthly pay.⁶

(3) Collection and Banking of Subscriptions

- (a) Members including elected office bearers must pay their subscription fees monthly and in advance to the Union.
- (b) The Union must issue receipts immediately for these fees unless check-off facilities are in operation.
- (c) The Union must keep a record of the contributions of each member.
- (d) All amounts received for membership subscriptions and other amounts due to the Union from members must be deposited in a national banking account no later than 5 days after receipt thereof.

(4) Exemptions from Subscriptions

The Branch Committee may exempt a member from paying subscriptions if that member has been unable to work on account of illness for a continuous period of 3 months.⁷

⁵ [See clause 3 for more details about subscriptions.]

⁶ [A member's basic monthly pay means their pensionable basic remuneration.]

⁷ [See too clause 2(5)(c) and (d) for further exemptions.]



CHAPTER 4

4. WORKPLACE STRUCTURES

(1) Election of Shaft Stewards

- (a) Union members in good standing may elect stewards from amongst themselves to hold office for 2 years.
- (b) The Branch Committee oversees the election of the stewards.

(2) Election Procedure

- (a) Members in good standing may nominate and second candidates for positions of stewards.
- (b) If a candidate is the only nomination for a work section, then the candidate becomes the particular steward in that work section.
- (c) If there is more than one candidate for the position, then the members must vote, and the candidate who receives the most votes will be duly elected.
- (d) Shaft or Workplace Committee elections must be held once in every two years.
- (e) Shaft or Workplace Committee members must hold office until the next election, when they may be eligible for re-elections.

(3) Composition of Shaft or Workplace Committees

- (a) At every mine shaft or workplace where the Union has a minimum of 50 members the members may elect a Committee. The members must elect the Committee from amongst all the stewards at the shaft or workplace.
- (b) A shaft or Workplace Committee should consist of 5 or more stewards representing the various work sections in which the Union has members at that particular shaft or workplace.

(4) Meetings

The Shaft or Workplace Committee should meet at least once a week.

(5) Functions

The functions of the Shaft or Workplace Committee are:

- (a) to conduct the affairs of the Union at shaft or workplace level;
- (b) to receive and attend to complaints affecting members concerning their employment, and where necessary to report such complaints to the Branch Committee; and
- (c) to report any improper employment practice, or contravention by employers of statutes, to the Branch Committee.

CHAPTER 5

5. BRANCH STRUCTURES

(1) Establishing a branch

A branch may be formed:

- (a) where there are 100 members; or
- (b) where 50% of the workforce + 1 are members.



- (2) **Accountability**
- (a) The Regional Committee with jurisdiction must supervise the conduct of the Branch affairs.
 - (b) The Branch must not do anything which is inconsistent with:
 - (j) the decisions or policies of the National Congress, Central Committee, NEC or Regional Committee; or
 - (ii) the provisions of this Constitution and its by-laws.
- (3) **Composition**
- A Branch Committee consists of the:
- (a) Chairperson;
 - (b) Deputy Chairperson;
 - (c) Secretary;
 - (d) Deputy Secretary
 - (e) Treasurer;
 - (f) Chairperson from each Shaft or Workplace Committee as well as another representative for that Committee;
 - (g) Chairperson and Secretary of the Branch Education Sub-Committee; and
 - (h) Chairperson and Secretary of the Branch Health and Safety Sub-Committee.
- (4) **Electing Branch Committee Office Bearers**
- (a) At every second Annual General Meeting of the Branch, members in good standing may nominate and second candidates for office bearer's positions. This does not apply to the Chairperson and Secretary of the Shaft Committee who are appointed by virtue of the office they hold.
 - (b) If a candidate is the only nomination for a position, then that candidate becomes the particular office bearer.
 - (c) If there is more than one candidate for the position, then the members must vote by ballot, and the candidate who receives the most votes will be duly elected.
- (5) **Period of Office**
- Branch Office Bearers hold office for 2 years.
- (6) **Branch Committee Meetings**
- (a) The Branch Committee must meet at least once every 2 weeks.
 - (b) A majority of the committee members constitute a quorum.
 - (c) Decisions must be taken by majority vote and the Chairperson has a deliberative and casting vote.
 - (d) If within one hour of the time fixed for any meeting a quorum is not presented, the meeting must stand adjourned to the same day, time and place in the following week (and if that day is a public holiday then the next succeeding working day) and at the adjourned meeting the members present shall form a quorum.
 - (e) The Secretary must notify in writing, members who were absent, about the adjourned meeting.
 - (f) The Secretary must keep minutes of the meetings.



(7) **Powers and Functions of Branch Committee**

These are:

- (a) to manage the affairs of the Union at the mine or other workplace;
- (b) to deal with labour disputes at the mine or other workplace level;
- (c) to deal with members' grievances so as to protect their job security, and employment prospects;
- (d) to generally promote the interest of members;
- (e) to ensure that proper communication takes place between itself and the Shaft or Workplace Committees, and the Regional Committee; and
- (f) to do all lawful things which in the opinion of the Branch Committee:
 - (i) are in the interest of the Union and members;
 - (ii) are not in conflict with the decisions of the Regional Committee with jurisdiction;
 - (iii) Further the aims and objectives of this Constitution; and
 - (iv) Are necessary to carry out its functions.

(8) **Branch General Meetings**

- (a) Branch general meetings must be held at least once every month.
- (b) Decisions at general meetings must be taken by majority vote.
- (c) The Secretary must keep minutes of the meetings.

CHAPTER 6

6. ESTABLISHING REGIONAL STRUCTURES

- (1) The Union may be composed of a number of geographical regions.
- (2) The NEC must determine the boundaries from time to time.
- (3) As soon as two or more branches are established in a geographic region, the NEC must convene that region's first Regional Conference.

