

CONSTITUTION OF THE MOVEMENT FOR DEMOCRATIC CHANGE

As approved by the inaugural Congress of the MDC held at Chitungwiza in January 2000 and amended and adopted at the Second Congress at the City sports Centre-Harare on 18 March 2006

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CONSTITUTION FOR THE MOVEMENT FOR DEMOCRATIC CHANGE (MDC)

PREAMBLE

WHEREAS from the 26th to the 28th February 1999, delegates representing various working people's organisations including the Zimbabwe Congress of Trade Unions met at a convention in Harare, to discuss various issues of concern regarding Zimbabwe.

AND WHEREAS the convention unanimously noted the failure and inability of the present Zimbabwean Government to govern Zimbabwe justly, transparently, honestly, fairly and equitably.

AND WHEREAS the said convention identified and raised serious concerns and unhappiness at the manner Zimbabwe has been governed.

In particular the convention noted:

- the inability of the economy to address the basic needs of most Zimbabweans;
- the disempowerment of the people and breach of the rule of law through state sponsored violence and abuse of human rights, and in particular the genocide perpetrated in Matabeleland and Midlands;
- the severe decline in incomes, employment, health, food, security and well being of people;
- the unfair burden borne by working women and persistence of gender discrimination in practice;
- the decline and in some cases collapse of public services;
- the lack of progress in resolving land hunger and rural investment needs;
- the weak growth in industry and marginalisation of the vast majority of the nation's entrepreneurs;
- the absence of a national constitution framed by and for the people;
- the persistence of regionalism, racism and other divisions undermining national integration;
- Widespread corruption and lack of public accountability in political and economic institutions.

AND WHEREAS the convention noted the need and desire for forming a political movement that will seek to address the broad concerns of the convention.

AND WHEREAS it was subsequent to the convention established through wide consultations throughout Zimbabwe that there is an overwhelming desire for the formation of a broad based political party.

AND WHEREAS a political party known as the Movement for Democratic Change dedicated to the promotion and advancement of human rights and to setting up a government based on the principles of freedom and good governance, was launched at Rufaro Stadium on the 11th September 1999.

AND WHEREAS the inaugural Congress of the Movement for Democratic Change was held at Chitungwiza on the 29th January 2000 and it was resolved to adopt a constitution.

NOW THEREFORE the Movement for Democratic Change adopts the following constitution as amended.

ARTICLE 1

NAME, SYMBOL AND HEADQUARTERS OF THE PARTY

- 1.1 The name of the political party shall be the Movement for Democratic Change (hereinafter referred to as “MDC” or where appropriate “Party”).
- “1.2 *The Party’s symbol is an open palm with its borders in black on a white background encircled by the party’s slogan “Chinja maitiro” “Guqula izenzo” written in black. The Party’s logo is a black circle incorporating the Zimbabwe bird in grey on an orange background which represents a “wheel” is also embedded the Party’s flag in black, red, yellow and green blocks arranged in bands.*
- 1.3 The Party’s flag is rectangular. It is one and half times longer than it is wide. It is a horizontal multi-colour, comprising from top to bottom equal bands of green, yellow, red and black. At the centre of the flag is the party symbol in its original colours with the words “MDC” written in white on the black band of the flag.
- 1.4 The party is headquartered at Harvest House, No.44 Nelson Mandela Avenue, Harare and shall have offices at such other places as may be determined from time to time by the National Council.”

ARTICLE 2

LEGAL STATUS

- 2.1 The MDC shall be a body corporate with perpetual succession, capable of suing and being sued and acquiring and disposing of property in its own name.
- 2.2 The MDC shall have the power to do everything necessary or conducive to the furtherance of its aims, values and objectives.

ARTICLE 3

AIMS, VALUES AND OBJECTS

“3.1 The MDC shall be a Social Democratic Party whose core values shall be solidarity, justice, equality, liberty, freedom, transparency, humble and obedient leadership and accountability.

3.2 The MDC shall pursue social liberation policies aimed at completing the unfinished business of the National Liberation Movement and in particular shall strive for the democratic structural economic liberation, empowerment and transformation of Zimbabwe.

3.3 The MDC shall seek the mandate of the people to govern the country and work for:

- (a) A dynamic economy built on the principles of a mixed market economy with a strong social conscience.
- (b) An open democracy, in which national government is accountable to the people through the devolution of power and decision-making to the provinces and local institutions and structures.
- (c) A just society in which the weak and poor are assured of a decent standard of living and equitable social services such as in the field of health and education and in which equal opportunities are available to all people.
- (d) A fair and equitable distribution of land.
- (e) Respect for the individual through provision and protection of fundamental human rights.
- (f) A sustainable environmental and natural resources policy in which the environment is protected and held in trust for future generations.
- (g) The eradication of all forms of corruption.
- (h) The eradication of all forms of discrimination including gender, sex, race, tribe, place of origin, and religion.
- (i) Respect for and recognition of, cultural diversity within a united society built on the principle of national integration and eradication of negative cultural practices.
- (j) The equitable and fair distribution of Zimbabwe’s national resources among regions.
- (k) The equal representation of women as far as possible in public office and within the Party.

3.4 The MDC believes in the principle of active civic participation in public affairs and shall in pursuit of this principle work with trade unions, business and employers’ organisations, human rights organisations and other civic groups in the formulation of national policies.

3.5 The MDC shall recognise the sovereign equality of all countries and shall promote progressive forms of international economic, social and political cooperation that advance national development goals.

“3.6 The MDC shall maintain the unity and integrity of Zimbabwe as a nation state and shall oppose any forms of tribalism and any attempt to divide the country on tribal or regional lines.”

“3.7 The MDC shall form alliances with political organisations, on united or popular fronts and may join national or international organisations which share the same social democratic values with it.”

ARTICLE 4

MEMBERSHIP

4.1 “Individual membership” of the Party shall be open to all citizens and permanent residents of Zimbabwe who share the aims, values and objects of the Party.

4.2 “Associate membership” of the Party shall be open to any civic organisation which shares the aims, values and objects of the Party and whose members are citizens or permanent residents of Zimbabwe.

4.3 (a) an application to become an individual member shall be submitted to any organ of the Party, on a membership application form by the individual or the Party organ recruiting the member.

(b) An application by a civic organisation to become an associate member shall be submitted on a membership application form to either any branch secretary for transmission to the Secretary-General or directly to the Secretary-General.

(c) An applicant shall be admitted to membership on acceptance of the membership application.

(d) Decisions on an application for membership shall be made:

(i) in the case of individual membership, by the relevant branch to which the application was submitted;

(ii) In the case of membership by a civic organisation, by the Secretary-General.

(e) Any applicant whose request for membership has been rejected shall appeal to the National Council, whose decision shall be final.

4.4 Every member shall have the duty:

(a) to accept and conform to the Constitution, policies, principles, rules and regulations of the Party;

- (b) to conduct herself/himself in a manner which is not prejudicial to the interests of the Party and in particular, to adhere to the code of conduct of the Party;
- (c) to pay regular subscriptions as determined from time to time by the National Council and approved by Congress or the Annual National Conference;
- (d) to promote and defend the aims, values, policies and principles of the Party;
and
- (e) To register as a voter, vote for and support the Party in any election.

4.5 Failure to uphold the duties in section 4.4 of this Constitution may result in disciplinary action being taken against the member through the Disciplinary Committee.

4.6 Every individual member of the Party shall have the right subject to the provisions of this Constitution:

- (a) to vote in any Party election;
- (b) to stand for and, if elected, hold any office in the Party; and
- (c) to participate in all meetings and programmes of the Party; provided that the member holds a valid membership card and the member's name appears on the membership list.

4.7 Subject to this Constitution an associate member of the Party shall have the right to participate in all meetings and programmes of the Party but shall not have a right to vote.

4.8 An associate member shall not be represented in any meeting by a person who belongs to another political party.

4.9 There shall be a membership list which shall be confidential to the National Council who shall take all reasonable steps to ensure that information contained on the membership list is used solely for Party purposes and is not disclosed to any person other than persons authorised by this Constitution or by the National Council.

4.10 Membership of the Party shall be terminated if:

5.

- (a) a member of the Party joins and/or supports a political party other than MDC (termination of membership in these circumstances shall be automatic); or
- (b) a member sends written notice of resignation to such address as may from time to time be specified for communications relating to the membership list;
or
- (c) a member's subscription is three months out of time or in arrears and the Disciplinary Committee makes an order of termination (provided that

membership shall be restored if the arrears are paid for the period to which the subscription related); or

- (d) a member is expelled from membership of the Party in accordance with the provisions of this Constitution.

4.11 A member may be expelled if:

- (a) the National Council (by a two-thirds majority of all its members) is of the opinion that his or her continued membership would be seriously detrimental to the interests of the Party; provided that the member shall be notified in writing of the grounds on which the National Council is considering the termination of his or her membership and is given a fair opportunity to comment in writing or to make representations in person to the Council whereafter the National Council shall consider the member's written or oral comments and respond to them before making their decision; or
- (b) the Disciplinary Committee makes a ruling of expulsion in accordance with the provisions of this Constitution.

4.12 Any member who is expelled in terms of section 4.11(a) of this Constitution shall have a right of appeal to the Appeals Tribunal. Whilst waiting for the appeal to be heard the member shall be suspended.

4.13 All expulsions from the Party shall be endorsed by Congress.

ARTICLE 5

ORGANS OF THE PARTY

5.1 The Party shall have the following organs:

- (a) The Congress
- (b) The National Conference
- © The National Council
- (d) The National Assembly of Women
- (e) The National Assembly of Youth
- (f) The Province
- (g) The District
- (h) The Ward
- (l) The Branch
- (k) External Assemblies

5.2 The Congress

5.2.1 The Congress shall be the supreme organ of the Party and shall be composed as follows:

- (a) all members of the National Council;
- (b) all members of the National Executive of Women;
- © all members of the National Executive of Youth;
- (d) all members of the Provincial Executive Committees;

(e) The Chairperson, Secretary, Organising Secretary and Treasurer from each District Executive Committee;

(f) The Chairperson, Secretary, Treasurer and Organising Secretary at Provincial and District levels of the National Assemblies of Women and Youth.

(g) the Chairperson of each Ward Executive Committee; and

(h) the Chairperson, Secretary, Organising Secretary and Treasurer of each external Assembly

(i) All the party's elected members of the house of Assembly, Mayors and chairpersons of local Authorities.

5.2.2 The Congress shall meet once every five years, provided that an Extra-Ordinary Congress may be convened, at any time, in accordance with the provisions of this Constitution.

5.2.3 The functions and Powers of Congress shall be:

- (a) to formulate the policies and principles of the Party;
- (b) to supervise the implementation of policies, principles and programmes of the Party;
- (c) subject to clause 5.4, to elect members of the National Council, save for those members referred to in section 5.4.2 (t) - (v);
- (d) to approve the audited financial statements of the Party and appoint or reappoint auditors;
- (e) to repeal or amend the Constitution; *and*
- (f) To dissolve the party in terms of this Constitution.
- (g) to review ,ratify ,modify ,alter or rescind any decision taken by any organ or official of the party

(h) to condone any reasonable non-compliance with the time limits provided for in this Constitution, save for the time limits defined in paragraph 5.2.2

5.2.4 (i) A notice convening the Congress shall be sent to all Provinces/external Assemblies entitled to attend by the National Council at least sixty days before the date of the Congress. members entitled to attend and to each branch by the National Council at least two months before the date of the Congress. In addition

(ii) The notice convening the Congress shall be published once in a Newspaper of national circulation, thirty days before the Congress.

5.2.5 An extra-ordinary Congress may be called:

(a) By a simple majority vote of the National Council or two thirds vote of the National Executive which vote shall be conducted by Secret ballot..

(b) upon the written request received from at least one-third of the members entitled to attend the Congress submitted to the Secretary-General; or

(c) Upon the written request received from at least two-thirds of the Provincial Executive Committees submitted to the Secretary-General.

5.2.6 A notice convening the extra-ordinary Congress shall be sent to all members entitled to attend and to each branch by the National Council at least one month before the date of the meeting

5.2.7 The quorum of the Congress shall be two-thirds of the members entitled to attend, provided that if one hour after the stipulated time for commencement a quorum is not reached, the meeting will continue subject to decisions being approved by an extra-ordinary Congress called by the National Council within six months of the date of the inquorate Congress.

5.2.8 The interim Provincial Executive Committees shall have the power to call the Party's inaugural Congress.

5.3 National Conference

5.3.1 There shall be a National Conference to be held annually between Congresses, save in the year that a congress is held.

