



CONSTITUTION OF THE SOUTHERN AFRICA JOURNALISTS ASSOCIATION

PREAMBLE

Considering the employment and working conditions of journalists in southern Africa,

Considering the importance of a unified media workers and journalists' voice in the southern Africa region,

Considering that the importance of a unified media workers and journalists' voice is critical in building and consolidating democracy,

Considering that journalists and media workers in their unified voice are responsible for bringing information to the public that is accurate and balanced,

Considering the need for a favourable socio- economic and political environment within which journalists' should operate in southern Africa,

Considering the current constitutional and legal framework within which journalists operate and work under in southern Africa,

Considering the need for regional integration and networking amongst journalists and media workers' in southern Africa,

Considering the ownership structure of the media and media organisations in southern Africa,

We, the representatives of media workers and journalists through our democratically elected unions and/or associations in our respective countries in southern Africa commit ourselves to:

Constitute media workers and journalists' voice in defence of press freedom,

Defend and promote trade union rights principles and organisation,

Defend and promote media workers and journalist' social rights,

Defend and promote free press, broadcasting, speech, information, and other civil liberties,

Defend and promote the professional and financial interest and welfare of its members,

Defend and promote the principles and practises of journalism,

Work with press freedom and freedom of expression organisations to promote media and press freedom, and democracy in the sub- region, the continent and globally,

To promote social dialogue and union's rights in the media industry in southern Africa,

To promote a legal framework that is conducive for media workers and journalists' to work,

Build solidarity and networks amongst media workers and journalists' unions and/ or associations in the sub- region and at a continental level.

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1. DEFINITIONS

1.1 **Member** means a media workers and/ or journalists' trade union from a SADC country contemplated in sub- section 1.3.2 of the Constitution and which derives its membership from journalists and media workers. A member must:

1.2.1 Have a Constitution approved by the general membership,

1.2.2 Be involved in achieving the aims and objectives of the association,

1.2.3 Identify with and be committed to the principles set out in the preamble to this,

1.2.4 Also pays affiliation membership fee as envisaged.

1.2 **Delegate** means a person representing a member union on any meeting/ committee of the association. Such delegate shall be a member or an official of the affiliate represented,

1.3 **Office Bearers** means the President, Deputy President, Treasurer, General Secretary and the four Executive Committee members elected to the Executive Committee. The General Secretary is an employee of the association and is not elected by the membership,

1.4 **Associate Member** means the organisations, institutes or formations that supports and advances the principles and objectives that SAJA stands for,

1.5 **Allied Workers' Union** means unions representing workers that are in sectors in the media other than journalists' and workers' unions.

2. CHARACTER OF THE ASSOCIATION

2.1 Name

2.1.1 The name the association shall be the Southern Africa Journalists Association hereinafter referred to as SAJA.

2.2 Legal Status

2.2.1 SAJA shall be a juristic person with perpetual succession notwithstanding changes in its executive committee, and office bearers and capable of acquiring and disposing rights (including the right to movable and immovable property), of incurring obligations, or entering into legal transactions and of suing in its own name.

2.2.2 SAJA is a non profit entity that is not being formed in order to personally enrich any office bearers; and the members or office bearers shall have no rights in the property or other assets of the organisation solely by virtue of their being members or office bearers and employees.

2.3 Membership

2.3.1 SAJA brings together media workers and journalists' unions and/ or associations operating at a national level in southern African countries.

2.3.2 Southern African countries contemplated in sub- section 1.3.1 above are:

- Angola,
- Botswana,
- Lesotho,
- Madagascar,
- Malawi,
- Mauritius,
- Mozambique,
- Namibia,
- South Africa,
- Swaziland,
- Zambia, and
- Zimbabwe,

2.3.3 SAJA is open to all southern African country unions and/ or associations that:

2.3.3.1 Subscribe to the preamble,

2.3.3.2 Conform to the provisions of this Constitution, and

2.3.3.3 Abide by the policies of SAJA.

2.3.4 Members will pay an annual membership fee. The amount to be paid will be determined by the Executive Committee as contemplated in sub-section 3.4 below from time to time,