CHAPTER 7

7. REGIONAL CONFERENCE

(1) **Convening**

The Regional Committees of the Union must convene a regional conference once every three years before the National Congress.

(2) **Delegates**

- (a) Each branch can send up to 50 delegates. The number must be based on the proportion of each branches membership relative to the region's total membership.
- (b) Each delegate must be a member in good standing.

(3) **Policies**

Each Regional Conference must formulate policies and programmes for its particular region consistent with those of the National Congress, the Central Committee and the NEC.

(4) **Election of Regional Committee**

- (a) Delegates must elect by ballot a Regional Committee, except for the branch chairperson and secretaries who are by virtue of their position, members of the



- Regional Committee.
- (b) The ballot must be held in accordance with the procedures prescribed in this Constitution.⁸
 - (c) The Regional Committee members hold office until the next Regional Conference and are eligible for re-election.

(5) Meeting Procedures

- (a) The Regional Chairperson presides over the conference.
- (b) Resolutions must be adopted by the majority of delegates present and voting.
- (c) Delegates vote by a show of hands unless the conference decides otherwise.
- (d) The Regional Chairperson has a deliberative casting vote.
- (e) The Regional Secretary must keep minutes of the conference.

CHAPTER 8

8. REGIONAL COMMITTEE

(1) Composition

A Regional Committee consists of a:

- (a) Chairperson;
- (b) Deputy Chairperson;
- (c) Regional Secretary;
- (d) Deputy Regional Secretary;
- (e) Regional Treasurer;
- (f) Chairperson of each Branch Committee

(2) Period of Office

- (a) The Regional Chairperson will be seconded to serve the Union in a full-time capacity during his or her term of office, but remains employed by his/her employer.
- (b) The Regional Secretary will be seconded to serve the Union in a full-time capacity during his or her term of office, but remains employed by his/her employer.

(3) Meetings

- (a) The Regional Committee must meet at least once a month.
- (b) A majority of committee members present constitute a quorum.
- (c) Decisions must be taken by majority vote and the Chairperson has a deliberative and casting vote.
- (d) If within one hour of the time fixed for any meeting a quorum is not present, the meeting must stand adjourned to the same day, time and place in the following week (and if that day is a public holiday then the next succeeding working day) and the members at the adjourned meeting shall form a quorum.
- (e) The Regional Secretary must notify in writing members who were absent about the adjourned meeting.
- (f) The Regional Secretary must keep minutes of the meetings.

8 [See clause 19 for more information on ballot procedures.]



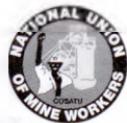
(4) Functions and Powers

The functions and powers of a Regional Committee are:

- (a) to recruit members in a particular region and to promote their interest generally;
- (b) to organise regional conferences;
- (c) to prepare the regional delegation to the National Congress;
- (d) to organise regional events with regard to Trade Union education and training;
- (e) to supervise the affairs of branch committees, the Regional Education Sub-Committee, the Regional Health & Safety Sub-Committee and all other ad-hoc committees;
- (f) to ensure that proper communication takes place between branches, Regions and Head Office;
- (g) to open, operate and close banking accounts in the name of the Region subject to the approval, and ultimate control of the NEC;
- (h) to acquire either by purchase or lease or otherwise any movable or immovable property within the region's area on behalf of the Union;
- (i) to sell, let, mortgage or dispose or otherwise deal with any movable or immovable property belonging to the Union, but no immovable property shall be let or leased for a period longer than 5 years unless the transaction has the approval of the NEC; and
- (j) to do all lawful things which, in the opinion of the Regional Committee appears to be in the interest of the Union and which are:
 - (j) not in conflict with the decisions and policies of the National Congress, Central Committee and NEC;
 - (ii) not inconsistent with the provisions of this Constitution or its by-laws; and
 - (iii) necessary to perform its functions.

(5) Duties

- (a) The Regional Chairperson must:
 - (j) preside at all meetings of the Regional Committee;
 - (ii) ensure that this Constitution is upheld at all times.
- (b) The Deputy Regional Chairperson must:
 - (i) exercise the power and perform the duties of the Chairperson in the latter's absence;
 - (ii) assist the Chairperson in the discharge of his or her duties.
- (c) The Regional Secretary must:
 - (i) deal with all Regional correspondence;
 - (ii) issue official receipts for all monies received;
 - (iii) submit financial reports to the Regional Congress;
 - (iv) ensure that proper books of accounts are kept and that they are audited annually;
 - (v) ensure in general that all legal requirements and controls in respect of the financial matters are adhere to;
 - (vi) supervise the employees of the Union; and
 - (vii) ensure that a register of members is maintained.



- (d) The Deputy Regional Secretary must:
 - (i) assist the Regional Secretary in the discharge of his/her duties; and
 - (ii) exercise the power and perform the duties of the Regional Secretary in the latter's absence.

- (e) The Regional Treasurer:
 - (a) must assist the Regional Secretary in keeping proper books of accounts; and
 - (b) has the right to inspect records relating to the finances, books and assets of the Union.

CHAPTER 9

9. NATIONAL EXECUTIVE COMMITTEE (NEC)

(1) Purpose

The NEC manages the affairs of the Union by:

- (a) executing Union policies as determined by the National Congress and the Central Committee;
- (b) carrying out the day-to-day running of the Union; and
- (c) doing such lawful things which in its own opinion furthers the interests of the Union and its members and are consistent with the provisions of this Constitution.

(2) Composition

The NEC consists of the following positions:

- (a) President;
- (b) Deputy President;
- (c) General Secretary;
- (d) Deputy General Secretary;
- (e) Treasurer;
- (f) Chairperson of each Regional Committee;
- (g) One Regional Representative from each Regional Committee;
- (h) Chairperson of the National Education Sub-Committee; and
- (i) Chairperson of the National Health & Safety Sub-Committee.