5.3.2 The National Conference shall be composed of:

(a) the National Council;

(b) all members of the Provincial Executive Committees;

(c) all members of the National Executive of Women and;

(d) all members of the National Executive of Youth.

- (e) the Party's House of assembly Members, its mayors and Chairpersons of Local Authorities
- (f) The Chairpersons, Secretaries ,Organising Secretaries and treasurers of all external Assemblies

5.3.3 The functions of the National Conference shall be:

- (a) to receive reports by the Party Secretaries on issues of National Policies and to review and update policies
- (b) to review progress of Party programmes between Congresses;
- (c) to fill any vacancy in National Council caused through resignation, death or other causes; and
- (d) Do all things necessary for the furtherance of Party interests which do not conflict with the powers of Congress.

5.4 National Council

5.4.1 The National Council shall be the Party's main policy implementing organ and shall have the authority to lead the organisation and execute the aims and objectives of the Party.

5.4.2 The Powers of the National Council

5.4.2.1 "Without prejudice to the generality of its powers, the National Council shall:-

- a. Implement the decisions and resolutions of the Congress.
- b. Issue and send directives and instructions to and receive reports from the National Executive.
- c. Supervise and direct the work of the party and all its organs.
- d. Oversee the work of the Women's Assembly and the Youth Assembly.
- e. Be the custodian of all the national and international property and assets of the party.
- f. Receive reports, supervise the work of, and delegate such functions to the National Executive Committee as it considers necessary.
- g. Issue documents and other policy directives as and when it deems fit. In the event that there is a dispute on a fundamental question, matter of principle or ideology within the party leadership, the National Council may cause a ballot of all Provincial Assemblies to determine the dispute.
- h. Confer such honours as it may deem appropriate.

- i. Where necessary to suspend or dissolve a Provincial Executive Committee or External Assembly Executive Committee, and to call and conduct new elections within four months from the date of any such dissolution, provided that a suspension shall not last for more than six months.
- j. Rectify or reverse any decisions of the National Executive.
- k. To elect, reappoint and reassign Party Secretaries defined in clause 5.4.10 of this Constitution save those that are directly elected at Congress.
- l. To monitor and evaluate the performances and execution of duties of all members of the National Executive and remove and reassign functions of members of the National Executive provided that a unanimous decision made by Secret Ballot of the National Council is required when it comes to the removal or reassignment of the President, Deputy President, National Chairperson, Vice Chairperson, Secretary General, Organising Secretary and Treasurer General.

5.4.2.2 In the event of any dispute in respect of the interpretation of this Constitution and in the event of any serious dispute or deadlock in the National Council over matters of procedure, then the matter shall be referred to Arbitration before the Appeals Tribunal set out below.

5.4.2.3 In the event of a dispute on fundamental questions of substance, matters of principle or ideology within the National Council then the same shall cause a ballot of all Provincial Assemblies to determine the dispute.

5.4.2.4 All decisions taken by the National Council on routine party business shall be by a simple majority and in the event of an equality of votes the motion shall be lost.

5.4.2.5 All decisions taken by the National Council on strategic party business shall be by a two thirds majority vote of the members present in a meeting or by proxy.

5.4.2.6 The National Council shall meet at least twice a year and as and when required and one half plus one of its membership shall constitute a quorum.

5.4.2.7 An emergent National Council Meeting may be convened on the basis of a petition signed by at least a third of the Members of the National Council provided that at all material times the Secretary General and the President shall have the right at any time of convening a meeting of the National Council.

5.4.3.1 Composition of the National Council

The National Council shall be composed as follows:-

- a) The President and the Deputy President
- b) The National Chairperson and the National Vice Chairperson

- c) The Secretary General
- d) The Treasurer General
- e) The National Organising Secretary
- f) The Deputy Secretary General
- g) The twelve Council Members to be elected directly at Congress in terms of clause 5.4.6.
- h) The Chairperson, Secretary and Organising Secretary of the Women's Assembly;
- i) The Chairperson, Secretary and Organising Secretary of the Youth Assembly
- j) The Chairperson and Secretary and Organising Secretary of the External Assembly.
- k) The Chairperson, Secretary, Organising Secretary and Treasurer of every Province.
- l) The elected Female Representative from each Province elected in terms of clause 5.4.5
- m) The Twelve Provincial Representatives in the Executive Committee elected in terms of Clause 5.4.4
- n) Seven co-opted Members to the National Executive elected in terms of **Clause 5.4.8**
- o) All Party Members of Parliament and Elected Mayors and Chairpersons of local Authorities, provided the same shall not have voting rights in the Council.
- p) The Chairperson at Provincial level of the Women and Youth Assemblies.

5.4.3.2 The President ;

Deputy President;
National Chairperson ;
Deputy National Chairperson;
Secretary General;
Deputy Secretary General
Treasurer General
Organising Secretary
Deputy Organising Secretary
Deputy Chairperson
The Secretary for Information and Publicity

Shall be elected directly by Congress from nominations made by the Provinces.

- 5.4.4 After the election of the office bearers referred in clause 5.4.3.2 above each Province shall select and nominate the provincial representative referred to in clause 5.4.2(m) who shall sit in both the National Council and the Executive, provided that if the representative so elected is an Office Bearer in the Province, he or she shall so cease to hold any such office in the Province following this election.
- 5.4.5 After electing the Office Bearers and Representative referred to in clause 5.4.3 and 5.4.4 each Provinces shall elect the Female Representative referred to in clause 5.4.2 (l) provided that if the representative so elected is an office bearer in the Province, she shall so cease to hold any such office in the Province following thus such.
- 5.4.6 Thereinafter Congress shall elect twelve other Committee Members from nominations submitted from the Provinces or from the floor of Congress with the candidates receiving the highest number of votes from the Delegates being so elected. The Members elected in terms of this provision shall also sit in the Executive provided that for the Second and Third Congress of the Party six of the Members to be so elected must have served in the preceding National Executive.
- 5.4.7 At its first meeting after Congress, which shall be held within one month from the date of Congress, the National Council guided by the recommendations of the National Standing Committee shall elect the Party Secretaries referred in clause 5.4.10 (g) to (t) from amongst those members of the National Council that sit in the National Executive.
- 5.4.8 Further at this first meeting after Congress, the Council on the recommendations of the National Standing Committee shall co-opt not more than seven persons from the Party's General Membership who shall sit in both the Executive and the Council, provided that the Members to be so co-opted shall be such that a one third gender status quo is achieved in the Membership of the National Executive.
- 5.4.9 The National Council shall have the power of appointing any member of the Executive to any Secretariat or policy position not specifically created in terms of this Constitution. Further the National Council shall have the power of appointing any deputy to any position or office where such does not exist and shall at any time create and fill any new Party Secretary position.

8. THE NATIONAL EXECUTIVE

- 5.4.10 there shall be a National Executive Committee of the National Council, which shall exercise all the functions of the National Council in between meetings, provided that the National Executive Committee shall have no power to make any decision in conflict with a standing decision of the National Council.

5.4.11 The National Executive shall be composed of

(a) The President and the Deputy President

- (a) The National Chairperson and the National Vice Chairperson
- (b) The Secretary General
- (c) The National Organising Secretary
- (d) The Deputy National Organising Secretary
- (e) The Treasurer General
- (f) Secretary for Information and Publicity and the Deputy Secretary for Information and Publicity
- (g) Secretary for Economic Affairs
- (h) Secretary for Education
- (i) Secretary for International Relations
- (j) Secretary for Labour and Social Security
- (k) Secretary for Health
- (l) Secretary for Land and Agriculture
- (m) Secretary for Legal and Parliamentary Affairs
- (n) Secretary for National Integration National Healing and Reconciliation
- (o) Secretary for Defence and Security
- (p) Secretary for Transport Welfare and Logistics
- (q) Secretary for Local Government
- (r) Secretary for Research and Policy
- (s) Secretary for Mines, National Resources and Environment
- (u) Chairperson of the National Assembly of Youth
- (v) Chairperson of the National Assembly of Women
- (w) The Provincial Representatives elected in terms of clause 5.4.4 read together with 5.4.2(m)
- (x) The co-opted Committee Members referred in clause 5.4.8.
- (z) At least one third of all the members of the Executive Committee shall be female and the

National Council shall use its powers co-option under clause 5.4.8 to achieve this number where necessary.

POWERS OF THE NATIONAL EXECUTIVE

- 5.4.12 The National Executive shall be the administrative and implementing authority of the party and shall:
- a. Implement the decisions and resolutions of the National Council.
 - b. Recommend party policies and programmes to the National Council
 - c. Formulate and implement the current programmes of the party within the framework of party policy and ensure that provinces, districts, wards and branches and all other party structures such as parliamentary and local government caucuses carry out the decisions of the party.
 - d. Ensure that the provincial, district, ward and branch structures of the party function democratically and effectively.
 - e. Receive reports, supervise the work of, and delegate such functions to the Provincial Committees as it considers necessary.
 - f. Engage and dismiss Secretariat staff where necessary.
 - g. Submit a report to each National Council Meeting through the President.
 - h. Establish departments and set up committees as it considers appropriate.
 - i. Suspend any member of the Party pending reference of the matter to the appropriate Disciplinary Committee provided that no suspension shall last more than three (3) months from the date that it is imposed.
 - j. Carry out investigations into any member's alleged misconduct, draft and frame charges against any such member and prosecute the said member before the appropriate Disciplinary Committee.
 - k. Set up special Commissions of Inquiry or specialised Committees that shall be appointed for a specific purpose and once that Committee has submitted a written report thereon, it shall be dissolved unless reconstructed for further investigation or consideration in connection with the original task.
 - l. Institute legal proceedings for and defend any legal proceedings against the Party.
 - m. Open and operate books of accounts.
 - n. Maintain accurate registers of all the Party members and monitor, control and give guidance to all elected Party officers holding public positions.
 - o. Receive monthly reports from Party Secretaries in connection with their portfolios.

- 5.4.13 The National Executive Committee shall meet at least once in two months and one half of its members shall constitute a quorum.

THE NATIONAL STANDING COMMITTEE

- 5.4.13 There shall be a National Standing Committee of the National Executive which shall be chaired by the Party President and shall consist of the President and the Deputy President, the National Chairperson and the National Vice Chairperson, the Secretary General, the Treasurer General, the National Organising Secretary, the Secretary for Information and Publicity, the Deputy National Organising Secretary the Deputy Secretary General and the Chairpersons of the Women and Youth Assembly provided that the Management Committee shall have the power of inviting any Party Secretary to its meetings.
- 5.4.14 The Committee shall be responsible for the day to day administration of the Party and shall report to the National Executive and shall make no Executive or Policy decisions.

5.5 The Province

- 5.5.1 There shall be twelve Provinces of the Party, these shall be Manicaland, Mashonaland Central, Mashonaland East, Mashonaland West, Masvingo, Midlands North, Midlands South, Matebeland South, Matebeland North, Bulawayo, Chitungwiza and Harare. For the purposes of this Constitution, Chitungwiza shall include Constituencies/Districts presently known as Chitungwiza, Goromonzi, Mhondoro, Seke Rural, St Mary's, Zengeza. Midlands North shall include Constituencies/Districts currently known as Kadoma, Kwekwe, Silobela, Ngezi, Gokwe/Sengwa, Gokwe/Chireya, Gokwe/Kana, Gokwe/Nembudziya, Gokwe/Zhombe at Sanyati. Midlands South shall include Constituencies/Districts currently known as Gweru Urban, Mukova, Gweru Rural, Shurugwi, Chirumhanzi, Mberengwa East, Mberengwa West and Zvishavane.
- 5.5.2 The Provincial Executive Committee shall comprise of the following:-
- a) Chairperson and Deputy Chairperson
 - b) Secretary and Deputy Secretary General
 - c) Treasurer
 - d) Organising Secretary and Deputy Organising Secretary
 - e) The Secretary for Information and Publicity
 - f) The Secretary for Defence and Security
 - g) The Secretary for Local Government and Housing

- h) The Secretary for Economic Affairs
- i) The Secretary for Education
- j) The Secretary for Land and Agriculture
- k) The Secretary for National Integration, Healing and Reconciliation;
- l) The Secretary for Research and Policy;
- m) The Provincial Director of Elections;
- n) Chairperson and Secretaries of the Women and Youth Provincial Executives;
- o) All Mayors, Deputy Mayors, Chairpersons, Deputy Chairpersons of Local Authorities;
- p) Five Committee Members.

5.5.3 The Provincial Executive Committee shall be elected at a Provincial Assembly meeting held once every five years provided that elections shall take place at least two months prior to each Congress.

