

PROFESSIONALS
LEAGUE



Draft Constitution (2020)

TABLE OF CONTENTS

ARTICLE A: PREAMBLE	4
ARTICLE B: NAME	5
ARTICLE C: COLOURS AND SYMBOLS	5
ARTICLE E: STATUS	7
ARTICLE F: RELATIONSHIP WITH THE AFRICAN NATIONAL CONGRESS	8
ARTICLE G: POWERS OF THE ORGANISATION	9
Powers	9
Limitations	9
ARTICLE H: FINANCIAL MANAGEMENT	10
General terms	10
Use of funds	10
ARTICLE I: MEMBERSHIP	12
Ordinary members	12
Office-bearers	13
ARTICLE J: RIGHTS AND OBLIGATIONS	14
Rights	14
Obligations	14
ARTICLE K: GENDER AND AFFIRMATIVE ACTION	16
ARTICLE L: ORGANISATIONAL STRUCTURES AND GOVERNANCE, RULES FOR MEETINGS	17
Section 1: The National Congress	17
Section 2: The Extra-Ordinary Congress	18
Section 3: The National Executive Committee	18
Section 4: National Working Committee / Group	20
Section 5: Provincial Executive Committees	20
Section 6: General Meetings and Decision-making Processes	20
ARTICLE M: CODE OF CONDUCT AND DISCIPLINARY PROCEDURES	22
Code of Conduct	22
A. Introduction	22
B. Classification of Offences	22
C. Grave Offences	22
D. Exceptions, Defence and Mitigating Circumstances	23
E. Serious Offences	23
F. Violations of Discipline	23
G. Abuse of Organisational Rules	24
H. Lapse of Membership	24
I. Disciplinary Procedures	24

Guiding Principles	24
K. Rules of Procedure	25
L. Notice of Disciplinary Hearing	25
M. Conducting a Disciplinary Hearing	25
N. The Right to Appeal	25
O. Schedules of Penalties	26
P. Articulation with ANC code of Discipline	26
Q. Starting Disciplinary Proceedings	26
R. Holding the hearing	27
S. Adjudication	27
T. Appeal	28
U. Exceptional cases	29
SIGNATURE	30

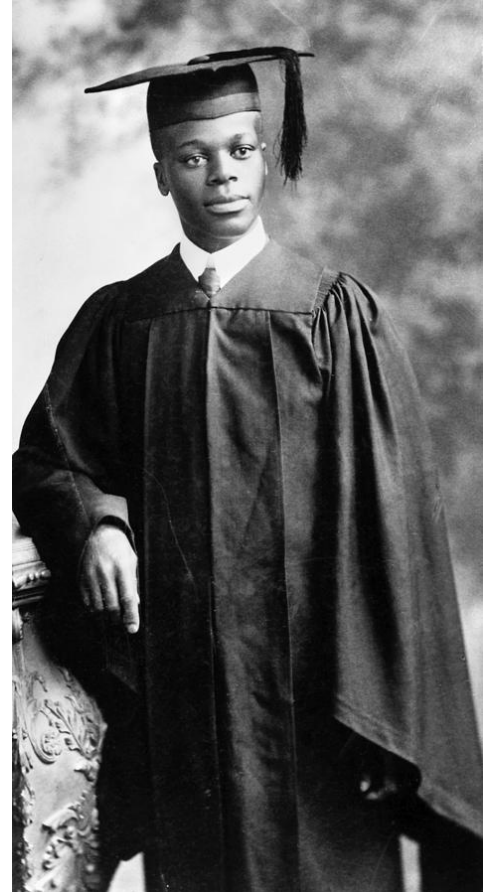
ARTICLE A: PREAMBLE

The Professionals' League was founded in 2018 as an organisation of the all professionals committed to the ideals of democracy, economic emancipation, freedom, creation of a prosperous united society and peace. It is governed by and adheres to the policies and programmes of the African National Congress (ANC), and its existence derives from the constitution of the ANC.

The Professionals' League is a mass professionals' formation, intended to be a body of the ANC; it is committed to the creation of a united, non-racial, non-sexist, democratic and prosperous South Africa. It shall mobilise, organise and rally all the professionals of our country to play an active part in the ANC and communities by building a defence of democracy. In doing so, the Professionals' League shall strive to achieve fundamental social change for the benefit of all the people and the working class. It shall endeavour to unite all professionals of our country so as to take their rightful place in the affairs of the country.

ANC-aligned professionals, though not formally constituted in previous years, have through the actions of its now-organised members, contributed immensely in the life of the ANC. These professionals in the past rallied many South Africans, especially other professionals, to play a critical role in the struggle for liberation since the founding of the ANC, culminating in the democratic breakthrough of 1994 which opened up opportunities for the liberation movement to advance the National Democratic Revolution (NDR). Indeed, the ANC itself was founded by a professional and graduate, Pixley ka Seme.

The Freedom Charter is and remains the guiding programme of the Professionals' League (PL).



ARTICLE B: NAME

The Name of the organisation shall be the *Professionals' League*; hereinafter referred to as the *PL*, NPO
Registration number: 2020/039394/08.

ARTICLE C: COLOURS AND SYMBOLS

1. The colours of the PL shall be similar to those of the ANC, which are Black, Green and Gold.
2. The emblem of the PL shall be a dark green sans-serif letter *P* surrounded by two rings: the first a dark green and medium green ring, and the second a gold oval ring, of uneven thickness at 45 degrees. On the left-hand side is the wording *Professionals League* with the first word in dark green and the second word in medium green.
3. This logo supersedes the previous logo.



ARTICLE D: AIMS AND OBJECTIVES

The PL shall:

1. Strive to rally all professionals of our country to support and unite behind the ANC, and actively participate in the struggle to create a non-racial, non-sexist, united, democratic and prosperous society;
2. Support and reinforce the ANC in the attainment of the goals of the NDR;
3. Ensure that professionals make a full and rich contribution to the work of the ANC and to the life of the Nation, specifically:
 1. To be the advanced detachment in generating ideas to create thought leadership in the ANC and leadership of the country;
 2. To be the think tank, that provides researched foresight, on socio-political and economic issues.
4. Champion the general interests and rights of the South African professionals and the working class in the socio-economic and political life of the country;
5. Promote unity and patriotism among professionals;
6. Promote the creation of a broad, non-aligned pioneer movement and fight for the rights of the disabled, women, and children as enshrined in the Constitution of the Republic of South Africa;
7. Strive and work for the educational, moral, cultural and professional upliftment of all professionals;
8. Promote gender equality in all spheres of life, especially amongst professionals;
9. Promote amongst professionals a spirit of international solidarity, peace and friendship with other nations and ethnic groups within South Africa.
10. These objectives are summarised as the **Triangular Objectives**, namely:
 1. **Objective 1: The Implement Objective:** Consolidate a highly educated skills base and intelligentsia to advance the agenda of the ANC, through providing scientific and evidence-based mechanisms to implement the aims and objectives of the ANC across the whole of society.
 2. **Objective 2: The Serve & Defend Objective:** Address the needs of professionals, fight against challenges facing professionals in the workplace, and deal with the slow pace of “qualitative and quantitative transformation” within corporate South Africa.
 3. **Objective 3: The Recruit Objective:** Position the cosmopolitan outlook of professionals as leverage for recruiting all racial groups to the ANC and advancing the vision of a truly non-racial South Africa.