(3) Period of Office

- (a) The term of office of the NEC is three (3) years.
- (b) The NEC holds office until the election of the next NEC at the National Congress.
- (c) Members of the NEC are eligible for re-election on the termination of their period of office



(4) Meetings

- (a) The NEC must meet once a month provided that it will meet any time when union business demands.
- (b) A majority of the NEC members constitute a quorum.
- (c) If within one hour of the time fixed for any meeting a quorum is not present, the meeting must stand adjourned to the same day, time and place in the following week (and if that day is a public holiday then to the next succeeding working day) and the members present at the adjourned meeting form a quorum.
- (d) The General Secretary must notify members in writing who were absent about the adjourned meeting.
- (e) Decisions are made by a majority vote.
- (f) The President has a deliberative and casting vote.

(5) Functions

- (a) The NEC's personnel functions are:
 - (j) to decide what employment posts should be created, maintained or terminated for the effective running of the Union;
 - (iii) to determine terms and conditions of employment;
 - (iv) to employ and dismiss any employee of the Union; and
 - (v) to appoint a Deputy President, Deputy General Secretary, Acting General Secretary, Acting President or Treasurer if any of these persons are unable to carry out their functions and in special circumstances a person who is not a member of the NEC may be appointed to these positions.
- (b) The NEC's financial control functions are:
 - (i) to generally control the funds and finances of the Union in a manner consistent with the Union's aims and objectives;
 - (ii) to open, operate and close banking accounts on behalf of the Union;
 - (iii) to borrow or raise monies and funds;
 - (iv) to invest, spend or otherwise use monies and funds in a manner which furthers the Union's aims and objectives, and to take decisions on the retention of the services of specialists who advise the NEC on these financial matters;
 - (v) to allocate float amounts and other funds to the respective regions;
 - (vi) to approve the establishment of distinct legal entities and to allocate funds through loans or otherwise) to such entities;
 - (vii) to ensure that any separate legal entity established by the Union which receives Union funds, is audited annually by a Public accountant and that such audit is presented to the NEC and made available to members for inspection;
 - (viii) to take all appropriate steps to form, operate and terminate funds, schemes and trusts which serve the interest of the Union or its members;
 - (ix) to acquire either by purchase or lease or otherwise any movable or immovable property on behalf of the Union;
 - (x) to sell, let, mortgage or dispose or otherwise deal with any movable



or immovable property belonging to the Union including dispositions of funds to a Provident Fund, Pension Scheme or Trust which serves the interest of the Union and its members;

- (xi) to acquire, let or lease immovable property but when it is for a period of longer than 5 years such a transaction must be approved by a resolution of the Central Committee;
- (xii) to impose special levies on members;
- (xiii) to deal with fraudulent behaviour, theft and members who bring the Union into disrepute.

(c) The NEC's discipline functions are:

- (i) to implement and uphold Union discipline among members;
- (ii) to approve of a disciplinary procedure which provides for the removal from office of officials;
- (iii) to approve a condonation procedure which provides for the reinstatement of officials; and
- (iv) to impose fines, as a disciplinary sanction which do not exceed R100.00 in the case of a first offense and R200.00 in the case of any subsequent offences.

(d) The NEC's rule making functions are:

- (i) to design election procedures;
- (ii) to design ballot procedures, subject to the provisions of Clause 19 below;
- (iii) to design inquiry procedures; and
- (iv) to design meeting procedures.

(6) Legal Proceedings

- (a) The NEC may initiate or defend legal proceedings on behalf of the Union and any of its members.
- (b) In urgent circumstances the General Secretary or Deputy General Secretary may initiate or defend such proceedings.⁹

CHAPTER 10:

10. CENTRAL COMMITTEE

(1) Purpose

The Central Committee considers and decides upon policy issues of major importance between National Congresses.

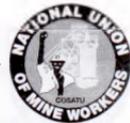
(2) Composition

- (a) The Central Committee consists of the members of the NEC and all Regional Committees.
- (b) Each Regional Committee may send all its Committee members or some lesser number to a Central Committee meeting.

(3) Meetings

- (a) The President or, in his or her absence, the Deputy President or, in

⁹ [see clause 17 for authorisation of legal proceedings concerning labour disputes.]



their absence a person appointed by the NEC must preside over the Central Committee meeting.

- (b) The General Secretary must keep minutes of the meeting.
- (c) A meeting of the Central Committee must be held annually, but may be convened by the President whenever:
 - (i) the NEC requests one; or
 - (ii) two Regional Committees request one.
- (d) The request, and a notice setting out the reasons for the request, must be sent to the General Secretary at the Head Office.
- (e) The General Secretary must convey the request to the President as soon as possible.
- (f) The President must determine the date and venue of the meeting.
- (g) The General Secretary shall notify the Regional Committees as soon as possible and by the best practical means in the circumstances.

(4) Quorums

- (a) A quorum is made up of 50% plus one of the expected delegates.
- (b) If within one hour of the time fixed for any meeting a quorum is not present, the meeting must stand adjourned to the same day, time and place in the following week (and if that day is a public holiday then to the next succeeding working day) and the members present at the adjourned meeting shall form a quorum.
- (c) The General Secretary must notify in writing members who were absent about the adjourned meeting.

(5) Voting

- (a) Decisions are made by majority vote.
- (b) The voting strength of each Regional Committee's delegation is based on:
 - (i) the proportion of Region's membership relative to the Union's total membership; and
 - (ii) the membership records of each Region held at the Head Office.
- (c) Each Regional Committee must determine the priority order in which individual members of its delegation shall acquire and exercise the voting right allocated to it by the NEC.
- (d) The members of the NEC, have one vote each which they may use if the Central Committee cannot secure a majority on any matter.
- (e) The President has a deliberative and casting vote.