5.5.4 The Provincial Assembly shall comprise of:

- (a) the Provincial Executive Committee;
- (b) The Women's Provincial Executive Committee;
- (c) The Youth Provincial Executive Committee;
- (d) The District Executive Committee in the Province;
- (e) The Women's District Executive Assembly in the Province;
- (f) The Youth District Executive Assembly in the Province;
- (g) All Members of the House of Assembly, Mayors, Councillors in the Province plus Chairpersons of all Local Authorities in the Province.

5.5.5 The quorum of the Provincial Assembly meeting shall be two-thirds of its membership.

5.5.6 "The main functions of the Provincial Executive Committee shall be:-

- (a) to build the party in the Province;

- (b) To organise elections of District Executive Committees and where necessary to organise Ward and Branch Meetings.
- (c) To supervise the work of Branches in the Province concerned and to ensure that Branches are functioning democratically effectively and complying with its Constitution.
- (d) To implement policies and principles of the Party in the Province, subject to the National Council.
- (e) To carry out all such functions and duties as accepted by the National Council.
- (f) To maintain a Registrar of Party Members in the Province.
- (g) To select, choose or nominate candidates for National Elections for acceptance or rejection by the National Council.
- (h) To maintain bank accounts and books of accounts and keep an asset register of all party assets in the Province.
- (i) Subject to approval by the National Council, to suspend or dissolve in a District, Ward or Branch Executive Committee provided that no such suspension shall last for more than five (5) months. Provided further that the affected District, Ward or Branch shall have the right of appeal to the Appeals Tribunal against such a decision, within thirty (30) days that such decision will be made. An appeal against suspension by the District, Ward or Branch shall have this effect of suspending the decision being appealed against.

5.5.7 Members of the Provincial Executive Committees shall be eligible for re-election.

5.5.8 At least a third of the Provincial Executive Committee shall be Women

5.5.9 Should a vacancy occur in the Executive of any Provincial Executive Committee by reason of death, resignation or expulsion, the Provincial Executive Committee will have the power of co-opting an other member of the party into the said Provincial Executive Committee and further shall have the power of appointing any of its members to so act in any acting capacity provided that an election to fill the vacancy so created, shall be held at the next provincial Council meeting.

5.5.9 **The Provincial Council**

5.5.6.1 The Provincial Executive Committee of each Province shall organise at least three Provincial Council meetings in a given year provided that both the Provincial Executive Committee, the President of the Party and the National Council may at any time call for a meeting of the Provincial Council.

5.5.6.2 The Provincial Council shall be composed of :-

- a) all Members of the Provincial Executive;
- b) all District Chairpersons;

5.5.6.3 The purpose of the Provincial Council shall be:-

- a) to review the progress of Party programmes within the Province;
- b) transact the particular business the Council would have been convened for;
- c) select and fill any vacancies that would have arisen in the Provincial Executive itself;
- d) Do all things necessary for the furtherance of Party interests, subject to the Constitution and the powers of the National Council.”

5.6 **The District**

5.6.1 There shall be a District Executive Committee in every District, which shall meet at least once every three months and whose quorum shall be half of its membership. The District Executive Committee shall comprise of the following:-

- (a) Chairperson and Deputy Chairperson;
- (b) Secretary and Deputy Secretary
- (c) Treasurer
- (d) Organising Secretary and Deputy Organising Secretary
- (e) Secretary for Information and Publicity Secretary;
- (f) Chairperson of the Women District Executive Committee
- (g) Chairperson of the Youths, District Assembly Committee
- (h) Chairpersons of the Ward Executive Committee in the District;
- (i) Any elected Member of the House of Assembly for the particular District;
- (j) District Director of Elections;
- (k) Five Committee Members.

5.6.2 The District Executive Committee shall be elected at a District Assembly meeting held once every five years provided that elections shall take place at least two months prior to each Provincial Assembly meeting held in terms of section 5.5.3.

5.6.3 The District Assembly shall comprise of:

- (a) the District Executive Committee;
- (b) the Ward Executive Committees in the District; and
- (c) The Chairpersons ,Secretaries ,Treasurers ,and Organising Secretaries of the Branch Executive Committees in the District.
- (d) The full Executive of the Youth and Women District Assemblies

5.6.4 The quorum of the District Assembly meeting shall be two-thirds of its membership.

5.6.5 The main functions of the District Executive Committee shall be:

- (a) to build the Party in the District;
- (b) subject to the control of the National Council, to implement the policies and principles of the Party in the District; and
- (c) To serve as a liaison between the wards in the District, the branches in the District, and between the District and the Provincial Committees.
- (d) To keep and maintain an update register of all Members of the Party in the said District.
- (e) To identify and recommend to the Province persons to participate in National elections.
- (f) To conduct the elections of ward Executives including any gap filling elections.
- (g) To maintain books of accounts and to open bank accounts for the District.
- (h) To keep and maintain an asset register of the Party assets and the District.

THE DISTRICT COUNCIL

5.5.6.A *“The District Executive Committee of each District shall organise at least three District Council Meetings in a given year, provided that the Province shall have a right of calling an ad hoc District Council Meeting.*

5.5.6. B *The District Council shall comprise of :-*

- a) All Members of the District Executive Committee;
- b) the full Executive of the Women and Youth Assemblies in the District;
- c) All Branch Chairpersons, Secretaries, Treasurers, Organising Secretaries
- d) All Ward Executive Members.

5.6.6. C the purpose of the District Council shall be to:

- (i) review the progress of Party programmes within District
- (ii) to select and fill any vacancy that would have arisen in the District itself;
- (iii) To attend to the transaction of the particular business the Council would have been called for.
- (iv) Subject to this Constitution and the powers of the Provincial Committee to do all things necessary for the furtherance of Party interests and programmes.”

5.6.7 Members of the District Executive Committees shall be eligible for re-election.

5.6.8 Should a vacancy occur in the Executive of any District Executive Committee by reason of death, resignation or expulsion ,the District Executive Committee will have the power of co-opting an other member of the party into the said District Executive Committee and further shall have the power of appointing any of its members to so act in any acting capacity provided that an election to fill the vacancy so created, shall be held at the next District Council meeting.

5.7 The Ward

5.7.1 There shall be an Ward Executive Committee for each Ward in Zimbabwe.

5.7.2 The Ward Executive Committee shall comprise of the following:-

- a) Chairpersons and Deputy Chairperson;
- b) Secretary and Deputy Secretary
- c) Treasurer
- d) Organising Secretary and Deputy Organising Secretary;
- e) Secretary for Information and Publicity
- f) Chairperson of the Women and Youth Ward Executive Assembly

- g) Chairpersons of all the Branch Executive Committees in the District;
- h) All elected Councillors in the Ward;
- i) Five Committee Members;
- j) The Ward Director of Elections.

5.7.3 The Ward Executive Committee shall be elected at a Ward Assembly Meeting held once every five years provided that the elections shall take place at least two months prior to each District Assembly Meeting held in terms of Article 5.6.3.

5.7.4 The Ward Executive Committee shall meet at least once every two months and the aforesaid Membership shall constitute the quorum.

5.7.5 The Ward Assembly shall comprise of:

- a) The Ward Executive Committee;
- b) The Women's Ward Executive Assembly Committee;
- c) The Youth Ward Assembly Executive Committee;
- d) The Branch Executive Committees in the Ward;
- e) The Women's Branch Assembly Executive Committee;
- f) The Youth Branch Executive Assembly Committee in the Ward

5.7.6 The quorum of the Ward Assembly Meeting shall be two thirds of its Membership.

5.7.7 Members of the Ward Executive Committee shall be reachable for re-election.

5.7.8 Should a vacancy occur in the Executive of any Ward Executive Committee by reason of death, resignation or expulsion, the Ward Executive Committee will have the power of co-opting an other member of the party into the said Ward Executive Committee and further shall have the power of appointing any of its members to so act in any acting capacity provided that an election to fill the vacancy so created, shall be held at the next Ward Assembly.

5.8 The Branch

5.8.1 There shall be branches established in each ward by the Ward Executive Committee with the approval of the District Executive Committee.

- 5.8.2 The minimum number of members for the establishment of a Branch shall be fifty (50) provided not more than five Branches shall be established in any one Ward without the permission of the Province. Further it is the approval of the National Executive, Branches based on residential areas or geographic consideration rather than numbers, maybe established.
- 5.8.3 No member shall be a member of more than one Branch.
- 5.8.4 There shall be a Branch Executive Committee for each Branch.
- 5.8.5 The Branch Executive Committee shall comprise of a Chairperson, Deputy Chairperson, Secretary, Treasurer, Organising Secretary and five other members, two of whom shall be the Chairpersons of the Women and Youth committees in the Branch.
- 5.8.6 The Branch Executive Committee, except for the Chairpersons of the Women and Youth committees, shall be elected at a Branch Assembly meeting held once every five years provided that elections shall take place at least two months prior to each Ward Assembly meeting held in terms of section 5.7.3.
- 5.8.7 The Branch Assembly shall be composed of all members of the Party in the Branch and one-half of the membership shall constitute a quorum.
- 5.8.8 Members of the Branch Executive Committees shall be eligible for re-election.
- 5.8.9 A Branch shall cease to exist if:
- (a) its membership numbers drop below 50 for a period of six months, without the consent of the District Committee being obtained; or
 - (b) it is decided by a majority vote at a meeting of which 14 days notice has been given to all members of the Branch that the Branch be dissolved; or
 - (c) The Ward Committee decides, after consultation with the Branch Committee and with the approval of the Provincial Executive Committee, to abolish the Branch.

PARTY MEMBERS OUTSIDE ZIMBABWE

- 5.8.10 Any Zimbabwean living outside Zimbabwe shall be eligible to be Members of the Party.
- 5.8.11 Any group of Party Members living outside Zimbabwe in any particular country shall have the right to form Branches, Wards and Districts in their particular areas, depended on the population and geographical area of a particular country.

5.8.12 Taking into account the population of Zimbabwean Members in a particular country the National Council shall declare a particular country to be a Designated Country. Once a country is so designated the Party Members in that particular country shall be entitled and obliged to elect National leadership in that country at an External Assembly. Subject to this Constitution the External Assembly shall have the same powers and status as a Province.

5.8.13 In any Designated County any External Assembly shall be held once every five years, and at least two months before the Party Congress provided that the First External Assemblies shall be held after the Second Party National Congress.

5.8.14 An extra ordinary meeting of the External Assembly may be called at any time by the National Council or by written request signed by two thirds of the members of the External Assembly Executive

THE EXTERNAL ASSEMBLY

5.8.15 Subject to this Constitution, the National Council and National Executive, the External Assembly shall be the highest organ of the Party in the Designated Country and shall be composed of:-

- a) All Members of elected Branches, Wards or Districts in the Designated Country.
- b) The National Chairperson of the Party and any two such other National Executive Members of the Party as shall be designated by the National Council, provided that the parties mentioned herein shall not have the power of voting at the External Assembly.

5.8.16 The Functions and Powers of the External Assembly shall be :-

- a) to formulate programmes and policies of the Party for that particular country subject to the control and guidance of the National Council.
- b) To supervise the implementation of programmes of the Party in the particular Designated Country;
- c) To co-ordinate and liaise with the National Council on all important issues and matters covered in terms of this Constitution.
- d) To elect National Office holders of the External Assembly;
- e) To approve financial statements of the External Assembly Executive;
- f) To review, notify, alter or rescind any decision taken by the External Assembly Executive.

5.8.17 the External Assembly shall in its Congress defined in paragraph 5.8.11 elect directly from nominations made by the Branches, the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer, Organising Secretaries, Deputy Organising Secretaries, Secretary for Information and Publicity, Chairpersons of the Women and Youth Executive Assembly Committee, and ten other Committee Members who shall be appointed by the External Assembly Executive on the recommendation, the External Assembly Chairperson to any of the following Secretarial positions:

Secretary for Economic Affairs;

Secretary for Legal Affairs

Secretary for Education

Secretary for Health

Secretary for Labour and Social Affairs

Secretary for Immigration and Asylum Issues

Secretary for Lands, Agriculture and National Resources and Environment

Secretary for Transport and Logistics

Secretary for Research and Policy

Secretary for International Affairs and Co-ordination with the host country

5.8.18 The External Assembly Executive shall subject to the control by the National Council be the administrative and implementing arm of the External Assembly and shall have the following powers:-

- a) Implement the decisions and resolutions of the National Council;
- b) Design and formulate activities and programmes for the Districts under their charge;
- c) Implement programmes and activities that will maintain the visibility of the Party and Zimbabwe in the host countries
- d) Subject to control by the National Council, and the Party Secretary for International Relations maintain relations, and lobby the host country on issues important to the Party.
- e) Mobilise, raise funds and any resources for the Party.
- f) Facilitate assist and organise delegates from the Party to the host country.
- g) Ensure that the local Districts and other Party structures function democratically and effectively.
- h) Submit quarterly reports to the National Council via the Secretary General.
- i) Maintain membership and asset registers of the Party.