ARTICLE E: STATUS

1. The PL shall be a legal persona with a perpetual succession of power, apart from its individual members, to acquire, hold and alienate property, enter into agreements, do all things necessary to carry out its aims and objectives, and defend its members, property and reputation.
2. The organisational control and programmes of the PL shall rest in the PL membership and structures, in accordance with this document, its Constitution.
3. The PL shall operate on a national and provincial level only. Other structures can be created ad-hoc for coordination and implementation purposes, and will enjoy delegated powers.
4. The PL shall function as an autonomous body within the overall structure of the ANC, pending the relevant Conference resolution, of which it shall be an integral part, with its own Constitution, Rules and Regulations, provided that these shall not be in conflict with the Constitution and policies of the ANC.
5. The organisation shall continue to exist even if there are changes in the composition of membership or office-bearers.
6. The organisation can only be wound up or dissolved by the National Executive Council (NEC) or the NEC of the ANC. Provincial Executive Councils (PECs) of the PL may not wind up or dissolve organisations other than their own selves. If a PEC wishes to dissolve its structures it shall first seek authorisation from the NEC of the PL.
7. In the event that the PEC or is wound up or dissolved, its assets shall be put in suspension and under control of the NEC until such time as a new PEC is nominated.
8. The same as (7) applies to the NEC. In the event that the NEC or is wound up or dissolved, its assets shall be put in suspension and under control of the ANC until such time as a new NEC is nominated.

ARTICLE F: RELATIONSHIP WITH THE AFRICAN NATIONAL CONGRESS

1. The PL shall be a voluntary organisation for professionals and a mass organ of the African National Congress (ANC).
2. The PL shall function as an autonomous body within the overall structure of the ANC of which it shall be an integral part. It shall be based on the political and ideological objectives of the ANC.
3. The PL shall liaise closely with the ANC at all levels (National, Provincial, Regional, zonal and branch levels) in order to ensure cohesion of policy and action.
4. Members of the PL shall be obliged to join and participate fully in the general political life of the ANC and will ultimately, automatically become members of the ANC. Any member of the PL who does not comply with the provisions of this Article, F4, shall cease to be a member of the PL.
5. A member of the Professionals' League shall not be eligible for any position as office-bearer of the ANC or attend ANC conferences or executive meetings of the ANC unless specially invited in their capacity as a member of the ANC itself.

ARTICLE G: POWERS OF THE ORGANISATION

Powers

1. The PL shall have only those powers delegated to it by the ANC, and/or
2. Those powers delegated to it by its members.
3. The PL shall have the powers to determine its own internal policies and structures through votes at a National Congress (see below), subject to limitations of the Constitution of the Republic of South Africa and the Constitution of the ANC.
4. The PL shall have the powers to determine its composition and membership;
5. as well as powers to determine its policies, activities, and partnerships, with other political or labour organisations.

Limitations

1. The PL shall have only powers to affect other sub-structures of the PL, namely, PECs and their constituent membership.
2. The PL shall not determine the composition or structure of any organ of the ANC other than itself.
3. The PL shall not have powers to disagree, divert from, or otherwise contest, directives or policies of the ANC, instead it shall implement such directives.
4. The PL alone shall determine the criteria of its membership, identified in Article I below.

ARTICLE H: FINANCIAL MANAGEMENT

General terms

1. The organisation's income and property are not distributable to its members or office-bearers, except as reasonable compensation for services rendered, specifically in substantiated, pre-approved and ratified cases of claims where a member or office bearer incurred a cost for the organisation, or, the office bearer or member is also an employee of the organisation located at its head office.
2. Members or office-bearers have no rights in the property or other assets of the organisation, solely by virtue of being members or office-bearers.
3. The organisation shall be registered as an independent body/juristic person and members and office-bearers shall not be liable for any of the obligations and liabilities of the organisation solely by virtue of their status as members or office-bearers of the organisation. Instead such obligations will only devolve to members or office-bearers in cases where deliberate fraud on their part is demonstrated in court.
4. The same provisions in respect of loss of persons of livelihood, property, safety, life or limb, applies to (3) above, mutatis mutandis, for individuals suffering loss due to presence, engagement with, or involvement with, the PL. Such losses shall be considered acta dei or force majeure.
5. The finances of the organisation shall be managed by the Treasurer-General (TG). The TG with the consent of the NEC, shall appoint auditors.
6. The accounts of the organisation shall be audited annually. Financial year-end is 29 February. All funds of the organisation shall be centrally managed in a central bank account, especially membership fees and large-scale sponsorship donations. All funds accrued through sponsorship shall be funds of the organisation and not of the member who sourced the funding.
7. Members may not profit, accrue wealth, or strike business deals, in the name of the PL, without explicit written permission of the NEC. Members who attempt such activities will be found guilty of a serious conduct offence and dismissed from membership and any offices held.

Use of funds

1. Office-bearers alone may disburse the funds of the PL with authorisation of the TG only. In the national office, this means members of the NEC only. In provinces this means members of the PEC only.
2. The bank account shall be established in the name of the PL and controlled by the TG of the NEC. Provinces may create their own bank accounts but such bank accounts may only contain funds raised by the provinces by means other than membership fees. Membership fees are gathered through the digital membership system and are gathered only by the NEC.
3. Provinces are required to submit audited financials to the TG of the NEC annually if they have a bank account. Provinces which do not have a bank account may request funds from the TG of the NEC if funds are available, and ad-hoc only, with a business plan for the relevant project which requires funds.
4. General members of the PL may not access or use funds held in the PL bank account for any reason unless for a project for the PL approved by the NEC and TG.
5. Petty cash claims against the funds of the PL may be made by individual members, PEC members, or NEC members, provided that they are accompanied by proof of pre-authorised expenditure in the line of duty. Such expenditures and claims may not exceed a pre-defined threshold determined by the TG from time-to-time, commencing at a value of R5000.00 in 2019, subject to inflation of 10% per annum.
6. Disbursement of funds may only be in respect of the following and only with approval of the Secretary-General, Treasurer-General, President, or some of the above jointly:
 - 6.a. Travel to meetings out of province which were unavoidable, or via aircraft
 - 6.b. Travel via car or train in excess of 50km (one direction), or 100km (bidirectional)