(6) Minutes

The General Secretary must keep minutes of all the Central Committee meetings

CHAPTER 11:

11. NATIONAL CONGRESS

(1) Purpose

The National Congress is the supreme governing body of the Union.



(2) Composition

The National congress consists of delegates elected by each region.

(3) Planning for the National Congress

- (a) During July of the year prior to the holding of the Congress, the NEC must determine the voting strength of each regional delegation on the basis of their membership. This number is based on:
 - (i) the proportion of the region's membership relative to the Union's total membership; and
 - (iii) the membership records of each region held at Head Office
- (b) The General Secretary must inform the Regional Committees of the convening of the National Congress at least two months before it is held; and of voting strength of each region which is determined by the formula set out above in sub clause (a).
- (c) The Regional Committee must decide which individual delegates shall exercise the voting rights allocated to the region by the NEC, as well as the order of the priority in which delegates shall exercise such rights.
- (d) The regions must:
 - (i) send nominations for the 5 office bearers to an independent electoral commission decided by the NEC at least one month before National Congress; and
 - (ii) send their resolutions to the General Secretary to reach his or her office at least twenty-one days before National Congress.
- (e) The General Secretary must send to all Regional Committees at least 10 days before National Congress:
 - (i) copies of the resolutions; and
 - (ii) the National Congress agenda.

(4) Convening the National Congress

The National Congress must be convened once every 3 years. The NEC may decide to convene a National Congress within 6 months at the expiry of 3 year period.

(5) Presiding over National Congress

The President or, in his or her absence, the Deputy President or, in the latter's absence, a person appointed by the NEC, must preside over the proceedings at the National Congress.

(6) The Main Business of National Congress

At National Congress the delegates must:

- (a) consider the address of the President, and the reports of the General Secretary and the Treasurer, and other special reports;
- (b) assess the Union's progress;
- (c) formulate policy;
- (d) elect office bearers and officials; and



- (e) approve amendments to this Constitution.¹⁰

(7) Resolutions

- (a) Resolutions must be adopted by a majority vote of voting delegates.
(b) Voting shall be by a show of hands unless the National Congress decides otherwise.
(c) The President or the presiding person has a deciding and casting vote.

(8) Electing Office Bearers and Officials

- (a) Union members and former members presently unemployed in terms of chapter 2 clause 5 (c) and (d) are eligible for the positions of President, Deputy President, General Secretary, Deputy General Secretary and Treasurer.
(b) Delegates with voting rights may nominate and second candidates for the positions of office bearers and officials on the NEC, except for the positions of Regional Chairperson and Regional Representatives who hold ex officio positions on the NEC.
(c) Officials are eligible only for the positions of General Secretary and Deputy General Secretary.
(d) If there is only 1 candidate for a position, that candidate is regarded as having been duly elected.
(e) If there are 2 candidates, delegates must vote by ballot, and the candidate who receives the most votes shall be duly elected.
(f) If there are 3 or more candidates, two or more ballots must be held so that the candidates who receive the least votes in each ballot must be eliminated from the next ballot.

(9) Special National Congress

- (a) A Special National Congress must be convened by the President whenever:
(i) the Central Committee or the NEC requests one; or
(ii) two Regional Committees or 5 Branch Committees request one.
(b) The written request and a notice setting out the reasons for the request must be sent to the General Secretary at the Head Office.
(c) The General Secretary must convey the request to the President as soon as possible.
(d) If the request is urgent, the President may allow for a Special National Congress at short notice, but not less than 7 days notice.
(e) The General Secretary must notify the Regional Committees as soon as possible and by Best practical means in the circumstances.

CHAPTER 12:

12. DUTIES OF OFFICE BEARERS AND OFFICIALS

(1) President

- (a) The President must preside at all meetings of the National Congress, the

¹⁰ [See clause 22 for further details.]



Central Committee, and the NEC.

- (b) The President must ensure that this Constitution is upheld at all times.

(2) Deputy President

- (a) The Deputy President must exercise the power and perform the duties of the president in the latter's absences.
- (b) The Deputy President must assist the President in the discharge of his or her duties.

(3) General Secretary

(a) Election

- (i) Delegates attending the National Congress elect the General Secretary.
- (ii) The General Secretary holds office until the election of the next General Secretary at the next National Congress.
- (iii) The General Secretary is eligible for re-election.
- (iv) The General Secretary has no voting rights in these meetings.

(b) Meetings

- (i) The General Secretary must attend all National Congresses, Central Committee and NEC Meetings.
- (ii) The General Secretary must take proper minutes at these meetings.
- (iii) The General Secretary may speak at meetings but may not vote.

(c) Functions

The General Secretary's functions are:

- (i) to deal with all Head Office correspondence.
- (ii) to issue official receipts for all monies received;
- (iii) to submit financial reports to the National Congress;
- (iv) to ensure that proper books of accounts are kept and that they are audited annually;
- (v) to ensure in general that all legal requirements and controls in respect of the financial matters are adhered to;
- (vi) to supervise the employees of the Union;
- (vii) to ensure that a register of members is maintained; and
- (viii) to perform such duties as are imposed by the National Congress, the Central Committee, the NEC, this Constitution and its by-laws.

(4) Deputy General Secretary

- (a) The term in sub clause (3)(a) (election) and (3)(b) (meetings) apply to the Deputy General Secretary.
- (b) The Deputy General Secretary:
- (i) is an employee of the union engaged on such terms as the NEC deems fit;
- (ii) must assist the General Secretary in the discharge of his or her



- duties; and;
- (iii) must exercise the power and perform the duties of the General Secretary in the latter's absence;
- (iv) may speak at meetings but may not vote.