- j) Open Bank accounts and maintain books of accounts.
- k) Establish departments and set up committees if considered appropriate
- l) Engage and dismiss any Member of staff.
- m) Acquire or rent any premises equipment or vehicles, and enter into any such contracts as are necessary to achieve the above.
- n) With written consent of the National Council given through the Secretary General have the power to suspend or dissolve any Branch or Ward where necessary and to call for new elections within three months. Provided that no suspension may last more than three months.
- o) Subject to the laws of the host country to engage in fundraising activities for the party

5.8.19 The External Assembly Executive shall meet at least once every three months and two thirds of its Members shall constitute a quorum, provided that the Chairperson and Secretary or the National Council may call for any ad hoc meeting on seven days notice being provided.

5.8.20 The External Assembly Executive and or the National Council shall have the power of convening any External Assembly Meeting provided one month's notice is given.

5.8.21 Any dispute arising between Members of the External Assembly, Branches, Wards or the National Assembly Executive and any dispute in respect of the interpretation of the powers and duties defined in this Constitution in so far as it applies to the External Assembly or to any Branch or structure of the Party outside Zimbabwe, shall be referred to the National Council which shall act as an Arbitrator, and whose decision or directive will be final.

5.8.22 The National Council shall have the right of defining any operational roles for the Members and structures outside Zimbabwe in any particular country.

5.8.23 Should a vacancy occur in the Executive of any External Assembly Executive Committee by reason of death, resignation or expulsion ,the External Assembly Executive Committee will have the power of co-opting an other member of the party into the said External Assembly Executive Committee and further shall have the power of appointing any of its members to so act in any acting capacity.

5.9 The National Assembly of Women

5.9.1 There shall be a National Assembly of Women, membership of which shall be open to all women members of the Party.

5.9.2 The functions of the National Assembly of Women shall be:

- (a) to mobilise women to join the Party;
- (b) to ensure that women are fully involved in all Party activities including policy making events and activities; and
- (c) To formulate and carry out training programmes for women.

5.9.3 The Structure and functioning of the National Women Assembly shall be governed by the rules attached to this Constitution as Annexure A

5.9.4 There shall be committees of the National Assembly of Women in each branch, ward, district and province.

5.10 The National Assembly of Youth

5.10.1 There shall be a National Assembly of Youth, membership of which shall be open to all members of the Party under the age of 30 years.

5.10.2 The functions of the National Assembly of Youth shall be:

- (a) to mobilise youth to join the Party;
- (b) to ensure that youth are fully involved in all Party activities including policy making events and activities; and
- (c) To formulate and carry out training programmes for youth.

5.10.3 The Structure and functioning of the National Youth Assembly shall be governed by the rules attached to this Constitution as **Annexure B**

5.10.4 There shall be committees of the National Assembly of Youth in each branch, ward, district and province.

ARTICLE 6

OFFICE BEARERS, NATIONAL COUNCIL & THEIR ELECTION PROCEDURES

6.1 The President (6.1.1) The President is the leader and Chief Principal Officer of the Party and ultimately accountable to the National Council and Congress for the vision, strategy actions and omissions of the Party subject to this Constitution.

6.1.2 It shall be the duty of the President:

- (a) to uphold and defend the Party Constitution;
- (b) to chair meetings of the National Executive Committee;
- © to uphold and defend the principles of the Party;
- (d) to promote the principles of democratic discourse and participation and equality of all members within the Party;

- (e) to present the reports of the National Council to the National Conference and Congress; and
- (f) to perform such other functions and duties and exercise such powers as may be assigned to him or her within the provisions of this Constitution by the National Council.
- (g) Notwithstanding any power elsewhere to convene any extraordinary meeting of Congress, or ordinary National Council, the Executive, Provincial Council or External Assembly, the President shall have the power of convening any such Congress Council or Meeting.

6.1.2 **The President:** shall in general act as spokesperson of the Party on major policy issues and shall be the principal public representative of the Party, provided that nothing in this section shall be construed as empowering the President to act or do anything contrary to the Party's principle of open, transparent and democratic decision making.

6.2 **Deputy President**

6.2.1 It shall be the duty of the Deputy President:

- (a) to assist the President with the exercise of his or her powers, functions and administrative duties as provided for in this Constitution;
- (b) to act on behalf of the President whenever the President is absent from Zimbabwe or is for any reason unable to perform his or her powers, functions or administrative duties;
- © to perform such functions relating to the function of standing committees and other general matters as may be assigned to him or her by the National Council; and

6.3 **National Chairperson**

6.3.1 It shall be the duty of the National Chairperson to:

- (a) perform the duties of the President's office in the event that both the President and Deputy President are unable to perform the functions of the President's office;
- (b) chair Congress, the National Conference *and National Council*;
- (c) conduct the elections at Congress, except where the election is for the position of National Chairperson, in which case such election shall be conducted by the Appeals Tribunal President;

6.3.4 **National Vice Chairperson**

It shall be the duty of the National Vice Chairperson:

- (a) to assist the National Chairperson with the exercise of his or her powers, functions and administrative duties as provided for in this Constitution;
- (b) to act on behalf of the National Chairperson whenever the National Chairperson is absent from Zimbabwe or is for any reason unable to perform his or her powers, functions or administrative duties;
- © to perform such functions relating to the functioning of standing committees and other general matters as may be assigned to him or her by the National Chairperson **and or** National Council;

6.4 **Secretary-General**

6.4.1 The Secretary-General shall:

- (a) under the supervision of the National Council convene and organise the meetings of Congress and the National Conference in consultation with the President;
- (b) primarily be responsible for the efficient organisation and administration of the Party;
- © be responsible for all Party affairs in the National Secretariat;
- (d) Ensure that meetings of the National Executive, National Council are held as defined in this constitution.;
- (e) be the custodian of all important Party documents, lists, papers and records;
- (f) to maintain and supervise the maintenance of the Party membership list; and
- (g) to present reports to he National Executive, National Council on general party affairs
- (h) perform such other functions and duties and exercise such powers as may be assigned to him or her within the provisions of this Constitution by the President or the National Executive or the National Council.

6.4.2 **Treasurer General**

THE TREASURER GENERAL SHALL:-

- a) Under the supervision of the National Council and in consultation with the President and the rest of the National Standing Committee open such bank

accounts and maintain such financial records as may be necessary for the efficiency and seek amendments of that funds;

- b) Be the chief custodian of all Party funds and monies;
- c) Prepare and present to the National Council the annual budget of the Party;
- d) Provide the National Executive Committee and the National Council with regular statements of income and expenditure;
- e) Chair the Finance and Fundraising Committee;
- f) Supervising and co-ordinate fund raising activities of the Party;
- g) Perform such other functions and duties and exercise such power as may be assigned to him by the President or the National Executive Committee and the National Council provided that such assignment shall not include function duties and power vested in another person under and in terms of this Constitution.

6.4.3 DEPUTY SECRETARY GENERAL

The Deputy Secretary shall:-

- a) Assist and deputise the Secretary General in the performance and exercise of his or her functions, duties and powers provided in this Constitution;
- b) Act on behalf of the Secretary General whenever the Secretary General is absent from Zimbabwe or is for any reason unable to perform or exercise his or her duties, functions or powers;
- c) Perform such other functions and duties and exercise such powers as may be assigned to him by the President and the rest of the National Standing Committee or the National Council provided that such assignment shall not include powers, duties or functions vested in someone else under the terms of this Constitution.

6.4.4 THE NATIONAL ORGANISING SECRETARY

The Organising Secretary shall:-

- a) conduct the elections of the Provincial Executive Committees;
- b) conduct or ensure that Party elections are conducted at Branch, Ward and District level;
- c) Supervise and co-ordinate the recruitment of members into the Party;
- d) Be responsible for administering Party structures subject to the control of the Executive and subject and to this Constitution.

- e) Ensure the establishment of Party structures and organs from the Branch to the Provincial level.
- f) Supervise and monitor the political programmes of the Provincial, District, Ward and Branch structures of the Party;
- g) Be responsible for collating, gathering and collecting all lists of Party Membership and Party Members;
- h) Be responsible for the implementation of the Party's programmes of action and advocacy including organising all activities aimed at achieving the Party's long and short term goals;
- i) Be responsible for the Party's educational programmes on the Party's values and principles;
- j) Be the Chief Master of ceremonies at all Party National functions including rallies, public meetings, congress and the National conference;
- k) Perform any such other function and duties and exercise such powers as may be assigned to him or her by the President or the National Chairman or the Secretary General, the National Executive or National Council provided that such a function shall not include functions duties, powers that someone else under and in terms of this Constitution.

6.4.5 THE SECRETARY FOR INFORMATION AND PUBLICITY

The Secretary for Information and Publicity shall:-

- a) Under the supervision of the National Council act as the General Spokesperson of the Party on all Party affairs;
- b) Supervise and co-ordinate the development of the Party's communication and media strategies;
- c) Ensure that the Party Policies are adequately communicated and explained to the public;
- d) Be responsible for the preparation and approval of the Party's Press releases and advertisement materials of whatever description;
- e) Perform such other duties and functions and such powers as may be assigned to him by the present Secretary General or the National Executive Committee or National Council provided that such assignment shall not include powers, duties or functions vested in someone else under in terms of this Constitution.

6.4.6 OTHER PARTY SECRETARIES

The functions, duties and powers of other Party Secretaries not otherwise set out in this Constitution shall be as defined by the National Council in writing provided that the National Council in so doing shall not assign duties or functions or vest powers already vested in some other Party Officer under and in terms of this Constitution.

6.5 Party Secretariat

6.5.1 There shall be a National Secretariat consisting of paid employees of the Party with such structures and offices as defined by the Congress and the National Council, provided that all employees in the Secretariat must:

- (a) subscribe to the aims and objectives of the Party; and
- (b) be vetted and approved by the administration committee and confirmed by the National Executive.

6.5.2 No member of staff shall be allowed to hold any position in any structure. Further any member of staff who wishes to contest any election for any political position, within or outside the party shall resign from his office within six months from the date of such Assembly or Congress where the election will be held.

6.6 Elections to the National Council

- (a) Not less than 30 days before the date of the Congress, the Secretary General shall call for nominations of individual National Council positions from members of the Party.
- (b) A member wishing to contest any position in the National Council shall submit to the Secretary General no later than five days before the date of the Congress:
 - (i) the prescribed nomination form duly completed and endorsed by ten members; and
 - (ii) an undertaking that he or she will submit the prescribed disclosure form consistent with the code of conduct for office bearers within five days of his or her election to the National Council.
- (c) No later than 30 days before the date of each such Congress, the Party's Secretariat shall make available a list of members eligible to vote to any member of the Party who requests it.
- (d) The elections shall be conducted by the National Chairperson who shall be supported by the Party's Secretariat, except where the election is for the position of National Chairperson, such election shall be conducted by the Appeals Tribunal President.

- (e) The elections shall be held in the order listed in section 5.4.2(a) to (d) of this Constitution beginning with that of the President. In each case, the voting shall be by secret ballot. The election shall be determined by simple majority or, in the event of more than two people contesting a position, a person polling the highest number of votes shall be declared the winner. In the event of a tied vote in any election the election shall be held again.
- f) a delegate at the Congress shall have the right to nominate from the floor any person for any position in the National Council whose nomination does not appear on the list submitted by provinces. In such event the National Chairperson shall call for seconders by show of hands. In the event that the nomination is seconded by 25% of the delegates then such nomination shall be considered duly seconded and included on the list.
- g) for purposes of elections at the Congress, the National Youth Council Executive and the National Women's Assembly Executive shall be treated as provinces eligible to nominate candidates for the President, Deputy President, National Chairperson, Deputy National Chairperson, Secretary General, National Organising Secretary, Deputy Secretary General, Secretary for Information, Deputy National Organising Secretary and Treasurer General.
- h) If any Provincial leader is elected to the National Council only and not the National Executive in his or her own right, such person shall vacate the Provincial position. The respective Province shall hold an election to fill the vacancy. The Province however has the right to make representations to the National Council where circumstances warrant an exception to this rule. If the National Council allows the Provincial Officer to retain his/her position then the Province will not be entitled to an additional member on the Council."