2.3.5 The subscription fee shall be paid within three months after it has fallen due,

2.3.6 Congress may review the membership fee determined by the Executive Committee with a view to ratifying it,

2.3.7 Congress may determine the course of action to be taken against members who fail to pay the subscription fee,

2.3.8 Journalists and media workers unions and/ or associations contemplated in section 1.3.2 intending to apply for membership of SAJA must inform the General Secretary in writing of their intentions to do so,

2.3.9 The General Secretary may request further information to that supplied in sub- section 1.3.3,

2.3.10 The Executive Committee in consultation with the membership of SAJA will accept or reject such an application,

2.3.11 The decision to accept or reject an application for membership shall be considered by the Executive Committee guided by the constitution,

2.4 Autonomy of members

2.4.1 Members remain autonomous bodies governed by their own constitutions but they must abide by this Constitution and the policies of SAJA.

2.5 Location of head office

- 2.5.1 The Executive Committee, with the approval of the Congress will decide on the location and address of the head office,
- 2.5.2 Employees of SAJA shall be citizens of any of the southern Africa countries contemplated in section 1.3.2.

3. CONGRESS

3.1 Purpose, powers and duties

- 3.1.1 Congress is the supreme authority of the association, and shall be held once every three years,
- 3.1.2 Congress must adopt general and specific policy measures by means of resolutions, which further the aims and objectives of the association,
- 3.1.3 Congress, during its sittings must amongst other issues, consider and decide on:
 - 3.1.3.1 The working rules for Congress,
 - 3.1.3.2 The agenda,
 - 3.1.3.3 Receive, discuss and approve reports from the Executive Committee including the President,
 - 3.1.3.4 Receive, discuss and approve reports mandated by the last Congress on any matter,
 - 3.1.3.5 Decide on proposals to amend the Constitution, which must be handed to the General Secretary within three months of the date of Congress,
 - 3.1.3.6 Decide on the policies and programmes of activities until the next Congress,
- 3.1.4 Congress must also:
 - 3.1.4.1 Establish committees or commissions as it considers necessary and decide on how a committee/ commission will report to the executive committee,
 - 3.1.4.2 Nominate and elect the association's Executive Committee and office bearers excluding the General Secretary who shall be appointed as an employee of the association,
 - 3.1.4.3 Congress must encourage countries to bid for the hosting of the next succeeding Congress,
 - 3.1.4.4 It is the duty of the Executive Committee to ensure that Congress does take place,
 - 3.1.4.5 The Executive Committee must decide on the date for the next Congress,
 - 3.1.4.6 Deal with any matter that may be raised by members.

3.2 Quorum

- 3.2.1 The quorum for Congress must be at least 2/3 of the membership.

3.3 Meetings

- 3.3.1 The President or in his/ her absence the Vice President or in his or her absence an Executive Committee member seconded by the Executive Committee shall preside over the proceedings of Congress,

3.4 Nomination of delegates for election

- 3.4.1 Each member shall be represented by two delegates at Congress,
- 3.4.2 Where there is more than one union or association, or where there is both an association and a union in respective country, they must collectively decide on the two delegates they are sending for Congress,
- 3.4.3 Candidates for the positions on the Executive Committee as contemplated in sub- section 3.2 below shall be nominated and seconded by members. Should there be two or more candidates, a ballot of members shall be held and the candidate who receives the most votes shall be duly elected.

3.5 Resolutions

- 3.5.1 Resolutions shall be adopted by a simple majority of the vote of members or delegates representing their country unions. Voting on a resolution shall be on a show of hands unless Congress decides otherwise. The voting process will be preceded by a motion that must be duly seconded,
- 3.5.2 In the event of equal number of votes regarding the motion and the voting referred to below in sub- section 3.3.3, the President shall have the casting vote,

3.6 Special Congress

- 3.6.1 A special Congress shall be convened by the Executive Committee to deal with urgent matters,
- 3.6.2 Sufficient notice must be given to the country unions about the convening of a special Congress,
- 3.6.3 2/3 of membership may convene a special Congress.