- 6.c. Organisation of and holding of meetings, especially National Congresses
- 6.d. Claims on costs shall cover only items such as meeting venue hire, catering hire, and audio-visual hire, within reason, as defined by the NEC from time to time. Where feasible, members shall use their own equipment.
- 6.e. Stationery such as advocacy flyers and business cards may be claimed.
- 6.f. Advertising, e.g. billboards, radio and TV adverts, may be claimed. These however have to be pre-approved at NEC only — PECs may not approve such advertising. Advertising given gratis (free) to PECs may be used provided there are no hidden clauses which commit the organisation or the PEC to future expenditure or other inappropriate relationships.
- 6.g. Rallies: costs of organising and holding, as per meetings, with prior approval, may be claimed.
- 6.h. Consultants may not be paid from PL funds, as it is anticipated that all consultants consulted will also be loyal PL members who are willing to work 'pro bono'. When consultants are required, the PL will first attempt to source them in the member body before going out on tender. By default, no consultants should be used who are not also PL members.
- 6.i. No PL member may claim reimbursement for performing PL duties unless through prior agreement with the NEC.
- 6.j. Office hire for the NEC and PEC only, in moderate accommodation only (non-luxury), in affordable areas only (not high-income areas), may be claimed, once funds are available. PECs shall fund their own premises.
- 7. No PL member may use PL funds for any private purpose including and not limited to the support of their family, entertainment, entertaining potential stakeholders, rewarding followers or potential voters, creating businesses in which they have a stake, or donations to private organisations.
- 8. Funds shall be derived from two sources only:
 - 8.a. Donations and/or sponsorships from organisations or corporations whose goals, objectives and mandates broadly agree with those of the ANC;
 - 8.b. Donations and/or sponsorships from individuals whose goals, objectives and mandates broadly agree with those of the ANC.
- 9. Funds may not be accepted from organisations or individuals whose goals, objectives and mandates directly contradict the NDR, Freedom Charter, this constitution, the ANC constitution, or the constitution of the Republic of South Africa. In particular, donations, funds and funding sources located in the following are strictly prohibited:
 - 9.a. Any country, company, or organisation or political party, which supports racism, sexism, ableism, intolerance, or discrimination against persons on any grounds whatsoever;
 - 9.b. Any country, company, or organisation or political party, which has an agenda incompatible with the Freedom Charter, e.g. capitalists, fascists, or organisations exploiting persons' health or safety for profit;
 - 9.c. Any country, company, or organisation or political party, which seeks to entrench the status quo of imperialism, colonialism, monopoly capital, apartheid legacy, fascism, autocracy, in any manner or form;
 - 9.d. Any country, company, or organisation or political party, which directly competes with the ANC in politics, particularly opposition parties.
- 10. Investments may be made using the organisations' funds with approval of the NEC only and against investments which broadly support the NDR. As such, investments in mining houses, finance houses, and large-scale retail, are prohibited, unless those companies are fully black-owned.
- 11. Procurement of properties and assets may be made using the organisations' funds with approval of the NEC only and against properties or assets which can be used to broadly support the NDR.
- 12. Asset control shall include entry on asset registers, allocation of asset numbers, and accurate asset transfer and ownership keeping for audit purposes.

ARTICLE I: MEMBERSHIP

Ordinary members

1. Membership of the PL shall be open to any South African who can be considered a professional, holding, preferably, at least a National Diploma or a Junior Degree; who is employed in a white collar position, or is an entrepreneur. A "professional" is defined as any person whose work involves all or most of the following features:
 - a. Undivided attention and focus (mental / written work)
 - b. Adherence to allocated time for the work at hand (time-sensitive, deadline-driven)
 - c. A formal and well-structured work schedule (e.g. formal project plans)
 - d. Information-gathering and analysis (formal research)
 - e. Problem-solving / Critical thinking, Strategic planning or management,
 - f. Mathematical, computer-based or digital work.
2. All members shall accept the PL policy guidelines, aims and objectives as referred to in this Constitution.
3. "Appropriate member" means any professional (as defined in (1) above) who supports the ANC's broad goals, the NDR, and the Freedom Charter; and who does not have any known ethical taint against his/her name.
4. Applications for membership shall be received on a digital membership platform that shall be nationally managed. A member who applies will be automatically accepted unless he/she is known to not be an appropriate member in which case his/her application shall be rejected once it is discovered and/or evaluated. In the event of a rejection the applicant must be informed in writing and shall be made aware of his/her right to appeal to the Provincial Executive Committee (PEC) within twenty one (21) working days. The appeal should be in writing (email). The PEC must finalise the appeal within sixty (60) working days. In the event that the member is reinstated, the PEC must inform the National Working Group (NWG), also known as the National Working Committee (NWC), which acts as the interim NEC, of the decision.
5. Professionals who qualify for membership in accordance with rules of this section shall be issued with a membership card through the digital membership system.
6. Members shall be expected to pay Membership Fees from a date determined by the NEC. The National Congress of the PL and/or the NEC shall determine the joining fee and annual subscription fees from time to time.
7. Membership shall lapse when:
 - a. A person turns 65 years old, or
 - b. Is expelled following disciplinary proceedings, or
 - c. Loses his or her South African citizenship due to emigration, or
 - d. Breaches his or her professional code of conduct and is expelled from his or her profession, or
 - e. Resigns from the Professionals' League in writing to the organisation, or
 - f. Passes away, and/or
 - g. If after an annual membership audit or review, it is found that such a member has not paid his/her membership subscriptions for over three (3) months.
8. All members shall on acceptance into the ranks of the PL solemnly declare their readiness and willingness to serve the organisation and shall declare as follows:

"I,, solemnly declare that I will abide by the aims and objectives of the Professionals' League as set out in the Constitution of the PL, the Freedom Charter and all other policies adopted from time to time, that I am joining the organisation voluntarily, without expect-

tation of material gain, and will participate in the life of the organisation as a loyal, active and disciplined member.”

9. Dual or multiple memberships by individuals of other Leagues shall be welcomed.
10. Women who are members of the PL, shall be expected to join and play a full and active part in the general political life of the ANC Women's League.
11. Persons under the age of 35, shall be expected to join and play a full and active part in the general political life of the ANC Youth League.
12. Persons achieving the age of 65, shall be expected to resign from the PL and play a full and active part in the general political life of the ANC Veterans' League.
13. Persons who are guilty of misconduct or who are otherwise not appropriate as members of the PL shall not be permitted to continue to be members of the PL and on discovery as such, shall have their membership terminated by the NEC subject to consultation and appropriate disciplinary processes, outlined in Article M below.
14. Provision for appeals against termination of membership are detailed in Article M below.

Office-bearers

1. Office bearers shall be appointed every five (5) years at National Congresses (NC).
2. In between NCs, the NEC shall have powers to appoint interim or acting officials.
3. Acting officials shall perform the duties assigned to them and have the full powers of their role until such time as their candidacy is affirmed or rejected at an NC.