6.7 Death or Resignation of Office Bearers

- 6.7.1 In the event of the death or resignation of the President the Deputy President assumes the role of Acting President.
- 6.7.2 In the event of the death or resignation of any other member of the National Council the National Council shall elect a person to act in that capacity pending the next annual National Conference.
- 6.7.3 In the event of the death or resignation of any other office bearer the National Council shall appoint someone to fill the post till the next annual National Conference.
- 6.7.4 At the next annual National Conference, the Conference shall have the power and duty to fill any vacancy which may be

existing at that time within the National Council. An election shall be held to fill the post in accordance the provisions of 6.6.3 of this Constitution, except that only members entitled to attend the National Conference shall be eligible to vote.

6.8 Indemnity

6.8.1 Senior office bearers of the Party and other members of the National Council shall not be liable to the Party and its members for any loss arising from any mistake or omission made in good faith.

6.8.2 Senior office bearers of the Party and other members of the National Council shall be entitled to an indemnity out of the assets of the Party (including future assets) against all costs, damages and expenses incurred by them, in respect of any liability incurred by them, in good faith, in the execution of their powers and duties.

ARTICLE 7

PARTY COMMITTEES

7.1 The Party shall have the following standing committees to promote the objects of the Party:

- (a) the Disciplinary Committee;
- (b) the Directorate of National Elections;
- © the Economic Affairs Committee;
- (d) the Education Committee;
- (e) the Finance Committee;
- (f) the Health Committee;
- (g) the Information and Publicity Committee;
- (h) the International Relations Committee;
- (I) the Labour and Social Service Committee;
- (j) the Land, Agriculture and Natural Resources Committee;
- (k) the Legal Affairs Committee;
- (l) the National Integration and Reconciliation Committee;
- (m) the Organising Committee;
- (n) the Research and Policy Committee;

(o) the Security Committee; and

(p) the Transport, Logistics and Welfare Committee;

7.2 Save for the Disciplinary Committee and the Finance Committee, each committee shall be chaired by the relevant secretary of the National Council elected for that portfolio. The Treasurer-General shall chair the Finance Committee.

7.3 Save for the Disciplinary Committee, each committee shall consist of at least four other persons who are individual members of the Party appointed by the National Council.

7.4 (a) No committee shall make a decision in conflict with a standing decision of the National Council or with standing principles of the party.

(b) No decision of any committee on any major policy issue shall be implemented before it has been considered and approved by the National Council.

7.5 The National Executive of the National Council may constitute and appoint such other committees as may be necessary from time to time.

7.6 The Directorate of National Elections

7.6.1 There shall be a Directorate of National Elections which shall:

- a) be responsible for the development and implementation of the Party's election strategy in all National and Local Government Elections;
- b) be responsible for the development and implementation of the Party's programmes on Voter Registration and Voter education;
- c) devise and ensure the implementation of all election anti-rigging strategies and measures for all National and Local Government elections;
- d) ensure that all information relating to any and all electoral matters is available to the Party at all material times;
- e) supervise and monitor the implementation of all the Party's elections campaign programmes in all elections.
- f) Direct and command any organ or structure and department of the Party to perform any function or duty during any election campaign subject to the control of the National Council;

- g) Ensure that the Party is in a state of preparedness in respect of all National elections that the Party will participate in.
- h) Monitor and observe such elections and present a report to the National Council;
- i) Supervise and control the functions, roles and duties of all Directors of elections at Provincial, District and Ward level.
- j) Perform such other functions and duties and exercise such powers as assigned to the same by the National Council.

7.6.2 The Directorate of National elections shall be chaired by the National Chairman of the Party and shall consist of the following other members:-

- a) the National Organising Secretary and the Deputy Organising Secretary;
- b) the Secretary for Information and the Deputy Secretary for Information & Publicity;
- c) the Secretary for Legal and Parliamentary Affairs;
- d) the Treasurer General;
- e) the Secretary for Policy and Research;
- f) Other eight members as appointed by the National Council shall be assigned from time to time.

ARTICLE 8

FINANCES

8.1 The Party shall be financed by membership contributions, donations and any investments by the Party.

8.2 Subject to section 8.5 the Treasurer General shall be the custodian of Party funds.

8.3 The National Council shall prescribe the manner in which funds shall be kept and the manner in which money may be withdrawn for Party use, including a prescription of which officers shall be signatories to Party accounts.

8.4 There shall be an annual audit of Party funds by a firm of reputed auditors in Zimbabwe and a report of such audit shall be made annually to the National Council and to the National Conference.

8.5 There shall be a Party Trust established for the administration and management of trust funds that may be donated and/or deposited in the Trust account by those donors requiring that their donations be administered by a Trust.

ARTICLE 9
CODES OF CONDUCT

- 9.1 All office bearers shall comply with the code of conduct annexed to this Constitution, marked Appendix 1.
- 9.2 All Party members shall comply with the principles set out in paragraphs 2 and 3 of Appendix 1 annexed to this Constitution and the Code annexed to this Constitution as Appendix 3.

ARTICLE 10
DISCIPLINARY COMMITTEE

10.1 THE NATIONAL DISCIPLINARY COMMITTEE

- 10.1.1 There shall be a National Disciplinary Committee, whose duties subject to this Constitution and the Code of Conduct attached as Appendix 1, shall be to investigate breaches of this Constitution, breaches of the aforesaid Code of Conduct. In addition the National Disciplinary Committee shall sit as a Court to hear and determine any allegations of misconduct by members or Party Structures and shall have the power to impose any penalties including suspensions, removal from elected positions or expulsions from the Party.
- 10.1.2 The National Disciplinary Committee shall sit as a Court of appeal in respect of any appeals noted against the decisions made by the Ad-hoc Disciplinary Committees of the Provinces, External Assemblies or the District Executives.
- 10.1.3 The National Disciplinary Committee shall serve for a term of five years and shall comprise of :
- a) A chairperson, who shall be appointed by Council in its first meeting after Congress. The Chairperson must be a legal practitioner of good standing, who is qualified to be a Judge of the high Court of Zimbabwe. The term of office of the Chairperson shall be five years.
 - b) Five other Members of the Party provided that same shall not serve for more than one year and maybe re-appointed by the National.
- 10.1.4 A quorum of the National Disciplinary Committee shall be four (4).
- 10.1.5 Should any vacancy occur in the National Disciplinary Committee, or should the appointed Members be unable to sit on the grounds of fairness or any other good reason, the National Council shall have the powers to fill in such vacancies or to appoint an ad hoc National Disciplinary Committee.
- 10.1.6 Any Appeal shall lie from any decision or order made by the National Disciplinary Committee to the National Council. Within thirty (30) days

thereof a Notice of Appeal lodged with Secretary-General. The National Council shall have the power to confirm, alter or set aside in any manner what so ever any such decision or order.

- 10.1.7 Any decision or order of the National Council can be appealed against to the Appeals Tribunal within thirty (30) days from the date that it is made through a written notice lodged with the Secretary General provided that any appeal in terms of this Constitution, shall not have the effect of suspending the decision or order being appealed against.

LOCAL DISCIPLINARY COMMITTEES

- 10.2.1 There shall be ad hoc Disciplinary Committees at Provincial External Assembly and at District level. The said Disciplinary Committees shall have the power conducting a hearing for a member at that level accused of any breach of the Constitution or the Party's Code of Conduct. The ad hoc local Disciplinary Committees described above, shall be chaired by the Secretary of that particular structure and the said structure shall appoint three (3) other members on an ad hoc basis. In the event that the Secretary is unable for reasons of fairness or is or is absent then the said structure shall have the power of appointing a replacement Chairperson. In the event that there is a dispute over the appointment and composition the ad hoc Disciplinary Committee at the local level then any such dispute shall be referred to the National Chairperson whose decision or directives shall be final.
- 10.2.2 The local Disciplinary Committees shall not have the power to frame charges. The power to frame charges shall reside with the National Assembly or with the structure to which, the relevant structure where the charged member reports to.
- 10.2.3 Disciplinary matters concerning members of the National Executive of Women and its Assembly shall be dealt with by the National Disciplinary Committee. Other structures of the Party shall be dealt with by the relevant local structure at Provincial, External Assembly or District level as the case may be.
- 10.2.4 Any member aggrieved by the decision of any ad hoc or Disciplinary Committee shall have the power of appealing the National Disciplinary Committee within thirty (30) days from the date of determination or decision.
- 10.2.5 A local ad hoc Disciplinary Committee shall have the power of meting out any penalty to a member other than expulsion. If in the opinion of the particular ad hoc Committee, the appropriate penalty against a member is that of expulsion, then it shall refer its recommendation to the National Executive. The National Executive may accept such recommendation. Notwithstanding any such actions by the National Executive, the decision

to expel shall remain entirely that of the local ad hoc Committee and shall be appealable to the National Disciplinary Committee.

DISCIPLINARY PROCEEDINGS AGAINST THE PRESIDENT, VICE PRESIDENT NATIONAL CHAIRPERSON AND SECRETARY-GENERAL

- 10.3.1 Notwithstanding any provision in this Constitution, no Disciplinary proceedings against the President, the Vice-President, the National Chairperson and Secretary General shall be commenced without approval by two thirds majority of the National Council. Once such a decision is made, the particular affected office bearer shall be automatically suspended pending the determination of the charges against him, by an independent tribunal duly appointed by the National Council, comprising of three registered legal practitioners one of which shall be qualified to be a Judge of the High Court of Zimbabwe.
- 10.3.2 The independent tribunal appointed above shall have the powers of meting out any penalty to the affected official including suspension and expulsion from the Party.
- 10.3.3 The independent tribunal, shall be obliged to follow all formal rules of Court proceedings and shall allow the affected official the benefit of legal representation.
- 10.3.4 An appeal shall lie from any decision of the above independent tribunal to the National Congress only and such appeal shall be made within fifteen (15) days from the date of determination.

ARTICLE 11

THE APPEALS TRIBUNAL

- 11.1 The Party shall establish an Appeals Tribunal which shall have the function of hearing and determining appeals on any matter on which a member has a grievance under the Constitution of the Party as well as on all matters in respect of which jurisdiction is conferred by this Constitution.
- 11.2 Any dispute over the interpretation of this Constitution may be referred to the Appeals Tribunal for a ruling.
- 11.3 The Appeals Tribunal shall consist of:
- (a) the Appeal Tribunal President, who shall be a trained and qualified legal practitioner of at least seven years experience, a member of the Party and at least 40 years of age; and
 - (b) eight other individual members of the Party.
- 11.4 The Appeals Tribunal shall be elected by Congress and shall serve for five years. Members shall be eligible for re-appointment. Nominations for members of the Tribunal shall be subscribed by two Congress representatives.

- 11.5 No person shall be eligible for appointment as a member of the Tribunal who is a member of the National Council. A member of the Tribunal shall cease to be so if elected to the National Council.
- 11.6 Not less than three members of the Tribunal (selected by the Appeal Tribunal President) shall sit to hear any appeal. If none of the three is a qualified lawyer, the Tribunal shall employ a duly registered lawyer (who may be another member of the Tribunal) to attend the Appeal hearing as an Assessor. The Assessor shall advise the Tribunal on points of law and equitable procedure.
- 11.7 All appeals shall be heard in private except where both parties to the appeal agree otherwise.
- 11.8 The Tribunal must give reasons for its decision, but shall have discretion whether to give publicity to a decision.
- 11.9 A record of decisions and reasons shall be kept by the Secretary-General.
- 11.10 An appellant must give notice of an appeal, in writing, within 14 days of receiving advice of any ruling, to the Appeals Tribunal President and shall give a copy of that notice to the Secretary-General or to the members of the Party with whom the appellant is aggrieved. Such a body shall act as respondent to the appeal. The Tribunal may refuse to hear an appeal if, in its opinion, there has been undue delay on the part of the appellant in giving notice of appeal in terms of this Rule or if the appeal is deemed to be frivolous or vexatious.
- 11.11 Except with the agreement of all parties to an appeal, an appeal shall be heard within two months of the receipt of notice of the appeal by the Appeals Tribunal President.

ARTICLE 12

ELECTION OF NATIONAL AND LOCAL GOVERNMENT CANDIDATES

12.1 SELECTION OF CANDIDATES

- 12.1.1 The National Council shall devise party rules for the selection of candidates for national and local government elections which shall be annexed as Appendix 2.

12.1.2 PARLIAMENTARY CANDIDATES FOR NATIONAL ELECTIONS HELD IN 2000 SHALL BE SELECTED IN ACCORDANCE WITH THE RULES SET OUT IN APPENDIX 3 ANNEXED HERETO.

12.2 Selected Candidates

12.2.1 A candidate shall cease to be the selected candidate for the district:

- (a) on the conclusion of the election for which he or she was selected; or
- (b) if he or she is removed as a candidate by the vote of two-thirds of the members present and voting by the National Council.