4. REGIONAL COUNCIL

- 4.1 The General Secretary shall convene a regional council meeting at a venue and date to be decided by the executive committee,
- 4.2 The regional council shall comprise of the executive committee and a representative from each member country,
- 4.3 The Regional Council shall update member unions of progress of the association's programme of action,
- 4.4 The General Secretary shall present a report of activities and progress report to the General Council,
- 4.5 The decisions of the general council are not binding on the Association.

5. THE EXECUTIVE COMMITTEE

5.1 Purpose, powers and duties

- 5.1.1 The second authority of SAJA after Congress is the Executive Committee,
- 5.1.2 The Executive Committee carries forward its tasks as mandated by Congress;

5.2 Composition

- 5.2.1 No country can be represented by more than one representative in the Executive Committee,
- 5.2.2 The Executive Committee shall be comprised of the following office bearers:
 - 5.2.3 President,
 - 5.2.4 Deputy President,
 - 5.2.5 Treasurer,
 - 5.2.6 General Secretary, (refer to 3.5 below)
 - 5.2.7 Executive Committee Member,
 - 5.2.8 Executive Committee Member,

5.3 The President

- 5.3.1 The President shall be the chief representative of the association. S/he shall preside at all the meetings of the Executive Committee, Congress, Special Congress and any other meeting envisaged by this Constitution,
- 5.3.2 The President must generally exercise supervision over the affairs of SAJA. S/he must sign minutes of meetings after confirmation and shall carry out duties as mandated by Congress. Minutes must be countersigned by the President and the General Secretary,
- 5.3.3 In the event of a tie, the President shall have the casting vote.

5.4 The Deputy President

- 5.4.1 The Deputy President shall exercise the powers and perform the duties of the President in the absence of the latter and shall generally assist the President in the exercise and performance of his/ her powers and duties,
- 5.4.2 In the event of the President and the Deputy President being unable to perform their duties temporarily or permanently, the Executive Committee as contemplated in sub-section 3.2 above shall appoint one of the Executive Committee members to act as a President who shall hold office until the President or Deputy President is able to assume his/ her duties or until the President is appointed at Congress.

5.5 The General Secretary

- 5.5.1 The General Secretary shall be appointed by the Executive Committee as a full time employee of the association,
- 5.5.2 The General Secretary shall:
 - 5.5.2.1 Be in charge of the day to day running of the association, the implementation of policy and the programme of action of the association,
 - 5.5.2.2 Receive requisitions for meetings of Congress and the Executive Committee
 - 5.5.2.3 In consultation with the President, issue notice of meetings and of Congress and take charge of the convening of such meetings,

- 5.5.2.4 Conduct all correspondence pertaining to the association,
- 5.5.2.5 Attend all Congresses and Executive Committee meetings and record minutes of the proceedings,
- 5.5.2.6 Issue official receipt of all monies received,
- 5.5.2.7 Account for all the finances of the association to the Executive Committee,
- 5.5.2.8 Perform any such other duties as the Executive Committee may direct.
- 5.5.3 The General Secretary in consultation with the Treasurer shall also:
 - 5.5.3.1 Prepare and submit monthly income and expenditure statements to the Executive Committee,
 - 5.5.3.2 Prepare an annual budget for the association and present the union's audited financial statements to the Executive Committee,
 - 5.5.3.3 Other conditions of employment and the job description of the General Secretary shall from time to time be decided by the Executive Committee.

5.6 Treasurer

- 5.6.1 The Treasurer shall be responsible for:
 - 5.6.1.1 Assisting the General Secretary in preparing financial reports for Congress,
 - 5.6.1.2 Monitoring the association's accounts and querying unusual expenditure,
 - 5.6.1.3 Making recommendations to the Executive Committee in consultation with the General Secretary regarding financial requests/logistical support by country unions,
 - 5.6.1.4 Proposing ways of making the association financially self sufficient, and
 - 5.6.1.5 Approving the association's budget prepared by the General Secretary.