(5) Treasurer - General

- (a) The Treasurer - General must assist the General Secretary to keep proper books of accounts.
- (b) The Treasurer - General has the right to inspect records relating to the finances' books and accounts of the Union.

CHAPTER 13:

13. OTHER OFFICIALS

- (1) The NEC may appoint officials from time to time.
- (2) In general officials are responsible for the recruitment and consolidation of the Union's membership.
- (3) Officials must attend Shaft, Branch, Regional Committee and Central Committee meetings as well as the National Congress.
- (4) Officials may speak but do not have the right to vote at meetings and congresses.

CHAPTER 14:

14. DISCIPLINE AND REMOVAL FROM OFFICE OF OFFICE BEARERS AND OFFICIALS

(1) NEC, REC AND Office Bearers

- (a) If in the opinion of the NEC, an office bearer who serves on the NEC or a Regional Executive Committee or Regional Committee has behaved in a manner which is detrimental to the interests of the Union and its members, it may resolve:
 - (i) to remove him or her from office; or
 - (ii) to impose such penalty as it sees fit.
- (b) When disciplining an Office Bearer the NEC must follow the disciplinary procedure set out in sub-clause (4).
- (c) The individual concerned may appeal against such decision (which must remain in force in the interim), to the Central Committee in terms of the procedure set out in sub - clause (5).

(2) Shaft Stewards and Branch Office Bearers

- (a) If in the opinion of a Regional Committee, a shaft steward or an office bearer who serves on a Branch or Shaft or Workplace Committee has behaved in a manner detrimental to the interest of the Union and its members, it may resolve:
 - (i) to remove him or her from office; or
 - (ii) to impose such penalty as it sees fit.
- (b) When disciplining a Shaft Steward, or Office Bearer the REC must follow the procedure set out in sub-clause (4) below.



- (c) The individual concerned may appeal against such decision (which remains in force in the interim) to the NEC in terms of sub-clause (5) below.

(3) Removal or Reinstatement by Ballot

(a) NEC Member or Office Bearer

If the majority of members request the General Secretary in writing, for a ballot of members to determine whether or not an NEC member or office bearer should be removed from office, or reinstated (if such person has been removed), then the NEC must arrange to hold that ballot.¹¹

(b) Office Bearer

- (i) If the majority of members request the General Secretary in writing for a ballot of members to determine whether or not an Office Bearer of a Region, Branch or Shaft /Workplace Committee should be removed from office or reinstated (if such person has been removed), then the NEC must arrange to hold that ballot.
- (ii) If the Office Bearer serves or has served in a Regional, Branch or Shaft / Workplace Committee then the ballot must be conducted amongst members in that particular region, branch or shaft (as the case may be).

(4) Disciplinary Procedure for National and Regional Office Bearers, and Shaft Stewards

- (a) The REC or the NEC (as the case may be), must advise the person concerned in writing giving not less than 7 days notice of:
- (i) the charges against him or her; and
 - (ii) the date, time and place of the hearing.
- (b) This notice may be sent by registered post or delivered by hand.
- (c) At the hearing the person must:
- (i) have the opportunity to present his or her case; and
 - (ii) call witnesses.
- (d) The REC or the NEC (as the case may be) may proceed to hear and determine the charge if they are satisfied that:
- (i) the person charged has although absent received the notice; or
 - (ii) the person charged is present.
- (e) If, in their opinion, the charge has been satisfactorily proven it may:
- (i) remove the person from office;
 - (ii) expel or dismiss the person;
 - (iii) suspend the person from membership or employment for a definite period;
 - (iv) impose a fine or suspend the person from membership until they pay the fine; or
 - (v) impose any other such penalty, not listed above as it deems fit.
- (f) The person must receive written notice of the decision of the NEC or the REC (as the case may be) and must be advised in the notice that they have the right of appeal which must be exercised within 7 days.



(5) Appeal Procedure

- (a) Stewards may appeal against the decision of the REC to the NEC, in accordance with the procedure set out in sub-clause (d) below.
- (b) Regional Office Bearers may appeal against the decision of the NEC to the Central Committee in accordance with the procedure set out in sub-clause (d) below.
- (c) National Office Bearers may appeal against the decision of the NEC to the Central Committee in accordance with the provisions set out in sub-clause (d) below.
- (d) Any Office Bearer, or Shaft Steward appealing in terms of this Chapter, must lodge his or her appeal in writing with the General Secretary of the Union within 7 days of receiving the notice of the decision.
- (e) The person appealing may:
 - (i) present his or her case personally; and
 - (ii) call witnesses
- (f) The organ of the Union hearing the appeal:
 - (i) makes the final decision; and
 - (iii) has the power to confirm, vary or reverse the decision of the REC or the NEC (as the case may be).
- (g) If a Steward or Office Bearer is suspended from duty he or she does not have the right to any of the benefits of membership including the right to vote, unless the structure suspending them decides otherwise.

CHAPTER 15

15 FINANCES

- (1) The funds of the Union must be applied solely in furtherance of the Union's aims and objectives.
- (2) The NEC controls the Union's finances.
- (3) The funds received for the Union by the General Secretary or other agents of the Union, must be deposited within 5 days of receipt in a National or Regional banking account.
- (4) All cheques for the National account, must be co-signed by any 2 of the following persons;
The President, Deputy President, Treasurer, General Secretary or Deputy General Secretary.
- (5) All cheques for a Regional account must be co-signed by any 2 of the following persons: the Regional Chairperson, Deputy Chairperson, and Secretary, Deputy Secretary or Treasurer.
- (6) The NEC can allocate float amounts and other funds to a region from time to time.
- (7) The date of the Union's financial year end is 31 December.