12.3 Candidates for Local Elections

12.3.1 Elections of candidates to local government shall have the same process as parliamentary candidate elections as set out in Appendix 2 of this Constitution but at a district level.

12.4 Elected Candidates

12.4.1 Any candidate elected to Parliament, who whilst being a member of Parliament for any reason ceases to be a member of the Party, may be required to resign his or her seat in Parliament by the National Council and he or she shall comply with such requirement forthwith.

12.4.2 A person ceases to be a member of the Party if he or she stands as an independent candidate.

12.4.3 In the event that a District Executive Committee is dissatisfied for any reason with the performance of their elected candidate, it shall have the right to petition the National Council to recall that candidate. Such a petition must be signed by a two-thirds majority of wards in the District.

ARTICLE 13

BALLOTS FOR PURPOSES OTHER THAN ELECTIONS

13.1 A consultative ballot of all members of the Party may be called on any fundamental question where the values and principles of the Party are in issue, or it is otherwise in the essential interests of the Party. Such a ballot may be called by Congress or by the National Council.

13.2 When a ballot is under consideration, the National Council shall present a statement as to the financial and administrative implications.

ARTICLE 14

AMENDMENTS TO CONSTITUTION

14.1 Any amendment to this Constitution shall require approval by at least two-thirds of the delegates present and voting at Congress.

ARTICLE 15

OVERSIGHTS AND OMISSIONS

15.1 In any place where the requirements of this Constitution cannot be satisfied because of an omission or oversight in draughtsmanship, or because a body provided for has not been established, or an officer provided for in this Constitution has not been elected or appointed, or because of a procedural problem; the National Council shall have the power to make such arrangements which, in their opinion, satisfy the spirit of this Constitution and shall seek approval for such arrangements at the next Congress.

ARTICLE 16
DISSOLUTION

16.1 A motion to dissolve the Party can only be placed on the Agenda of a meeting of Congress upon the written request of _ of those entitled to attend Congress or upon written request of at least _ of the Provincial Executive Committees.

16.2 A resolution to dissolve the Party shall be considered adopted if it has received the affirmative votes of at least $\frac{3}{4}$ of the total membership of Congress.

16.3 In the event of the dissolution of the Party its property and assets of whatever description shall be disposed of for such charitable purposes as determined by the National Council existing at the time of dissolution, provided that no member of the Party shall benefit from such disposal.

APPENDIX 1

CODE OF CONDUCT FOR ALL OFFICE BEARERS OF THE PARTY

1 All members holding any office in the Party shall subscribe to the following code of conduct in their public and private affairs.

2 Such members shall conduct themselves with the highest standards of personal integrity and honour and shall not involve themselves in dishonourable conduct, which conduct includes, without limitation, the following:

- (a) corrupt application of public resources;
- (b) discrimination on the grounds of race, tribe, place of origin, sex or religion;
- (c) practice of nepotism, sexism, racism, tribalism, clanism or favouritism in the management of public affairs and for the Party's affairs;
- (d) defrauding public revenue;
- (e) illegal exportation of foreign exchange;
- (f) incitement of people against the Party;
- (g) criminal activity of any kind punishable with imprisonment without the option of a fine.

3 Such members shall subscribe to the belief in the equality of all persons irrespective of sex, race, tribe or religion and shall undertake to treat all persons on that basis and shall acknowledge that failure to do so shall constitute dishonourable conduct which will bar them from continuing to hold office.

4 Within one week of taking office every such member shall submit to the Treasurer-General a detailed statement recording:

- (a) the member's business interests;
- (b) a detailed list of the member's immovable assets; and
- (c) a detailed inventory of all immovable property (including shares) owned by the member's immediate family, which shall include the member's spouse and children.

5 On seeking re-election to any post within the Party or in seeking election to any Parliamentary or Local Government seat each such member shall be required to make an up to date inventory, in accordance with the provisions of paragraph 4 above to the Treasurer-General of the Party no later than 7 days prior to such an election taking place.

APPENDIX 2

SELECTION OF CANDIDATES FOR NATIONAL AND LOCAL GOVERNMENT ELECTIONS

1 CANDIDATES FOR ELECTION

- 1.1 The National Council shall maintain a panel ("the panel") of approved members of the Party of good standing who wish to stand for election as Members of Parliament or local government posts.
- 1.2 A member shall be of good standing if he or she:
 - (a) is a fully paid up member of the MDC and with the exception of the first election, has been a member for at least two years;
 - (b) is a registered voter in the area for which he or she is standing;
 - (c) does not have a criminal record;
 - (d) is competent and credible; and
 - (e) is not insolvent.
- 1.3 If any member of the Party desires to be entered on the panel, he or she shall submit their curriculum vitae to their respective Provincial Committees.
- 1.4 The Provincial Committee shall then compile a list of candidates for each constituency and forward such list to the National Council through the Secretary-General.
- 1.5 If the application is approved by the National Council, the applicant shall be entered on the panel.

1.6 Any person entered on the panel shall remain so until:

- (a) he or she ceases to be a member of the Party; or
- (b) he or she withdraws from the panel by giving notice in writing to the National Council through the Secretary-General;

1.7 The National Council shall review the panel after each General Election and may require any person wishing to remain on either the panel to submit a fresh application.

2 PROSPECTIVE PARLIAMENTARY CANDIDATES

2.1 Each Provincial Executive Committee shall, from among the applicants appearing on the panel, prepare a separate list of all prospective Parliamentary Candidates for its respective Province.

2.2 The list shall be sent to the Chairperson of every District Committee in the relevant Provinces who shall thereafter, as soon as practical, call a meeting of all members of the District Assembly.

2.3 At the meeting called by the Chairperson of the District, each Ward Committee represented in the District shall be entitled to nominate from the list of prospective Parliamentary candidates its own nominee.

- (a) In the event of the Ward Committees unanimously agreeing on one nominee, that person shall be the prospective Parliamentary candidate for that District.
- (b) In the event that two nominees are made by the Ward Committees, the election of a Parliamentary candidate shall be made by all members attending the meeting by simple majority vote in person. In the event of a tied vote the elections must be rerun until a result is obtained.
- (c) In the event of more than two nominees being made by the Ward Committees, a series of ballots will be taken and the nominee securing the least number of votes in each ballot will drop out until a candidate has been chosen. In the event of a tied vote (when there are only two candidates left) the elections must be rerun until a result is obtained.

2.4 In relation to any district with less than fifty members or with no District Committee the National Council may after consultation with members of the Party, having membership addresses within the district in question, select a candidate.

2.5 The immediate past candidate to the National position may be reselected by a two thirds majority vote of those present and voting at a meeting of the District Assembly.

2.6 The National Council may in any particular case modify the procedure for selection of prospective candidates.

2.7 If, after the selection of a prospective parliamentary candidate, boundary changes substantially affecting the related district come into force, a new selection and election shall be held. The National Council shall in case of disagreement decide whether a district has been substantially affected.

APPENDIX 3

DISCIPLINARY CODE OF CONDUCT AND REGULATIONS

1. CODE OF CONDUCT FOR ALL OFFICE BEARERS OF THE PARTY

All members holding any office in the Party shall subscribe to the following code of conduct in their public and private affairs. Such members shall conduct themselves with the highest standards of personal integrity and honour and shall not involve themselves in dishonourable conduct, which conduct includes, without limitation, the following:

- (a) corrupt application of public resources;
 - (b) discrimination on the grounds of race, tribe, place of origin, sex or religion;
 - (c) practice of nepotism, sexism, racism, tribalism, clanism or favouritism in the management of public affairs and for the Party's affairs;
 - (d) defrauding public revenue;
 - (e) incitement of people against the Party;
 - (f) criminal activity of any kind punishable with imprisonment without the option of a fine.
 - (g) engaging in acts of violence including inciting party members to commit acts of violence against opponents within and outside the party
- 1.2 Such members shall subscribe to the belief in the equality of all persons irrespective of sex, race, tribe or religion and shall undertake to treat all persons on that basis and shall acknowledge that failure to do so shall constitute dishonourable conduct which will bar them from continuing to hold office.
- 1.3 .Within one week of taking office every such member shall submit to the Secretary for Administration and Finance a detailed statement recording:
- (a) the member's business interests;
 - (b) a detailed list of the member's immovable assets; and

- (c) a detailed inventory of all immovable property (including shares) owned by the member's immediate family, which shall include the member's spouse and children.

1.4 On seeking re-election to any post within the Party or in seeking election to any Parliamentary or Local Government seat each such member shall be required to make an up to date inventory, in accordance with the provisions of paragraph 4 above to the secretary for Administration & Finance of the Party no later than 7 days prior to such an election taking place.

2. Disciplinary Code of Conduct and Regulations

2.1 The Code and Regulations shall bind all members and elected officers of the party at all levels

2.2 For the avoidance of doubt, it is declared that all members must abide by the Constitution of the MDC('the Party'), this Code of Conduct and Regulations and any such rules and lawful instructions that may be made or issued by the National Council, the National Executive or its elected officers and the National Disciplinary Committee.

2.3 Disciplinary proceedings and offences shall be confined to violations of the party's constitution, code of conduct and Regulations or the commission of offences or misconduct as set out in the constitution and this code.

2.4 Disciplinary proceedings shall not be used as means of:

- a) stifling debate or denying members their democratic rights of freedom of speech, expression and association, or
- b) interfering in the private lives of member and for settling personal scores, disagreements and vendettas unless where such conduct itself constitutes a violation of the constitution of the party or this Code.

3 OFFENCES

An offence shall be committed by any member who intentionally or negligently; brings the name of the party into disrepute or ridicule;

- a) unduly interferes with the operational capacity or efficiency of the party;
- b) obstructs the members or employees of the party from performing lawful functions;
- c) impedes the work or activities of the party;
- d) creates or promotes division within the ranks of the party;

- e) acts in collaboration with another political organization in a manner which is contrary to the achievements of the aims and objects of the MDC;
- f) collaborates with any intelligence organization or security service against the interests or members of the party;
- g) in any way or manner interferes or does any act which undermines or hinders the fulfillment of its aims and objectives.
- h) Engaging in acts of violence directly or through inciting others to commit acts of violence

The following shall also be regarded as offences;

- a) conviction in a court of law for a nonpolitical offence and being sentenced to a term of imprisonment without the option of a fine;
- b) promoting or practicing racism, sexism, tribalism, religious or political intolerance or discrimination, or regionalism;
- c) conduct likely to provoke serious divisions or a break down of unity within the party;
- d) undermining respect for or impeding the functioning of the structures of the party at any level;
- e) participating in organized factional activity which threatens the unity of the party or lobbying based on factionalism and which goes beyond the recognized norms of canvassing or free debate;

4 DISCIPLINARY STRUCTURE AND ORGANS

- 4.1 Below the National Disciplinary Committee as established by the Constitution there shall be set up Disciplinary Committees at the Provincial and District levels.
- 4.2 Each Province of the party shall set up Provincial Disciplinary Committee as and when required, composed of the Chairperson and four other party members outside the provincial structure. The Secretary of the Provincial Committee shall be the Chairperson of the Disciplinary Committee
- 4.3 The other four members of the Provincial Disciplinary Committee shall be appointed by the Provincial Executive Committee at any given time when needed and such appointments shall be minuted and the minutes sent to

the National Disciplinary Committee through the Secretary General. Any changes to the Committee at any one time shall be communicated to the Secretary General and the National Vice Chairperson.

- 4.4 Acts of misconduct by the Provincial Chairperson shall be dealt with by the National Disciplinary committee
- 4.5 Each District of the party shall set up a District Disciplinary Committee as and when required composed of the Chairperson and four other party members outside the District Executive Committee. The Secretary of the District Executive shall be the Chairperson of the District Disciplinary Committee.
- 4.6 The other four members of the District Disciplinary committee shall be appointed by the District Executive at a formal meeting and such appointments shall be minuted and communicated to the Provincial Secretary and who in turn shall communicate the appointments to the National Disciplinary Committee through the Secretary General. Any changes to the committee should be communicated to the Secretary General and the National Vice Chairperson
- 4.7 Acts of misconduct by the District Chairperson shall be dealt with by the Provincial District Committee
- 4.8 Offences committed by members at the branch, ward and district levels shall be tried or heard at the District Disciplinary Committee except where the District Disciplinary Committee or Provincial Disciplinary Committee or National Disciplinary Committee, for good cause, directs otherwise.
- 4.9 No District Disciplinary Committee shall have power to try or hear a disciplinary complaint against a member of the Provincial Executive, a member of Parliament or a member of the National Executive.
- 4.10 No Provincial disciplinary Committee shall have power to try or hear a disciplinary complaint against a Member of the National Executive.
- 4.11 Members of the Provincial Executive Committee other than the Chairperson shall be subject to the Provincial Disciplinary Committee.
- 4.12 Members of the National Executive shall be subject to the disciplinary authority of the National Disciplinary Committee.
- 4.13 No member of a Disciplinary Committee who has direct information on the alleged offence or act of misconduct or who has an interest in that matter shall sit in the Disciplinary Committee when it hears that matter.