ARTICLE J: RIGHTS AND OBLIGATIONS

Rights

Every member of the PL shall have the right to:

1. Take part in the transformation and discussions of the PL policy;
2. Be elected to any committee, commission or delegation of the Professionals' League.
3. Submit written proposals or advice on any matter that affects Professionals and society in general.
4. Engage in constructive criticism and self-criticism, within the constitutional structures of the League;
5. Protection against any harassment, victimisation and/or discrimination based on race, ethnicity, gender or creed, including and not limited to sexual harassment which is covered in the ANC's official sexual harassment policy;
6. Actively participate in PL activities.
7. For an PL member to qualify to stand for a position in the PL structures, the member should have been an active member of the PL in good standing for at least one year after a year of the date of founding (June 2018). In the first year of its founding, all officials of the PL shall be designated as "acting" until such time as their positions are conferred formally upon them at a National Congress (NC). Any member shall, upon his/her election to a position of higher authority in the PL, relinquish his/her position in lower structures.

Obligations

All PL members are obliged to:

1. Pledge their unwavering loyalty to the PL and subject themselves to its overall discipline. In particular, members must not claim to represent the PL in any action without official written sanction from the national body/provincial committee. Further to this point, no commercial interests may be pursued by using/representing the interest as an PL interest.
2. Carry out decisions, duties and directives with diligence from their Provincial and National structures. In the event of contradiction, directives from national structures supersede provincial directives.
3. Organise, participate and contribute positively to activities of the organisation and contribute to the strengthening of its organic unity.
4. Rally all Professionals to support and unite behind the PL and actively participate in the creation of a united, non-racial, non-sexist, democratic and prosperous South Africa.
5. Protect the PL and its property at all times by exercising maximum vigilance.
6. Initiate and participate in activities aimed at promoting international solidarity, peace and social justice.
7. Exercise discipline and exemplary behaviour at all times by maintaining harmonious relations with all members of the PL and the community in general; in particular refraining from inflammatory or populist remarks intended to arouse discord, and especially to refrain from defaming any ANC or PL member in public.
8. Combat all forms of tribalism, regionalism, nepotism and other forms of discrimination based on race and sex as well as combating factionalism and malicious gossip within our ranks.
9. Behave in an ethical manner at all times. In particular, no act of corruption will be tolerated. Any member who, directly or indirectly, accepts or agrees or offers to accept any gratification from any other person, whether for the benefit of himself or herself or for the benefit of other person, in order to act, personally, or by influencing another person so to act, in a matter that amounts to the illegal, dishonest, authorised, biased behaviour, or misuse or selling of information, is guilty of corruption.
10. At all times, the ethical code shall be adhered to, specifically, it is an grave offence to be found guilty of any crime as defined in the laws of the Republic of South Africa, whilst on duty or representing PL.
11. Offences which will result in disciplinary hearings and if need be, or if relevant, criminal sanction include the following:

- 11.a. Attending meetings or PL functions in an intoxicated state; excluding such functions where alcohol is served by the hosts;
 - 11.b. Sexual harassment, rape, or related misconduct as defined in law;
 - 11.c. Racism, sexism, or discrimination against any other person e.g. on grounds of race, belief, gender, or disability;
 - 11.d. Xenophobic, unwelcoming or unkind conduct towards the vulnerable and marginalised;
 - 11.e. Disrespect: Being late for meetings with political opponents, or insulting political opponents, publicly, defaming and/or slandering political opponents internally or externally in writing or on video or recorded audio;
 - 11.f. Crimes of acquisition e.g. theft, robbery, fraud, tender-rigging, corruption and malfeasance;
 - 11.g. Physical Violence of any form against any person whatsoever;
 - 11.h. Unprofessional, repeatedly rude or aggressive communication which brings the League into disrepute.
 - 11.i. Failure to respond to queries, meeting invitations, and response requests on a regular basis without explanation or excuse, and
 - 11.j. Unprofessional conduct generally.
12. Every member of the PL shall be expected to join the ANC and automatically behave as such. A portion of the PL membership fee shall be given to the ANC to cover membership costs for PL members.

ARTICLE K: GENDER AND AFFIRMATIVE ACTION

1. In an endeavour to reach the objective of full representation of women in all decision-making structures, the PL shall implement a programme of affirmative action, including the provision of a quota of not less than fifty percent (50%) in all its structures to enable the effective participation of women.
2. The method of such an implementation will be addressed in all PL structures on a continuing basis.
3. Representation or delegation to PL activities shall be based on the fifty/fifty (50/50) principle.
4. All committees shall have at least one (1) person living with disability on the committee.
5. All actions or behaviours by members which are deemed to be racist, ableist or sexist, shall result in an immediate disciplinary hearing and potentially litigation. For more on this matter see Article M.

ARTICLE L: ORGANISATIONAL STRUCTURES AND GOVERNANCE, RULES FOR MEETINGS

The organisational structure of the PL is much simplified compared to the ANC due to the ability of professionals to engage directly via digital technologies, obviating the need for many layers of delegation. The structure consists of:

- 1. National Congress (NC)**
- 2. Extra-Ordinary Congress**
- 3. National Executive Committee (NEC)**
- 4. National Working Committee / Group (NWC/NWG)**
- 5. Provincial Executive Committee(s) / Provincial Working Committee(s) / Group(s) (PEC/PWC/PWG)**

Section 1: The National Congress

The National Congress shall be the highest decision-making body of PL. The National Congress shall convene after every FIVE years.

1.1 Composition

- a. Delegates shall be elected democratically by and from provinces in good standing in proportion to their membership. Provincial delegates shall constitute at least ninety percent (90%) of all voting delegates to congress.
- b. The NEC may consider special representation for areas where PL structures are not fully developed.
- c. Members of the NEC and PECs shall attend ex-officio as participants in the Congress, with full speaking and voting rights.
- d. A quorum at National Congress shall be 2/3 of delegates.
- e. All delegates to the National Congress shall be members in good standing.

1.2 Procedures at Congress

- a. The Congress shall determine procedure in accordance with democratic principles.
- b. Decisions at Congress are made on the basis of fifty percent (50%) plus a one majority in favour or against a motion.
- c. Election of office-bearers shall be by secret ballot.