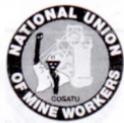
CHAPTER 16

16. COUNCILS

(1) Bargaining Councils

- (a) The Central Committee may resolve that the Union shall become a party to a

bargaining council within the Mining Construction and Energy industries. In such event, the NEC must appoint members to represent the Union at the bargaining council.



(2) Statutory Bargaining Councils

The NEC may resolve to apply for the establishment of a statutory bargaining council as provided in the Labour Relations Act, 1995.

CHAPTER 17

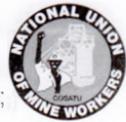
17. AUTHORISATION FOR LEGAL DISPUTES

- (1) The NEC may initiate or defend any legal proceedings concerning labour disputes involving the Union or its members at national, regional or branch level.
- (2) The NEC may authorise the persons in sub-clause (3), (4) or (5) to take all necessary steps and sign all documentation in connection with legal proceedings.
- (3) The NEC may authorise at a National level:
 - (a) any of its committee members; and / or
 - (b) two officials or office bearers who may be the, General Secretary, Deputy General Secretary or the President (or any person acting in one of those capacities); Legal officer, or a legal representative of the Union.
- (4) The NEC may authorise at a regional level:
 - (a) any two persons mentioned in sub-clause (3) above;
 - (b) The Regional Chairperson; and
 - (c) The Regional Secretary
- (5) The NEC may authorise at a branch level:
 - (a) any two persons mentioned in sub-clause (3) and (4) above;
 - (b) the Branch Chairperson; and
 - (c) the Branch Secretary.
- (6) Any steps contemplated or taken concerning disputes shall be subject to the decisions of the NEC.

CHAPTER 18:

18. INDUSTRIAL ACTION

- (1) The Union must not sanction any industrial action involving a partial or complete stopping of work by members against an employer unless:
 - (a) a ballot¹² of members affected by the dispute has been held;
 - (b) the majority of members affected by the dispute vote in favour of such industrial action; and
 - (c) the NEC or in the case of a regional dispute the Regional Committee with jurisdiction approves of such industrial action.
- (2) The respective Regional Committee with jurisdiction shall supervise the holding of a ballot over industrial action.



- (3) Any industrial action will be unconstitutional if:
 - (a) it lacks the approval of either the NEC or the Regional Committee; or
 - (b) a ballot was not held.¹³
- (4) If at least 20% of members involved in any industrial action request the NEC or the Regional Committee (as the case may be) to hold a ballot to determine whether industrial action should be terminated, then the NEC or Regional Committee must do so.
- (5) If the majority of affected members in the ballot vote to terminate the industrial action, the NEC or the Regional Committee may resolve to terminate its approval of any industrial action embarked upon by the Union.

CHAPTER 19:

19. BALLOTS

(1) **Ballot Requirements**

Whenever a ballot is required in terms of this Constitution it must be conducted as contemplated in sub-clause (2), (3), (4), (5) and (6) below.

(2) **With Notice**

The Branch Secretary, or the Regional Secretary or the General Secretary (as the case may be) must give notice in writing at least 3 days before the ballot is to be taken to:

- (a) each member of the Union body involved in the ballot; or
- (b) Members of the Union generally, by placing the notice at the places of work or accommodation which shall constitute proper notice, and it shall not be necessary to supply each member individually with a written notice.

(3) **Without Notice**

A ballot may be taken without notice at any general meeting on the decision of the majority of the members present.

(4) **Scrutineers**

Two scrutineers must be appointed by each branch, Regional Committee or NEC (as the case may be) or the general meeting concerned to supervise any ballot and to ascertain the result thereof.

(5) **Ballot Papers**

- (a) The General Secretary must send ballot papers to Branch Secretaries or Regional Secretaries.
- (b) The issue to be voted upon must be written clearly on the ballot papers.
- (c) Ballot papers must not contain any information by means of which it will be possible to identify the voter.
- (d) One ballot paper only shall be issued to each member of the branch who is entitled to vote, in the presence of the scrutineers, at the time and place for the taking of the ballot.

13

[See clause 2(5)(b)(v) for more information on union discipline and striking.]

(6) Voting

- (a) Each member must complete, fold and deposit the ballot paper in a container provided for that purpose.
- (b) Members must not sign or mark the ballot papers in anyway apart from the mark required to be made to record the vote. Papers bearing any other marks must be regarded as spoilt and must not be counted.
- (c) The scrutineers must on completion of a ballot or as soon as possible there after count the ballot papers and ascertain the results in the presence of the Branch, Regional or General Secretary (as the case may be).
- (d) The scrutineers must communicate the results to the relevant executive committee which must immediately advise the NEC.
- (e) Scrutineers must place ballot papers including spoilt papers, in a container which must be sealed and retained by the Branch, Regional or General Secretaries (as the case may be) for not less than 3 years.
- (f) The ballot box must be inspected by scrutineers and sealed by the Branch, Regional or General Secretary for not less than three years.

CHAPTER 20

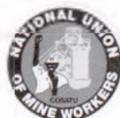
20. Amalgamation

The Union may amalgamate with another Union in the mining Construction and energy industries if at least two thirds of the delegates of the National Congress vote in favour of such amalgamation.