5 QUORUM

The quorum of Provincial and District Disciplinary Committees shall be three members. Where the appointed chairperson is absent one of the members forming

a quorum shall be designated chairperson/chairman for the purposes of that particular hearing.

6 DISCIPLINARY PROCEDURE

Any member accused of an act of misconduct shall be entitled to written notice of the hearing which notice shall specify the alleged act or acts of misconduct or charges against him or her; the provision or provisions of the Constitution and/or Code of conduct he or she is alleged to have acted in breach of; the date, time and place where the hearing will take place; and the right of the member to be represented at the hearing by a member of the party of his choice or legal practitioner of his choice.

- 6.1 The notice summoning a member to a disciplinary hearing shall be delivered to him or her personally or his or her residence or at his place of work, at least 5 days before the date of the hearing.
- 6.2 A member appearing before any disciplinary committee shall be afforded a reasonable opportunity to defend himself or herself. He or she shall be entitled to call witness to testify on his or her behalf and to question witnesses called to give evidence against him or her.
- 6.3 All person appearing before any Disciplinary Committee shall be presumed innocent until proven guilty.
- 6.4 Disciplinary proceedings must be commenced against any member within five months of the date that the allegations against him or her became known.
- 6.5 The Chairperson of every Disciplinary Committee shall ensure that every Disciplinary hearing is conducted fairly, justly and in a dignified and orderly manner.
- 6.6 At the commencement of every disciplinary hearing, the charges shall be read to the member accused of misconduct and he or she shall be asked as to whether he or she pleads guilty or not guilty.
- 6.7 Whenever proceedings are conducted in a language that the charged member does not understand or when a witness gives evidence in a language not understood by the charged member, the chairman of the committee shall ensure that the evidence or questions are interpreted for the charged member at the time the question is asked or the evidence is given.
- 6.8 A disciplinary committee shall be entitled to receive documentary evidence and to rely on it provided that the charged member is given an opportunity to answer to or to rebut the documentary evidence so received.
- 6.9 Where a disciplinary committee is satisfied that a charged member was duly and timeously notified of the charges against him and the date, time and place of the hearing and that member has not attended the hearing, the committee shall be entitled to proceed with the hearing in the absence of the member.

6.10 The Chairman/Chairperson of every disciplinary committee shall ensure that minutes of every disciplinary hearing are recorded or taken, including the record of the decision or judgment arrived at and the reasons for arriving at that decision or judgement.

6.11 The following persons must be present at a Disciplinary proceeding:

- (a) The Chairperson and members of the Disciplinary Committee.
- (b) The presenter of the charge/complainant or his/her representative.
- (c) The charged member, who can be tried in her or his absence if she or he does not appear.
- (d) The charged member's representative and/ or interpreter who is a member of the MDC in good standing.
- (e) The witnesses.
- (f) A minute taker.

6.13 The complainant in any disciplinary case shall be the appropriate organ or Executive where that member reports to.

7 JUDGEMENT AND DECISIONS OF DISCIPLINARY COMMITTEES

- 7.1 Every disciplinary case must be concluded within two months of its commencement.
- 7.2 Every disciplinary committee must arrive at a decision or judgement within 10 days of the conclusion of taking of evidence.
- 7.3 At the end of disciplinary proceedings, the chairperson of every disciplinary committee must ensure that the committee deliberates or discusses the evidence, the issues and the questions for decision before making a ruling.
- 7.4 The decision must be based on the facts proved before the committee or the evidence found to be reliable by the committee.

8 PENALTIES

- 8.1 where a disciplinary committee has found a member guilty of any act of misconduct or offence it shall, depending on the seriousness of the offence or misconduct, impose any of the following penalties;
 - a) Reprimand or caution.
 - b) Payment of a fine.

- c) Performance of useful tasks or duties in the interest of the party.
- d) Suspension, for a fixed period of time, from holding an elected post within the party or from membership of the party.
- e) Dismissal from any elected post or office held by that member within the structures or organs of the party.
- f) Order that the member pay compensation to any member of the party to whom financial or material loss or harm was occasioned by the conduct of the person found guilty.
- g) Expulsion from the party. Provided that a District Disciplinary Committee and a Provincial Disciplinary Committee may not impose the penalty of expulsion but may only recommend it to the National Disciplinary Committee which shall consider the recommendation.

8.2 The Chairman of the Disciplinary Committee shall ensure that the person accused is advised in writing of the decision or the judgement of the committee within 14 days of the making of the decision.

8.3 The written notice or advice of the decision shall include the penalty imposed and shall further advise the member of his right of appeal.

9 APPEALS AND REFERRALS

9.1 An appeal from a district Disciplinary Committee shall go to a Provincial Disciplinary Committee, except where the National Disciplinary Committee directs that the appeal be referred to the National Disciplinary Committee.

9.2 An appeal from a Provincial Disciplinary Committee shall go to the National Disciplinary committee.

9.3 At any stage of disciplinary proceedings a District Disciplinary Committee may refer the case before it to the Provincial Disciplinary Committee and likewise a Provincial Disciplinary Committee may refer any case before it to the National Disciplinary Committee.

9.4 A person aggrieved by the decision of a disciplinary committee shall have a right to appeal to a higher level within seven days of being notified of the decision.

9.5 On any appeal or referral, a Provincial Disciplinary Committee or the National Disciplinary Committee may direct that the matter or case be heard **de novo** or afresh, or it may decide the appeal on the record

supplied by the disciplinary committee whose decision is appealed against.

- 9.6 A disciplinary committee hearing on appeal may confirm, vary or dismiss the appeal.
- 9.7 No new charges may be raised or brought at the appeal stage.
- 9.8 .An appeal must be heard and determined within 2 months of it being lodged.

10 SUSPENSION

- 10.1 The Chairperson of the National Disciplinary Committee may summarily suspend any member other than the President, Deputy President, National Chairman, Secretary General and Treasurer General from any elected office within the party or his or her membership of the party pending the appearance of the member before any disciplinary committee.
- 10.2 The National Executive may, at a formal meeting direct the Chairperson of the National Disciplinary Committee to suspend any member for any alleged act of misconduct pending the appearance of the member before the National Disciplinary Committee
- 10.3 Any Provincial Executive Committee, at a formal meeting, may direct the Chairperson of its Provincial Disciplinary Committee to suspend any member for any alleged act of misconduct pending the appearance of the member before a Provincial Disciplinary Committee.
- 10.4 Upon receiving the written directive, the chairperson of the National Disciplinary Committee or a Provincial Disciplinary Committee shall comply with the directive of the National Executive or Provincial Executive Committee as the case may be and suspend, in writing, the member concerned.
- 10.5 Every suspension made by the Chairperson of the Provincial Disciplinary Committee shall be communicated in writing to the Chairperson of the National Disciplinary Committee through the Secretary for Administration & Finance within 5 days of the suspension.
- 10.6 Any member suspended by the Chairperson of the Provincial Disciplinary Committee shall have a right to appeal to the Chairperson of the National Disciplinary Committee who shall have the power to allow the appeal, for good cause, where he or she deems it necessary.
- 10.7 Any District Executive committee, at a formal meeting, may direct the Chairperson of its District Disciplinary Committee to suspend any member for any alleged act of misconduct pending his or her appearance before a District Disciplinary Committee.

10.8 The provisions of clause 10.3, 10.4 and 10.5 shall **mutatis mutandis** (with relevant adjustments) to any suspension directed by any District Executive Committee.

10.9 A member suspended in terms of these provisions must be brought before a Disciplinary Committee no later than 4 months from the date of his or her suspension. If the suspended members' case is not heard and concluded by the disciplinary committee within the period of 4 months the suspension shall lapse.

ANNEXURE A

CONSTITUTION AND RULES OF THE MOVEMENT FOR DEMOCRATIC CHANGE YOUTH ASSEMBLY

PREAMBLE

- **WHEREAS**, article 5.9 of the Constitution of the Movement for Democratic Change (MDC), authorizes the creation of the National Assembly of Women; and
- **WHEREAS**, the Women of Zimbabwe have been historically disadvantaged in society and political structures; and
- **Whereas** the National Assembly of women recognises that women are not a homogenous group and need to be treated in ways that take into consideration the specifics of their geographical location, literacy levels, age, among other things; and
- **WHEREAS**, the National Assembly of Women fully constituted and assembled, hereby adopts this Constitution for the purpose of defining the status of Zimbabwean Women and determining their positions and role in transforming Zimbabwe into a democratic, non racist, non-sexist and non tribalist society.

RULE 1

NAME AND SYMBOL OF THE ASSEMBLY

- 1.1 The name of the organ shall be the National Assembly of Women of the MDC "hereinafter called 'the Assembly'.
- 1.2 The Assembly shall have an official symbol as approved by National Assembly of Women Congress and the party.
- 1.3 The Assembly shall have offices at such places as may be determined from time to time by the National Council.

RULE 2

LEGAL STATUS

- 2.1 Subject to the MDC Constitution, the MDC Women Assembly shall have power to do all things necessary to carry out its aims and objectives.
- 2.2 Subject to the MDC Constitution, the Assembly shall have the power to do everything necessary or conducive to implement its aims and objectives.
- 2.3 The organizational control and programmes of the MDC Women Assembly shall vest in the MDC Women membership and structures in accordance with this constitution, which is a creature of the party constitution and subject to the authority of the National Council.
- 2.4 The MDC Women Assembly shall operate on a national, provincial, district, and ward level.
- 2.5 Other structure and committees can be created for coordination and implementation purposes and shall enjoy delegated powers.

RULE 3

AIMS AND OBJECTIVES

The aims and objectives of the Assembly shall be:

- 3.1 To mobilize and organise women to join and participate effectively in the party;
To ensure that women are fully involved in all party activities including policy-making events and activities;
- 3.2 To promote the all-round development of women; assist in building their capacity and confidence to articulate their needs, nationally;
- 3.3 To promote women's participation in leadership and decision making in both the public and private spheres and to strive for women's effective participation in every office;
- 3.4 To prepare women for leadership positions not only within the Assembly but also in the main party structures.
- 3.5 To support sitting female members of parliament in their task of representing their constituencies at national level.
- 3.6 To enhance the skills of beneficiaries of Affirmative Action to ensure their constituencies at national level.

To combat discrimination in public and private life;

- 3.7 To actively work towards the elimination of laws, customs and structures that hinder equality;
- 3.8 To campaign for the end to all forms of violence again against women;
- 3.9 To take the lead in ensuring that the programme of the Assembly and the party are gender sensitive;
- 3.10 To promote the recognition of women's rights as human rights; and

RULE 4

MEMBERSHIP

- 4.1 Membership of the Assembly shall be open to all women members of the MC who are above 18 years;
- 4.2 Application for membership shall be submitted to any organ of the assembly on a membership form the Applicant or the Assembly organ recruiting the Applicant;
- 4.3 An applicant shall be admitted to membership on acceptance of the membership application, provided that the Assembly shall have the right to refuse membership;
- 4.4 Any applicant whose request for membership has been rejected shall have a right to appeal to the National Council whose decision shall be final.

RULES 5

RIGHT, DUTIES AND RESPONSIBILITIES OF MEMBERS

Each member of the National Assembly of Women shall have the following duties:

- 5.1 To take all necessary steps to understand and carry out the aims, objective, policies and programmes and regulations of the assembly and the party;
- 5.2 To explain, promote and defend the aims, values, policies and principles of the Assembly;
- 5.3 To fight against all other forms of discrimination including sexism, racism, tribalism, chauvinism, religious and all other forms of discrimination;
- 5.4 To observe the decisions of the majority and of higher bodies and to observe discipline. Behave honestly and loyally;
- 5.5 To conform to and observe the provisions of the Constitution of the Movement for Democratic Change;

Each member shall have the following rights:

- 5.6 To be voted for and to vote for a leader of their choice.

5.7 To equal treatment by and within the assembly for members at the same level

5.8 To a fair hearing in any disciplinary procedures

5.9 To freely express oneself in Assembly deliberations

RULE 6

ORGANIZATIONAL STRUCTURE OF THE NATIONAL ASSEMBLY OF WOMEN

6.1 The Assembly shall have the following organs:

- a) The National Congress;
- b) The National Conference;
- c) The National Council;
- d) The National Executive Committee;
- e) The Provincial Executive Committee;
- f) The Provincial Executive Committee;
- g) The District Executive Committee;
- h) The Ward Executive Committee
- i) |The Branch Executive Committee.