1.3 Duties and Powers of National Congress

- a. Lay down the platform, determine and decide programmes and make changes to the Constitution of the PL;
- b. Receive and consider reports of the NEC, which shall be presented by the President, the Secretary-General and the Treasurer-General;
- c. Have the right to review, ratify, amend or rescind any decision and/or recommendation taken by any of the constituent structures and/or officials of the PL;
- d. Elect the President, the Deputy President, National Chairperson, the Secretary-General, the Treasurer-General, and up to ten (10) other members of the NEC;
- e. Have the power to elect or appoint any commission or Committee and assign specific tasks and duties to such Commission, committee or individual(s) as the case may be;

- f. Have the power to confer honours, decorations and awards on members, organisations or individuals in appreciation or recognition of their role in the work of the PL or the struggle for the birth and the creation of a united, non-racial, non-sexist, prosperous and democratic South Africa.
- g. The process for constitutional changes shall be that the NEC shall note or minute the proposed change (from whencesoever it comes), and it shall be voted upon at a National Congress. Any amendment which receives less than 66,6% support shall be deemed not supported.
- h. A National Congress which achieves less than 50% + 1 of provincial delegates who responded to the invitation (minimum of two per province), shall be deemed inquorate and reduced to an informal meeting.
- i. Formal decisions of a National Congress may only be taken at a quorate meeting attended by the entire NEC and at least two representatives from each Province. Any member who is not a PEC member and yet who is representing a province, will be required to present a letter of credit stating that they have been delegated powers by the PEC that they represent, to vote on behalf of the PEC.
- j. PEC members who are not in attendance can be deemed to be in attendance if they use digital technologies to be present in voice (e.g. telephone call) or via video-conferencing. Voting from a remote distance via text communication methods will be deemed inadmissible as texts are easily forged, except in the case where the PEC member has made their presence known by video and they have stated that they will present their secret ballot digitally via textual methods to the delegate or representative who is present in their stead, or whomsoever they have delegated powers to.

Section 2: The Extra-Ordinary Congress

- a. The Extra-Ordinary Congress shall be convened at any time and only to address major urgent policy issues which are not addressed in this Constitution.
- b. The Congress may be called by the NEC or at the insistence of a 2/3 majority of the provinces (six or more provinces) of the PL.
- c. The Extra-Ordinary Congress is otherwise identical in composition, function and rules, to a National Congress.

Section 3: The National Executive Committee

The National Executive Committee shall hold office for Five (5) years.

3.1 Composition

- a. The NEC shall be constituted as follows:
 - a. President
 - b. Secretary-General (SG)
 - c. Treasurer-General (TG)
 - d. A maximum of ten (10) directly-elected members who have specific portfolios, "chairs" or roles. The minimum number shall be taken as that number of Government Clusters in existence (e.g. Social Cluster, Security Cluster, etc., with one member per Cluster).
- b. In the event of an absence or vacant post, the NEC shall appoint a Deputy who shall assume all the duties of the predecessor including the membership of the NEC, pending a National Congress election or the return of the former holder of the chair.
- c. A member shall cease to be a member of the NEC upon absenting from three (3) successive NEC meetings without a valid reason.
- d. Should a vacancy occur in the NEC for any reason, the NEC shall have the power to co-opt a replacement, provided such co-option is supported by 2/3 majority of the members of the NEC.

- e. The NEC shall have the power to co-opt not more than five (5) additional members at any time during its term of office in order to provide to a broad representation that reflects the true character of the South African professionals, such co-option enjoys the support of 2/3 of the NEC.
- f. The positions of President and Secretary-General shall be full-time, and the NEC will decide which other positions shall be full-time.
- g. A person must have been a member in good standing of the PL for at least one (1) year before she or he can be nominated for election to the NEC of the PL.

3.2 Duties and functions of officials

- a. The President shall:
 - a.a. Be the Chief Executive Officer of the PL;
 - a.b. Preside over meetings of the NEC;
 - a.c. Liaise with the NEC of the PL and the ANC, and office of the SG of the ANC;
 - a.d. Present a report on the state of the PL and the political situation in general at National Congress;
 - a.e. Supervise all work of the PL in conformity with the constitution and rules of procedure agreed upon the NEC;
 - a.f. Report regularly to the NEC;
 - a.g. Be an ex-officio member of relevant ANC structures if so invited.
- b. The Secretary-General shall:
 - b.a. Be the Chief administrative officer of the PL;
 - b.b. Be responsible for minutes of the National Congress, the NEC, the National Working Committee and all other records of the PL;
 - b.c. Prepare annual reports on the overall work of the PL;
 - b.d. Liaise with other organisations and institutions nationally and internationally;
 - b.e. Be responsible for the overall of the NEC as well as convening meetings thereof;
 - b.f. Report regularly to the NWC and the NEC; and
 - b.g. Be an ex-officio member of relevant ANC structures if so invited.
- c. The Treasurer-General shall:
 - c.a. Be responsible for the finances of the League and shall, with two appointed members of the NEC, operate a banking account on behalf of the PL;
 - c.b. Keep books, accounts and other records necessary to clearly reflect the financial position of the PL;
 - c.c. Head the National Finance and fundraising Committee which shall be responsible for:
 - c.c.a. Working out and executing plans for fundraising
 - c.c.b. Preparing annual and other budgets, and
 - c.c.c. Making recommendations regarding funding of all structures of the PL;
 - c.d. Be the chief guardian of all property of the PL;
 - c.e. Ensure the presentation of annual audited financial statement to the NEC.

3.3. Powers and procedures

The NEC shall:

- a. Be the highest decision-making body in between congresses. Its decisions, orders and or directives shall be final and binding on all lower structures and members of the PL.
- b. Decisions shall be taken on a majority vote system of those present at any meeting at which there is a quorum.
- c. Carry out the decisions and instructions of the National Congress.
- d. Issue and send directives to and receive reports from Provincial Executive Committees (PECs);
- e. Supervise and direct the work of the PL; and

- f. Ensure that the provincial structures of the PL — the PECs — function democratically and effectively.

Section 4: National Working Committee / Group

The National Working Committee (NWC) or National Working Group (NWG) shall be a temporary structure in place when a National Congress has not yet occurred. It will function as the NEC and have the full powers and responsibilities of the NEC until such time as the NEC is elected at Congress.

Section 5: Provincial Executive Committees

- a. The Provincial Executive Committees (PECs) or shall be the governing bodies of the PL in provincial structures. They shall have the same structure as the NEC (*mutatis mutandis*). The head of a PEC shall however be designated the Head of Province and function as the Secretary-General in that province.
- b. PECs shall submit meeting minutes and TG reports to the NEC for record purposes on a quarterly basis.
- c. PECs shall defer to the NEC at all times.
- d. PECs shall inform the NEC of their planned activities to ensure that they align with national focus and delivery, and receive approval from the NEC, before proceeding.
- e. The PEC in a province shall be deemed to be a Provincial Working Group unless its members directly elect the members thereof and each nominee receives more than 66,6% of the votes of the provincial body for their positions. The members of the PEC will be elected at Provincial Congresses organised by the Provincial PL structures from time to time and at the discretion of the PEC.
- f. A Provincial Congress shall follow the procedures, functions and activities as per a National Congress.