CHAPTER 21

21. Dissolution

- (1) The Union may be dissolved, subject to:
 - (a) the requirements of the law;
 - (b) a resolution of the National Congress provided at least three-quarters of the delegates vote in favour thereof; and
 - (c) sub-clause (2) below.
- (2) If the National Congress resolves to dissolve the Union, a Special National Congress may be requested in accordance with clause 11(9) to reconsider the matter.
- (3) If no Special Congress is requested within one month of the dissolution decision, such a decision becomes final.
- (4) Once the dissolution decision becomes final, the available members of the NEC must appoint a liquidator to effect the dissolution.
- (5) The liquidator must be a member or employee of the Union.
- (6) The liquidator is vested with all necessary powers to:
 - (a) pay the Union's debts;
 - (b) dispose of its assets; and
 - (c) generally wind up the Union's affairs.
- (7) The liquidator must distribute any remaining assets at the election of the NEC:
 - (a) to a labour organisation with aims similar to those of the Union, or
 - (b) to a workers' insurance, provident or benefit fund.
- (8) The NEC must pay the liquidator's fees.
- (9) None of the assets of the Union shall be distributed to members upon dissolution, other than to discharge any indebtedness to a member.



CHAPTER 22

22. Amendments

- (1) Subject to the provisions of any law, any of the provisions of this Constitution may be repealed or amended by resolution of the National Congress provided two thirds of the delegates attending Congress vote in favour of the amendments. Notice of any proposed amendments must be reflected in the duly circulated agenda for Congress.
- (2) The Central Committee is empowered to amend the provisions of the Constitution delineating the scope of the Union, provided that:
 - (a) Two thirds of its members vote in favour of the amendments; and
 - (b) the amendments are ratified by the next National Congress.

CHAPTER 23

23. Interpretation

- (1) Footnotes and headings are for explanatory and referencing purposes only, and do not form part of this Constitution.¹⁴
- (2) The Central Committee must interpret the Constitution if a dispute arises and its decision shall be final and binding.
- (3) If there is a dispute in a structure about the interpretation of any clause in this Constitution that structure must refer the dispute to the next higher structure for its decision.¹⁵

CHAPTER 24

24. Definitions

Unless the context indicates otherwise-

"by-laws"	means by-laws made by the NEC relating to administrative, disciplinary and procedural matters and which are consistent with the provisions of this Constitution;
"energy sources"	include coal, gas, oil, water, sun, wind and uranium;
"LRA"	means Labour Relations Act, 1995 (Act No. 66 of 1995);
"member"	means a person as contemplated in clause 2(2) of this Constitution;
"mining Construction and energy"	means those industries engaged in: <ol style="list-style-type: none">(a) mining, extracting, processing or refining minerals, including those undertakings, workplaces, services and operations which are ancillary or incidental to the mining industry;(b) construction, civil engineering, quarrying, building, including but not limited to those undertakings, workplaces, services, and operations which manufacture components incidental to the functions above;

14 [One of the plain language features is to include headings and footnotes to make the text more accessible and easier to read. This clause ensures that they do not form part of the Constitution if there is a dispute over interpretation.]

15 [For example a dispute in a Branch Committee about the interpretation of a clause must refer the dispute to a Regional Committee for its decision.]



- (c) converting energy sources into electricity, and for supplying electricity to consumers;
- (d) generating, transmitting and distributing electricity;

"mineral"	means any substance, whether in solid, liquid or gaseous form, occurring naturally in or on the earth and includes all metals, hydrocarbons, precious and natural oils;
"official"	means a full-time employee of the Union excluding an office bearer;
"office bearer" Constitution;	means a member of any committee established in terms of this
"Regional jurisdiction"	means the Regional Committee formed to carry out functions in terms of this Constitution in a particular geographical area;
"shaft steward"	includes Shop Stewards;
:Union"	means the National Union of Mineworkers (NUM);
"workers"	means employees;
"workplace"	has the same meaning as defined in section 213 of the LRA.

We hereby certify that this is a true and correct copy of the Constitution of the National Union of Mineworkers.

GENERAL SECRETARY

PRESIDENT

DATE

17 January 2002

ANNEXURE 1



BY-LAWS ON CONGRESS PROCEDURE

1. Opening Congress

- (1) The President, assisted by the Vice-President opens and presides over Congress during the first and final session.
- (2) The Congress must not commence its discussion of the individual items of the Agenda until the report of the Credentials Committee has been tabled before Congress.

2. Guidelines

- (1) The NEC must fix the duration of the sessions of Congress; and determine which languages constitute official languages at Congress.

3. Recommendations and Resolutions

- (1) The NEC must discuss and make recommendations on all resolutions submitted by regions for Congress's decisions.
- (2) The NEC may submit recommendations and resolutions to the Congress both before and during the Congress.
- (3) Committees may be appointed to examine questions on the Agenda. Reports of such Committees must be presented to the plenary session for adoption.
- (4) A mover of resolutions from a region admitted for debate is allowed up to 15 minutes to address Congress.
- (5) Delegates who want to address Congress must submit their names in writing to the presiding chair.
- (6) All speakers on resolutions are allowed to speak for up to 10 minutes.
- (7) The movers may reply to the points raised in debate for a further 15 minutes.
- (8) The Chairperson or a delegate may propose closure of the debate. It can be carried at any time by a simple majority. The motion of the closure of the debate must be voted without discussion.
- (9) Motions are carried on majority vote.
- (10) A delegate who wants to make a point of order can do so irrespective of the speakers list.

4. Emergency recommendations and resolutions

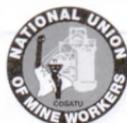
- (1) Emergency proposal and resolutions must be:
 - (a) Supported by at least two regions; and
 - (b) Formulated in writing
- (2) A mover presents the proposals and recommendations in plenary session, and can address the Congress for up to ten minutes.
- (3) The Congress must decide without debate whether such emergency proposals or resolutions are admissible.
- (4) If admissible, the Chairperson and Deputy Chairperson presiding over the session must determine their place on the agenda.

5. Observers

Observers generally do not have the right to speak unless:

- (1) the NEC grants them such rights, or
- (2) this Constitution makes provision for a two-thirds or three quarters majority.