5.7 Executive Committee members

- 5.7.1 The two elected Executive Committee members on the Executive Committee shall:
 - 5.7.1.1 Attend all the meetings of the Executive Committee,
 - 5.7.1.2 Shall be assigned responsibilities from time to time by the President and/ or the Executive Committee and/ or Congress,
 - 5.7.1.3 Shall develop policy and guidelines on the appointment of the Secretary General.
- 5.7.2 A member of the Executive Committee may cease to be a member on the following grounds:
 - 5.7.2.1 In the case of the General Secretary, on the expiration of his/ her contract or on resignation, dismissal for incompetence, suspension for misconduct, misappropriation of funds, on resigning by giving sufficient notice, on accepting nomination for election in the association or any union movement,
 - 5.7.2.2 In the case of the President, Deputy President and the Executive Committee members- on resigning, suspension or expulsion from the association, or on

ceasing to be a member of his/ her country's media workers and journalists' association or union.

5.8 Meetings

- 5.8.1 The Executive Committee shall meet once in six months at a venue and date to be decided by the President,
- 5.8.2 Executive Committee meetings may be arranged by tele- conference,
- 5.8.3 A quorum for the holding of the Executive Committee shall be 2/3 of the total number of Executive Committee members,
- 5.8.4 The Executive Committee may call a special meeting if there is a need to do so,

6. FINANCES

6.1 Purpose of the funds

- 6.1.1 The funds of the association are made up of all monies received by means of subscription fees, donations and by any other means within the framework of this Constitution,
- 6.1.2 Funds received shall be used to pursue the aims and objectives of the association.

6.2 Bank accounts

- 6.2.1 All funds received must be deposited into the association's bank account within three days of receipt,
- 6.2.2 No person may open a bank account in the name of SAJA or Southern Africa Journalists Association or any similar name without,
- 6.2.3 The Executive Committee must appoint three persons as signatories to the SAJA bank account;
- 6.2.4 Two signatories must authorise any cheque.
- 6.2.4.1 The explicit written authority of a resolution of the Executive Committee on an official association letterhead signed by two of the three signatories,

6.3 Affiliates

- 6.3.1 Members shall pay an affiliation fee to the association,
- 6.3.2 The Executive Committee shall decide the amount of the fee.

6.4 Financial year

- 6.4.1 The financial year is from April 1 to March 31.

6.5 Reporting

- 6.5.1 The Treasurer in consultation with the General Secretary shall prepare an income and expenditure report for each meeting of the Executive Committee and the holding of Congress;

7. RESIGNATION OF A MEMBER AND DISSOLUTION OF THE ASSOCIATION

7.1 A member may disaffiliate from the association by giving the Executive Committee:

7.1.1 3 months written notice;

7.1.2 Reasons for resigning;

7.2 The Executive Committee may waive the notice period.

7.3 Upon resignation, a member will not be entitled to the return of the affiliation fee as contemplated in sub-section 4.3.1 above;

7.4 The association is empowered to recover all monies owed by the member to the association.

7.5 Dissolution:

7.5.1 4/5 of the members may dissolve the association during Congress,

7.5.2 Upon dissolution, the association must appoint a liquidator to wind up the affairs of the association;

7.5.3 The liquidator must take the necessary steps to liquidate the debts of the association from its available funds and any other monies realised from any assets of the association;

7.5.4 After the liquidator has paid debts and if there are any remaining assets, these assets shall be given and transferred to an organisation that advances similar aims and objectives as that of SAJA.

8. AMENDMENTS TO THE CONSTITUTION

8.1 The Constitution may be repealed or amended by Congress;

8.2 A notice of the proposed amendment must be sent to the General Secretary three months prior to Congress;

8.3 The General Secretary shall:

8.3.1 Circulate the notice to all members, and

8.3.2 Include the proposed amendment on the next agenda of Congress.

8.4 A 2/3 majority of Congress must agree to the resolution to amend the Constitution.

9. INTERPRETATION

If there is any doubt as to the interpretation of any provision of this Constitution:

9.1.1 The Executive Committee may make an interim ruling,

9.1.2 Congress by majority vote must make the final ruling.