Section 6: General Meetings and Decision-making Processes

- a. General meetings can occur at any time at the discretion of NEC/PEC.
- b. Minutes shall be taken at all meetings and archived for future auditing purposes.
- c. Minutes of meetings shall be made public to their constituency members.
- d. Quorum is defined as 50%+1: Any meeting with fewer than 50% plus one of members in attendance shall be deemed inquorate and deemed an informal meeting. Minutes need not be taken at inquorate meetings, and decisions cannot be taken at inquorate meetings.
- e. No resolution or decisions shall be binding unless voted for in favour by 66,6% of members in attendance at any meeting.
- f. Formal meetings are those meetings which are quorate and minuted.
- g. No decisions can be taken except on matters which do not affect provinces other than those in which the decision is taken.
- h. The NEC decisions are absolute and final and can be taken at any time (they do not require formal quorate meetings). NEC decisions may not be made by the management echelon alone (e.g. President alone), but must be taken by a 100% quorum of the executive team (President, SG, TG).
- i. NEC and PECs shall call general meetings at their discretion and determine the composition of the delegates at their discretion.
- j. In voting processes, silence shall be interpreted as **acceptance** or **rejection** according to the following principles:
 - j.a. In **informal** scenarios, e.g. online discussion forums, if a motion is proposed by members, and is met with silence, it shall be interpreted as **rejected**.
 - j.b. In **formal** scenarios, e.g. quorate meetings, if a motion is proposed by members and is met with silence, it shall be interpreted as **accepted and enforceable**.
 - j.c. In **any** scenario, both formal and informal, if a motion is proposed by the President or SG, and is met with silence, it shall be interpreted as **accepted and enforceable**.

ARTICLE M: CODE OF CONDUCT AND DISCIPLINARY PROCEDURES

Code of Conduct

A. Introduction

1. The basic rights and duties of our members are set out in the basic documents of the organisation, namely this Constitution and other policy documents.
2. We seek to create our own standards based on the traditions of our struggle in line with our set political goals for national democracy and transformation.

B. Classification of Offences

1. The difference between a **grave offence** and a **serious offence** lies in the degree to which the offender's conduct is directed towards destroying, subverting or neutralising the effectiveness of the organisation.
2. In considering whether an offence should be classified as **grave**, regard should be given both to the seriousness of the actual offence and the potential consequences of the conduct which led to commission of the offence.
3. The difference between a **serious** offence and a **Violation of Discipline** shall lie in the degree of intent of the offender, the extent, and of the actual repetition and what would normally be regarded as a breach of discipline.
4. **Grave** offences against the organisation and members: Any offence aimed at damaging the integrity of the organisation and destroying its personnel, members, property or its organisational capacity shall be considered a grave offence.

C. Grave Offences

Definition: A person/s shall be charged with grave offences against the organisation if an action was taken:

1. With intent to destroy the integrity of the organisation, its personnel, property personnel, property or its organisational capacity, s/he:
 - a. Sabotages the activities of the Professionals' League;
 - b. Creates divisions within its rank with the intention to destroy the League;
 - c. Impedes its proper functioning;
 - d. Destroys or threatens to destroy property of the organisation;
 - e. Causes grievous bodily harm to any person while representing the League;
 - f. Engages in activities or the spread of misinformation with the objective of turning communities/ sectors against the ANC or the League;
 - g. Commits any other act calculated to undermine the effectiveness of the League;
 - h. Conviction in a court of law and being sentenced to a term of imprisonment without the option of bail, for any serious non-political offence;
 - i. Sexual assault, rape, sexual harassment whether verbal or physical or the physical abuse of women, the disabled, or children, or in any other way seriously undermining the dignity of any member;
 - j. Infiltrating the organisation, acting on behalf of or in collaboration with:
 - a. Other organisations, parties or groups which are hostile to our policy and principles, especially opposition parties;

- b. Any person or group who wishes to destroy the organisation or prevent it from fulfilling its set aims and objectives central to which is the transformation of South Africa;
- c. Intelligence or security services of other countries;
- d. Counter-revolutionary forces, that is, organisations who wish to preserve or protect racism, segregation, monopoly capital, apartheid or colonial legacies, and who oppose the NDR.
- k. Being already a member of the PL, becomes a member of any of the above bodies identified in (j.a-d).
- l. Any member of the PL who stands in an election for local government, provincial or national government as an election agent or canvasser of a person standing for such election in *opposition* to a candidate duly endorsed by the ANC.
- m. Persistently sows racism, sexism, regionalism or tribalism in the organisation;

D. Exceptions, Defence and Mitigating Circumstances

Definition: mitigating circumstances are those which ameliorate or mitigate an offence.

1. It shall be a defence for anyone to prove that s/he took the first opportunity to reveal inappropriate activity to the appropriate organs of the PL and reduce any possible damage that may have been caused;
2. It shall be a mitigating factor to be considered when weighing the appropriate penalty, for any accused to prove that s/he has taken steps in collaboration with such an organisation to reduce the damage caused by his/her collaboration with such an organisation or individual and demonstrated his/her loyalty even at a later stage.
3. Extortion, blackmail or threats by a counter-revolutionary organisation, where revealing such threats by the opposing organisation, would have placed the member's life or their family at risk.
4. No other factors shall be considered mitigating, including substance abuse, poverty or bribery.

E. Serious Offences

Definition: Any violation of the principles of the organisation and standards of behaviour expected of members, which seriously threatens the safety, property or good name of the organisation, or which seriously threatens its safety, property or good functioning, which creates or is calculated to create disunity and demoralisation amongst members, shall be considered a **serious offence**.

A person/s shall be charged with a Serious Offence against the organisation if s/he:

1. Engages in organised factional activity that goes outside the recognised norm of free debate inside the League and therefore threatens its unity;
2. Acts against a decision of the constitutional structures of the League, without good cause.

F. Violations of Discipline

Definition: Any person who acts in an uncomradely way, and breaches the standards of conduct normally expected of members, and whose behaviour is not as serious as to constitute a grave or serious offence, shall be guilty of Violation of Discipline.

1. In addition to all forms of misconduct mentioned in this code of conduct, and other official documents of the organisation, a person/s shall be charged with Violation of Discipline for:
 - a. Rowdy and aggressive behaviour, disrupting meetings and interfering with the orderly functioning of the organisation.
 - b. Drinking or using drugs during meetings, whilst on duty or during activities of the organisation, unless of a social nature and provided by the PL;
 - c. Rude, abusive or disrespectful behaviour towards other members;
 - d. Gossiping maliciously so as to set member against member; and
 - e. Carelessness in relation to property of the organisation, including reckless or careless use of the organisation's transport, and unauthorised use of the organisations property.

G. Abuse of Organisational Rules

The following acts will be regarded as an abuse of organisational rules, whether committed by individuals or groups and will be considered as behaviour likely to invoke disciplinary proceedings:

1. The offer of reduced rate for membership to those known by the individual or group, making the offer to be ineligible for membership;
2. Guiding members to sign up by means other than the digital platform;
3. Attempting to canvas for roles which the member is not appropriate for, e.g. without having first been an ordinary member for one (1) year, in order to gain access to power or funds;
4. Purporting to represent the PL when not a member;
5. Committing any offence which is illegal in the Republic of South Africa.