**ANNEXURE 2
THE FREEDOM CHARTER**



THE FREEDOM CHARTER AS ADOPTED AT THE CONGRESS OF THE PEOPLE ON JUNE 26, 1955, AND THE NATIONAL UNION OF MINeworkers' FIFTH ANNUAL CONGRESS OF FEBRUARY 26-28 1987.

PREAMBLE

We, the people of South Africa, declare for our country and the world to know:

That South Africa belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of the people;

That our people have been robbed of their birthright to land, liberty, and peace by a form of government founded on injustice and inequality.

That our country will never be prosperous or free until all our people live in brotherhood, enjoying equal rights and opportunities;

That only a democratic state, based on the will of the people, can secure to all their birthright without distinction of colour, race, sex or belief.

And therefore, we the people of South Africa, black and white, together equals, countrymen and brothers, adopt this Freedom Charter. And we pledge ourselves to strive together, sparing nothing of our strength and courage, until the democratic charges set out here have been won.

THE PEOPLE SHALL GOVERN

Every man and woman shall have the right to vote for and stand as a candidate for all bodies which make laws.

All the people shall be entitled to take part in the administration of the country.

The rights of the people shall be the same regardless of race, colour or sex.

All bodies of minority rule, advisory boards, councils and authorities shall be replaced by democratic organs of self government.

ALL NATIONAL GROUPS SHALL HAVE EQUAL RIGHTS

There shall be equal status in the bodies of the state, in the courts and in the school for all national groups and races.

All national groups shall be protected by laws against insults to their race and national pride.

All people shall have equal rights to use their own language and to develop their own culture and customs.

The preaching and practice of national' race or colour discrimination and contempt shall be set aside.

THE PEOPLE SHALL SHARE IN THE COUNTRIES WEALTH

The national wealth of the country, the heritage of all South Africans, shall be restored to the people.



The mineral wealth beneath the soil, the banks and monopoly industry shall be transferred to the ownership as a whole.

All other industries and trades shall be controlled to assist the well-being of the people. All people shall have equal rights to trade when they choose, to manufacture and to enter all trades, crafts and professions.

THE LAND SHALL BE SHARED AMONG THOSE WHO WORK IT

Restriction of land ownership on a racial basis shall be ended, and all the land re-divided among those who work it, to banish famine and land hunger.

The state shall help the peasants who implements, seeds, tractors and dams to save the soil and assists the tillers.

Freedom of movement shall be guaranteed to all who work on the land. All shall have the right to occupy land where every they choose.

People shall not be robbed of their cattle, and forced labour and farm prisons shall be abolished.

ALL SHALL BE EQUAL BEFORE THE LAW

No one shall be imprisoned, deported or restricted without fair trial.

No one shall be condemned by order of any government official.

The courts shall be representative of all the people.

Imprisonment shall only be for serious crimes against people, and shall aim at re-education, not vengeance.

The police force and army shall be open to all on an equal basis shall be the helpers and protectors of the people.

All laws which discriminate on the grounds of race, colour of race, or belief shall be repealed.

ALL SHALL ENJOY HUMAN RIGHTS

The law shall guarantee to all their right to speak, to organise, to meet together, to preach, to worship and to educate their children.

The privacy of the house from policy raids shall be protected by law.

All shall be free to travel without restriction from countryside to town, from province to province, and from South Africa to abroad.

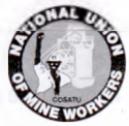
Pass laws, permits and all other laws restricting these freedoms shall be abolished.

THERE SHALL BE WORK AND SECURITY

All who work shall be free to form trade unions, to elect their officers and to make wage agreements with their employers.

The state shall recognise the right and duty of all to work and to draw full unemployment benefits. Men and women of all races shall receive equal pay for equal work. There shall be a 40-hour work-

ing week, a national minimum wage, paid annual leave and sick leave for workers, and maternity leave on full pay for all working mothers.



Miners, domestic workers, farm workers and civil servants shall have the same rights as all others who work.

Child labour, compound labour, the tot system and contract labour shall be abolished.

THE DOORS OF LEARNING AND CULTURE SHALL BE OPENED

The government shall discover, develop and encourage national talent for the enhancement of our culture life.

All the culture treasurers of mankind shall be opened to all, be free exchange of books, ideas and contracts with other lands.

The aim of education shall be to teach the youth to love their people and their culture, to honour human brotherhood, liberty and peace.

Education shall be free, compulsory, universal and equal for all children. Higher education and technical training shall be opened to all by means of state allowances and scholarships awarded on the basis of merit. Adult illiteracy shall be ended by a mass state education plan.

Teachers shall have the rights of all other citizens.

The colour bar in cultural life, in sports and in education shall be abolished.

THERE SHALL BE HOUSES, SECURITY AND COMFORT.

All people shall have the right to live where they choose, to be decently housed and to bring up their families in comfort and security. Unused housing space shall be made available to the people. Rent and prices shall be lowered, food shall be plentiful and no one shall go hungry.

A preventative health scheme shall be run by the state.

Free medical care and hospital treatment shall be provided for all, with special care for mothers and young children.

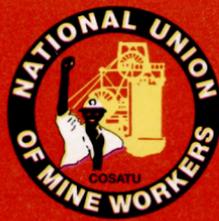
Slums shall be demolished and new suburbs built where all shall have transport, roads, lighting, play fields, creches and social centres. The aged, the orphans, the disabled and the sick shall be cared for by the state.

Rest, leisure and recreation shall be the right of all.

Fenced locations and ghettos shall be abolished and laws which break up families shall be repealed.

THERE SHALL BE PEACE AND FRIENDSHIP

South Africa shall be a fully independent state, which respects the rights and sovereignty of all nations.



**INDUSTRIAL RELATIONS
MBA MOD 2001A**

**GROUP 7 ASSIGNMENT
20 MAY 2002**