6.2 National Assembly of Women Congress

6.2.1 The National Assembly of Women National Congress shall be the Supreme organ of the National Assembly of Women.

6.2.2 The National Congress shall convene after every five years, provided that either the MDC National Council or the Women National Council may at any time convene an extra-ordinary congress to transact specific issues which are deemed desirable in the interests of the party.

6.2.3 COMPOSITION

Composed as follows;

- a. All members of the National Assembly of Women National Executive;

- b. All members of the National Assembly of Women Provincial Executive Committees;
- c. All members of the National Assembly of Women District Executive Committees, and
- d. A representative of each National Assembly of Women Ward Executive Committee other than the Chairperson.

6.2.4 Election of Office bearers at the congress shall be by secret ballot.

6.2.5 DUTIES AND POWERS OF THE NATIONAL WOMEN' NATIONAL CONGRESS

The National Congress shall;

- a. Have the authority to amend this Constitution;
- b. Receive and discuss reports on the National Executive Committee, which shall include the Chairperson's Address, the Secretary General's report and the treasurer's audited balance sheet and report;
- c. Supervise the implementation of policies, principles and programmes of the National Assembly of Women;
- d. Elect members of the National Assembly of Women National Executive Committee;
- e. Have the right and power to review, ratify, alter or rescind any decision taken by any other constituent bodies and/ or officials of the MDC National Assembly of Women;
- f. Have the right and power to elect or appoint any committee or commission and to assign specific tasks to such a body.
- g. Have the power to confer honours, decorations and awards to members, organizations or individuals in appreciation or recognition of their role in the work of the MDC National Assembly of Women struggle for democracy and protection of human and/ or women's rights.

6.3 THE NATIONAL ASSEMBLY OF WOMEN NATIONAL CONFERENCE

6.3.1 There shall be a National Assembly of Women National Conference to which the National Assembly of Women National Council shall report to annually between congresses.

6.3.2 The National Assembly of Women National Conference shall be composed of:-

- a) The National Assembly of Women National Executive members;

- b) All members of the National Assembly of Women Provincial Executive Committees, and
- c) One representative of each National Assembly of Women District Executive Committee.
- d) Representative of the National Assembly of Youth

6.3.3 The functions of the National Assembly of Women National Conference shall be:

- a) To review the progress of the programmes of the National Assembly of Women between congresses;
- b) To fill any vacancy in National Assembly of Women National and Council; and
- c) To do all things necessary for the furtherance of the National Assembly of Women interests, which do not conflict with the power of the National Assembly of women National Congress.

6.4 NATIONAL ASSEMBLY OF WOMEN NATIONAL COUNCIL

6.4.1 There shall be a National Assembly of Women National Council, which shall be the administrative authority of the National Youth Assembly.

6.4.2 The National Assembly of women National Council shall be comprised of the following;

- a) National Assembly of women National Executive Committee as more fully set out in article 6.4.2;
- b) The Secretary General, Treasurer and Organising Secretary of each Provincial Executive.
- c) Representative of the National Assembly of Youth.

6.4.3 The National Assembly of women national Council shall meet at least twice a year;

6.4.4 The quorum of the National Assembly of women Council shall be two thirds of its members.

6.4.5 Without limiting the generality of section 6.3.1 the functions of the National Assembly of Women National Council shall be:

- a) To implement the policies of the National Assembly of Women as mandated by the National Assembly of Women National Congress.
- b) To convene congress and/ or extraordinary Congress

- c) To supervise the work of the National Assembly of Women National Executive Committee in between the National Executive Committee in between the National Assembly of Women Congress; and
- d) To create any sub-committees which may be necessary to further the work of the National Assembly of Women.

6.5 NATIONAL ASSEMBLY OF WOMEN NATIONAL EXECUTIVE COMMITTEE

6.5.1 There shall be a National Assembly of Women National Committee which shall, subject to the control of the National Assembly of Women National Council, run the day to day affairs of the National Assembly of Women in between meetings of the National Assembly of Women Congress.

6.5.2 The National Assembly of Women National Executive shall be comprised of the following:

- a) National Assembly of Women National Chairperson and Deputy Youth Chairperson;
- b) National Assembly of Women National Secretary-General and Deputy Youth Secretary-General;
- c) National Assembly of Women National Treasurer;
- d) National Assembly of Women National Secretary for Information and Publicity;
- e) National Assembly of Women National Secretary for Organising and her deputy;
- f) Chairperson for each of National Assembly of Women Provincial Executive Committee.
- g) One representative of the National Assembly of Youth.

6.5.3 Elections to the National Assembly of Women National Executive Committee shall be held once every 5 years and all officers shall eligible for reelection;

6.5.4 The National Assembly of Women National Chairperson, Deputy Chairperson, Secretary General and Deputy Secretary General Treasurer, Organising Secretary and her Deputy, shall be elected directly by the National Assembly of Women National Congress from nominations and by province.

6.5.5 The election process shall be as follows:

- a) The MDC National Chairperson or his/ her representative shall be the returning officer;
 - b) Elections to the National Assembly of Women National Executive Committee shall be held before the MDC Congress; and
 - c) The National Assembly of Women National Congress in accordance with rules approved by the National Council of the party.
- 6.5.6 The duties of the office bearers in the National Assembly of Women National Executive shall correspond to their counterparts in the MDC National Assembly.
- 6.5.7 The National Assembly of Women National Executive shall meet at least once every two months and the quorum shall be half the membership. If a member of the executive fails to attend 3 consecutive meetings without satisfactory reasons she shall be referred to the Disciplinary Committee.

6.6 THE NATIONAL ASSEMBLY OF WOMEN PROVINCIAL EXECUTIVE COMMITTEE

- 6.6.1 There shall be a National Assembly of Women Provincial Executive Committee for each Province of the Party, which shall have following offices:
- a) National Assembly of Women Chairperson and deputy chairperson;
 - b) National Assembly of Women Secretary and deputy secretary;
 - c) National Assembly of Women provincial treasurer
 - d) National Assembly of Women Organizing secretary and deputy organizing secretary ;
 - e) National Assembly of Women Provincial Secretary for publicity and information, and
 - f) The Chairperson of each National Assembly of Women district executive committee in the province.
 - g) Representative of the National Assembly of Youth.
- 6.6.2 The National Assembly of Women Provincial Executive Committee shall be elected for a five year term and shall be elected at National Assembly of Women Provincial Congress composed as follows:
- a) Provincial Executive Committee members;

- b) All National Assembly of Women District Executive Committee members, and
 - c) One representative from each National Assembly of Women Ward Executive other than the chairperson.
- 6.6.3 The National Assembly of Women National Chairperson and / or her Deputy shall conduct the elections to the National Assembly of Women.
- 6.6.4 The quorum of a meeting of the National Assembly of Women Provincial Executive shall be two-thirds of its membership while that for the National Assembly of Women Provincial Executive congress shall be half of its membership.
- 6.6.5 The functions of the National Assembly of Women Provincial Committee shall be:
- a) To implement the programmes and policies of the Assembly in the Branch; and
 - b) To mobilize the women in the Province to join the party, vote for the Party and to participate in the activities of the party.
- 6.6.6 If a member of the Executive fails to attend 3 consecutive meetings without satisfactory reasons she shall be referred to the Disciplinary Committee.

6.7 THE NATIONAL ASSEMBLY OF WOMEN DISTRICT EXECUTIVE COMMITTEE

- 6.7.1 There shall be a National Assembly of Women District Executive Committee for each province of the Party which shall have the following officers:
- a. National Assembly of Women Chairperson and deputy chairperson
 - b. National Assembly of Women Secretary and deputy secretary
 - c. National Assembly of Women district treasurer
 - d. National Assembly of Women Organising secretary and party organizing secretary
 - e. National Assembly of Women Secretary for publicity and information, and
 - f. Chairperson of each National Assembly of Women ward Executive Committee in the district.
 - g. Representative of the National Assembly of Youth.

6.7.2 The National Assembly of Women District Executive Committee Shall be elected for a five year term and shall be elected at a National Assembly of Women District congress composed as follows:

- a. District Executive Committee;
- b. All National Assembly of Women Ward Executive Committee members; and
- c. One representative from each National Assembly of Women Ward Committee other than the Chairperson.

6.7.3 The National Assembly of Women Chairperson/ or her Deputy shall conduct the elections to the National Assembly of Women.

6.7.4 The quorum for a meeting of the National Assembly of Women District Executive shall be two thirds of its membership while that for the National Assembly of Women District Congress Committee shall be half of its membership.

6.7.5 The functions of the National Assembly of Women District Executive Committee shall be:

- a) To implement the programmes and policies of the Assembly in the District, and
- b) To mobilize the women in the join the party, to vote for the Party and to participate in the activities of the Party.

6.7.6. If a member of the executive fails to attend three consecutive meetings without satisfactory reasons he shall be referred to the Disciplinary Committee.

6.8 THE NATIONAL ASSEMBLY OF WOMEN WARD EXECUTIVE COMMITTEE

6.8.1 There shall be a National Assembly of Women Ward Executive committee for each ward of the Party which shall have the following officers:

- a) National Assembly of Women ward Chairperson and deputy chairperson
- b) National Assembly of Women ward Secretary and deputy secretary
- c) National Assembly of Women ward district treasurer
- d) National Assembly of Women ward Organising secretary and party organizing secretary

- e) National Assembly of Women ward Secretary for publicity and information, and
- f) Chairperson of each National Assembly of Women branch Executive Committee in the ward.
- g) Representative of the National Assembly of Youth.

6.8.1 The National Assembly of Women Ward Executive Committee shall be elected for a five year term and shall be elected at National Assembly of Women ward Congress composed of all National Assembly of Women Ward members of the party in the ward.

6.8.2 The quorum of a meeting of the ward assembly and of the National Assembly of Women ward executive shall be half of its membership. If a member of the executive fails to attend three consecutive meetings without satisfactory reasons she shall be referred to the Disciplinary Committee.

6.8.3 The functions of the National Assembly of Women ward executive shall be:

- a) To implement the programmes and policies of the Assembly in the ward, and
- b) To mobilize the women in the ward to join the party, to vote for the party and to participate in the activities of the Party.

6.9 The national Assembly of women branch executive committee

6.9.1 There shall be a National Assembly of women Branch Executive committee for each branch of the party which shall have the following officers;

- a) National Assembly of Women Branch Chairperson and deputy chairperson
- b) National Assembly of Women Branch Secretary and deputy secretary
- c) National Assembly of Women Branch Treasurer
- d) National Assembly of Women Branch Organising secretary and deputy Organising secretary
- e) National Assembly of Women Branch Secretary for Information and publicity, and
- f) Each member of the National Assembly of Women of that branch.
- g) Representative of the National Assembly of youth

6.9.2 The function of the National Assembly of Women Branch shall be:

- a) To implement the programmes and policies of the Assembly in the ward, and
- b) To mobilize the women in the ward to join the party, to vote for the party and to participate in the activities of the Party.

RULE 7

FINANCES

- 7.1 The women assembly shall be primarily funded by an annual grant made to it by the party.
- 7.2 Subject to the control of the party's Treasure-General, the National Assembly of Women National Treasurer shall be the custodian of the funds of the assembly. No expenditure shall be made on behalf of the National Assembly of women without approval of any two of the following: National Assembly of Women National Chairperson, National Assembly of Women Vice Chairperson, National Assembly of Women National Secretary General, and National Assembly of Women Deputy Secretary.
- 7.3 The Assembly shall be entitled to receive funds in the form of donations from well wishers and shall further be entitled to raise funds for women's activities in any manner.
- 7.4 The National Assembly of Women shall open an account whose signatories are the same as those of the party at each level.
- 7.5 There shall be an annual audit of National Assembly of Women funds by a firm of reputed auditors in Zimbabwe and a report of such audit shall be made annually to the National Assembly of Women National Council and the National Council.

RULE 8

DISCIPLINARY COMMITTEE

There shall be no separate disciplinary processes for the Women. A National Assembly of Women member who is alleged to have committed an act of misconduct shall be dealt with in accordance with the usual disciplinary rules applicable to all other members of the party.

RULE 9

AMENDMENTS TO THIS CONSTITUTION

Subject to the approval of the National Council, amendments to this constitution shall require an approval of two thirds of the members of the National Assembly of Women National Congress either at a National Assembly of Women National Congress or at a meeting convened for that purpose.