H. Lapse of Membership

1. Members who fail to pay their subscriptions for three (3) months, from such time as such fees are declared as payable, and having been reminded of such fees being due, shall not be in good standing and their membership shall lapse until they pay their arrears.
2. A member of the Executive at any level of the organisation who fails to attend three (3) consecutive meetings of that committee without an acceptable apology, shall have his/her membership of the committee withdrawn after due consideration and such determination by the relevant structure or higher structure; such a member shall revert first to being an ordinary member.

I. Disciplinary Procedures

Guiding Principles

The disciplinary procedures at all levels of the organisation shall be guided by the following principles:

1. Discipline should not be used as a means to stifle debate, or deny members their basic democratic rights; in particular, the accusation of insubordination should have to be seriously substantiated;
2. Discipline should not be used as a means of solving private problems or as interfering in the private lives of members where the norms of the organisation are not directly affected, unless such conduct itself constitute a violation or an offence affecting the organisation;
3. Any person faced with disciplinary proceedings shall receive due written notice of any hearing and of the basic allegations and charges against him or her and be afforded a reasonable opportunity to make his or her defence;
4. All disciplinary proceeding proceedings shall be attended to as promptly as possible; and

5. Any member(s) guilty of an offence of any kind may be expelled summarily, in line with the above and shall forfeit his/her membership(s) following the decision of a Disciplinary Committee having to hear such a matter.

J. Disciplinary Structures, Rules and Procedures

Disciplinary structures

1. Disciplinary proceedings shall normally be conducted at the level where the alleged violation or offence took place, namely province or national, and may be heard by the relevant structure;
2. The NEC / NWC may direct that the disciplinary proceedings should be heard at a higher level from where the alleged violation or offence took place. For example, an offence at Provincial level may be so egregious as to warrant hearing at a National level.
3. The NEC and/or PECs, shall appoint their Disciplinary Committee from amongst their ranks and from other members of the PL.

K. Rules of Procedure

The Disciplinary Committee (DC) shall be responsible for the interpretation of the Code of Conduct and the rules of procedure including time limits to be followed before, during and after a hearing which shall be binding on disciplinary structures at all levels of the organisation. A National committee shall only be called in the case of a National case of discipline or an unresolved provincial case.

L. Notice of Disciplinary Hearing

1. A written notice shall be issued in a range of written electronic forms.
2. Such notice must be given at least 14 working days before the date of a hearing or within a shorter period if the NEC or NWC considers that the matters at hand warrants such a shorter period provided such period is not less than 3 days' notice.
3. The Recipient of the notice must give an acknowledgement receipt; if he/she refuses, then the notice must be delivered in the presence of at least two witnesses.
4. Where a member is unavailable or deliberately evades service, the notice shall be delivered at his/her last known address in which case it shall be presumed to have been received.
5. Electronic notice including Facsimile Transmission ("Fax"), E-mail and short Message Service (SMS) or similar shall be considered sufficient notice and shall be presumed to have been received by the charged person if no error is received.

M. Conducting a Disciplinary Hearing

1. A disciplinary hearing must be held within 21 working days after notification, unless the disciplinary committee is granted, upon request, an extension by the relevant executive committee.
2. If necessary an interpreter's service might be utilised.
3. If a member fails to attend a hearing without any valid explanation given, the Disciplinary Committee may continue with the hearing in the member's absence.
4. The decision of the disciplinary committee must be communicated to the affected person within 21 working days after the conclusion of the hearing.

N. The Right to Appeal

1. Any person found guilty in a disciplinary proceeding, the compliant has the right, within twenty one (21) working days, an appeal against the conviction or sentence to the next higher body of the PL.

2. The appeal must be concluded within 60 working days.

O. Schedules of Penalties

Should one be found guilty of grave or serious offence, a violation of discipline or an abuse of organisational rules, one shall be liable to:

1. Reprimand
2. An act of compensation, performance of useful tasks or community service redeployment
3. Demotion
4. Imposition of corrective measures
5. Temporary forfeitures of membership rights
6. Temporary suspension; or
7. Expulsion,

depending on the seriousness of the nature of the offence. In particular, offences such as sexual harassment, rape, or assault, are expellable offences.

P. Articulation with ANC code of Discipline

A disciplinary proceeding of the PL may not interfere with a person's rights and duties as a member of the ANC, unless such rights or duties are exercised in an ex-officio capacity on behalf of the Professionals' League. The objective of disciplinary procedure is to ensure that in all disciplinary proceedings:

1. There is a formal recorded procedure
2. There is a just and fair procedure
3. A member is afforded a chance to conduct a reasonable defence.
4. A member has the right to appeal.

Q. Starting Disciplinary Proceedings

1. Processes may be started only for violations or offences identified in C, E, F, G above. Offences committed in a public context away from the activities of the PL, which do not directly affect the PL or its reputation, should be handled privately, e.g. via the public justice system.
2. Processes may be started by any organ, member or official of the PL at any level; national or provincial. However, a PEC may direct that the disciplinary proceedings should take place at a higher level than where a violation or offences was committed (i.e. at NEC).
3. Processes may be started by an ad-hoc Disciplinary Committee which can hear and decide on cases referred to it by the PL National Officials, NWC / NEC.
4. The ad-hoc committee's composition will be identical to the NEC or PEC except where a member of those committees recuses him or herself due to involvement in the case or a written statement that he/she does not believe he/she can be objective in the case.
5. The committee chair by default shall be the Secretary-General, President, or provincial SG/Chair, according to the availability of the member(s) concerned.
6. A charge must be made within reasonable time of the violation or offence, that is, within a few weeks. Failure to lay the charge immediately must be explained in writing if the charge is laid longer than a month after the offence. Offences, other than grave offences, which were discovered or which a victim experienced, which occurred more than a month in the past, may not be pursued or raised, without an explanation as to why they were not raised earlier.
7. The presenter, on behalf of the organisation or officials of the PL instituting the disciplinary proceedings must prepare a charge. The charge must:

- a. Be in writing
- b. Set out the information forming the reason for the charge and the alleged violation or offence in reasonable detail
- c. Identify the Provision of this Constitution or Codes of Conduct alleged to have been violated or the violations and offences alleged to have been committed
- d. Specify the time and place of the disciplinary proceedings
- e. Be delivered to the charged member fourteen working days (14) before the disciplinary proceedings, or a shorter period may be considered by the relevant Disciplinary Committee for grave and serious offences, provided that such a short period may not be less than 3 days
- f. Delivery of the notice of the disciplinary hearing must be performed using as many communication methods as possible both electronic and physical.

R. Holding the hearing

1. The hearing must be held in person at a venue which is convenient and accessible to all, particularly taking into account obstacles such as physical disabilities or the language of communication.
2. The following persons must be present at the Disciplinary Proceedings:
 - a. The Chairperson and members of the Disciplinary Committee,
 - b. A witness and/or witnesses
 - c. A minute taker
 - d. NEC / PEC observers who may be seconded for this purpose by the Secretary-General.
 - e. Interpreter as and when necessary
 - f. A person who would be able to use force if the defendant becomes physically aggressive
 - g. The presenter of the charge / accuser / plaintiff. In the event that the accuser is intimidated by the accused, the accuser may appoint a representative or proxy.
 - h. The charged member, who can be tried in her or his absence if she or he does not appear or fails to be present during any session of such a hearing without permission of the relevant Disciplinary Committee
 - i. The charged member's representative, who is a member of the PL in good standing.
 - j. Valid original proof of such membership shall be tendered before the commencement of the hearing. If any party fails to appear or does not avail him-/herself during the proceedings of the hearing, the hearing shall continue in his or her absence and the charged member shall be expected to conduct his or her own defence or be tried in absentia. It is the responsibility of the charged member to secure his or her representative at the hearing and be present him/herself.
3. The Chairperson of the Disciplinary Committee must ensure that:
 - a. The disciplinary proceedings are held in a fair manner. He or she will rule in all matters that may arise and ensure order is maintained. The rulings of the chairperson of the Disciplinary Committee are Final and are to be respected.
 - b. The charged member shall be informed of the charge, his or her rights and asked to plead guilty or not guilty to the charge.
 - c. The charged member or her or his representative may present the defence to the charge and may call witnesses and may request the recall of and question witnesses called in support of the charge may produce relevant documentation.
 - d. The disciplinary process is a political corrective process and not a legal or court process, however presenting evidence or witnesses is required.

S. Adjudication

1. At the end of the disciplinary proceedings, the Chairperson of the Disciplinary Committee must ensure that the members of the Disciplinary Committee discuss the issues raised at the disciplinary pro-

ceedings in private and make a finding based on the facts and evidence of the case and make a ruling.

2. The Chairperson and the members of the Disciplinary Committee decide on a penalty. The penalties are:
 - a. A reprimand
 - b. An act of compensation, performance of useful tasks or community service redeployment;
 - c. Demotion;
 - d. Imposition of corrective measures;
 - e. Temporary forfeiture measures;
 - f. Temporary suspension;
 - g. Expulsion; or
 - h. Referral to a legal court in the case of illegal actions having been established as taken.
3. The charged member shall be advised of the ruling and the penalty of the Disciplinary Committee with the reasons for these, and shall be advised of her or his right to appeal within twenty-one (21) working days after the conclusion of the hearing.
4. The ruling and penalty shall be publicly announced by the Disciplinary Committee to the national and provincial groups that are relevant. The findings shall be final and binding unless and until they are appealed against.
5. In the event of a "not guilty" plea, the presenter of the charge or proxy thereof shall detail the charged member's alleged violation or offence(s) and may call witnesses in support of the charge and may produce relevant documentation or any other material (audio visual, recordings or otherwise) deemed relevant in support of the charge.
6. In the event of a "guilty" plea, deliberation and then sentencing shall proceed immediately and to the satisfaction of the complainant within reason, and derived from legal precedents, to avoid a penalty being too onerous or disproportionate. This is intended to protect the privacy of both parties.

T. Appeal

1. An appeal objecting to the ruling of the adjudication may be lodged by:
 - a. The charged person;
 - b. The organ and/or officials who laid the charge;
2. An appeal hearing must be held by the next higher level unless the PEC directs that the appeal should be heard by the Provincial Disciplinary Committee or the NWC / NEC directs that any appeal should be heard by a court.
3. The National Disciplinary Committee is the final structure for appeals to be heard. However, the NEC may at its discretion review the decisions of the National Disciplinary Committee. For this purpose the NEC will be the appeal structure for NDC decisions.
4. The charged person may appeal the decision of the NEC to a court only or the NEC of the ANC itself.
5. The Secretary-General's Report shall include the case placed on appeal in this regard.
6. A member expelled on the basis of instituting legal proceedings against the organisation or any of its organs shall forfeit and not have a right of appeal.
7. The following procedure must be followed for appeals:
 - a. The appeal must be made at the next higher level or the level that the NWC, PEC or the REC directs to hear the appeal
 - b. The appeal must:
 - b.a. be made within twenty-one (21) working days of the charged member being informed of ruling and penalty with the reasons for these;
 - b.b. be in writing; and
 - b.c. set out reason for the appeal in reasonable detail.

8. Except in exceptional circumstances determined by the Chairperson of the Disciplinary Committee hearing the Appeal, no new evidence may be presented or considered at the appeal. No new charges may be brought at the appeal.
9. The person who appeals must be advised of the ruling and the confirmation or variation of the original ruling and /or penalty within twenty-one (21) working days after the confirmation or variation of the original ruling.
10. No further appeals higher than the NEC/NWC will be entertained.

U. Exceptional cases

1. Exceptional cases are those cases which are of a potentially criminal nature and which the PL NEC/NWC/PECs are not competent to judge.
2. Exceptional cases must be submitted to the courts immediately by the PEC/NEC member who is chairing the disciplinary committee. They will not be heard internally.
3. Examples of exceptional cases include all actions which are crimes in the Republic of South Africa, wherein clear evidence of the offence is available, e.g. video.
4. Such cases include but are not limited to:
 - a. All sexual offences;
 - b. All clear cases of fraud or embezzlement;
 - c. Clear cases of racial abuse or abuse on the grounds of gender, ability or religion;
 - d. Assault and/or indecent conduct;
 - e. Robbery and/or theft of, or deliberate damage to, major assets.
5. Cases which are **not** defined as exceptional are those wherein an *allegation* is made but which the evidence is not conclusive and/or obvious.
6. Such "non-exceptional" cases will be heard first in an internal disciplinary hearing and escalated to the courts only if the complainant is not satisfied with the outcome.
7. Such "non-exceptional" cases include, but are not limited to:
 - a. *Allegations* of discrimination on the grounds of race, religion, gender, gender orientation, or ability (e.g. physical or mental ability/disability);
 - b. *Allegations* of espionage, treachery, or double-agency;
 - c. *Allegations* of unprofessional conduct other than sexual harassment;
 - d. Cases which *prima facie* seem to involve fraud;
 - e. *Allegations* of misrepresenting the organisation's intentions, goals, activities, political alignment, financial status, or commercial interests;
 - f. Conduct which is embarrassing the organisation or bringing it into disrepute in a public forum, e.g. grossly misstating its goals in public media, or claiming to represent the organisation and then conducting oneself in an unprofessional manner;
 - g. Theft of minor items, e.g. abuse of stationery;
 - h. *Allegations* of fruitless or wasteful expenditure, or regular unsanctioned expenditure of the organisation's funds; and
 - i. *Allegations* of abuse of privileges including transport.

SIGNATURE

Professionals League – President

Date:

Professionals League - Secretary-General

Date:

PL - Lilliesleaf Farm, Rivonia, South Africa