

CHRISTIAN DEMOCRATIC PARTY CONSTITUTION

Table of Content

Chapter 1 – Founding Provision

Section

1. Name
2. Founding Statement
3. Aims and Objectives
4. Party Policy
5. Rules and Procedures

Chapter 2 – Structure and Organisation

Section

6. Membership
7. Federal Congress
8. Federal Leadership Council
9. Federal Management Committee
10. Provincial Congress
11. Provincial Leadership Council
12. Provincial Management Committee
13. Regional Congress
14. Regional Council
15. District Annual General Meeting
16. District Chairman
17. Discipline
18. Selection Committees

Chapter 3 – General

Section

19. Finance
20. Legal Personality
21. Indemnity against damages
22. Legal Liability
23. Implementation and Amendments
24. Disbandment/Winding up/Dissolution

Chapter 1 – Founding Provisions

Section 1

Name

The name of the Party is the Christian Democratic Party (CDP), herein after referred to as “the Party”.

Section 2

Founding Statement

- 2.1 The Party submits itself to almighty God, the creator, eternally existent in three persons, Father, Son, and Holy Spirit.
- 2.2 The Party believes the Bible to be the inspired and unfailing written Word of God and the final authority above all man's laws.
- 2.3 The Party acknowledges the sovereignty of God over all the affairs of man including government.
- 2.4 The Party stands for Christian/Biblical values, norms and principles.
- 2.5 The party believes in Christian leadership based on the concept of a, Leadership Council which will include the three (3) Federal Leaders as Federal Members.

Section 3

Aims and Objectives

- 3.1 To offer the Party, to the electorate, as an alternative government.
- 3.2 To order civil Government according to Christian/Biblical principles, which means:
 - 3.2.1 A distinction is made between institutions of state and of civil society.
 - 3.2.2 The authority of institutions of state are limited in nature, are governed by just laws and qualified by a written constitution that is subject to the Word of God.
 - 3.2.3 Institutions of civil society, which are judicial personalities, enjoy internal self-determination, free from State control and/or state interference.
- 3.3 To establish a Christian Democracy within a Federal framework as opposed to Democratic Centralism.
- 3.4 To restore integrity and decency to public life and governance.
- 3.5 To protect the rights of all citizens
- 3.6 To ensure a Multi Party Democratic Political System.
- 3.7 To form alliances with political parties and organisations that support similar principles and pursue similar political objectives in the interest of good governance.

Section 4

Party Policy

- 4.1 All Policies of the Party, which are subject to the requirements of the Party Constitution, are described in the Party Policy Document and amendments may be made from time to time according to the Rules and Procedures.

Section 5

Rules and Procedure

- 5.1 All Party Rules and Procedures, which are subject to the requirements of the Party Constitution, are contained in the Party Rules and Procedures Manual (herein known as the Rules and Procedures) and amendments may take place from time to time according to the Rules and Procedure.

Chapter 2 – Structure and Organisation

Section 6

Membership

- 6.1 Membership of the Party shall be open to all persons who:
- 6.1.1 Subscribe to the Party Constitution
 - 6.1.2 Are sixteen (16) years of age and over
 - 6.1.3 Are citizens or permanent residents of South Africa
 - 6.1.4 Apply for membership on the prescribed membership application form
 - 6.1.5 Have paid the prescribed membership fee
 - 6.1.6 Are, not members of any other political parties, except where the Federal Leadership Council of the CDP agrees to enter into an alliance with another Party or Parties, then members will be permitted to hold dual membership by also becoming members of the Alliance Party as long as the Party remains a member of the Alliance.
 - 6.1.7 Only members shall have the right to vote at Party-elections, shall have the right to be part of Party-structures and activities or be represented on higher bodies as identified in this section.
- 6.2 Termination of Membership
- 6.2.1 A member shall cease to be a member of the Party:
 - 6.2.1.1 Upon resignation by the member.
 - 6.2.1.2 If found by a disciplinary hearing to be in contravention of the requirements of the Party Constitution, Policies and/or Rules and Procedures.
 - 6.2.1.3 Should the prescribed membership fee not be paid.

Section 7

The Federal Congress

- 7.1 The Federal Congress which is the highest decision making body of the Party shall meet from time to time as per the Rules and Procedures.
- 7.2 Federal Congress/Special Federal Congress shall be composed of the following:

All members of the Federal Leadership Council
 All members of the Federal Management Committee
 All members of the National Parliament
 All members of the National Council of Provinces
 All members of the Provincial Leadership Councils
 All members of the Provincial Management Committees
 All members of the Provincial Legislature
 All members of the Regional Management Committee
 Eight (8) delegates per Region

7.3 The powers of the Federal Congress shall be as follows:

- 7.3.1 The Federal Congress shall ratify all proposed amendments to the Party Constitution.
- 7.3.2 The Federal Congress shall elect the Federal Leaders and the Chairman of the Federal Management Committee.
- 7.3.3 The Federal Congress shall also elect all other members who will collectively form the Federal Management Committee, as stipulated by the Rules and Procedures, from amongst the delegates legitimately present at the Congress.
- 7.3.4 The Federal Congress shall vote on all resolutions presented by delegates to the Federal Congress.
- 7.3.5 The Federal Congress shall appoint auditors for the Federal Accounts.
- 7.3.6 The Federal Congress shall have the right to overturn any veto exercised by the Federal members of the Federal Leadership Council.
- 7.3.7 All delegates shall be eligible to vote in person only, no proxies or other form of representation shall be permitted.

Section 8

The Federal Leadership Council

8.1 The Federal Leadership Council is the second highest decision making body of the Party and shall meet from time to time as per the Rules and Procedures.

8.2 For structure see Rules and Procedures.

8.3 The powers of the Federal Leadership Council are as follows:

- 8.3.1 The Federal Leadership Council shall assent to all proposed amendments to the Party Constitution, Policies, Rules and Procedures.
- 8.3.2 The Federal Leadership Council shall formulate Party vision, objectives and strategies.
- 8.3.3 The Federal Leadership Council shall have the right to call for any report and/or document and/or proper accounting from any member, office bearer or organ of the Party.
- 8.3.4 The Federal Leadership Council shall ratify all amendments to the Party Policies and/or Rules and Procedures.
- 8.3.5 The Federal Leadership Council shall have the right to appoint any committee/commission and determine the functions and activities of such committee/commission.
- 8.3.6 The Federal members of the Federal Leadership Council shall have the right to exercise a veto as per Rules and Procedure.

- 8.3.7 The Federal Members shall appoint the Party Leader and the Chairman of the Federal Leadership Council.
- 8.3.8 Any Federal member of the Federal Leadership Council shall be entitled to attend any meeting of the Federal Management Committee in an “ex officio” capacity with vote.
- 8.3.9 Any Federal member of the Federal Leadership Council shall be entitled to attend any meeting of any other committee within the Party as an observer and advisor.
- 8.3.10 The Federal members of the Federal Leadership Council shall in consultation with the Federal, Provincial and Regional Selection Committees finalise the lists of candidates at the respective levels.
- 8.3.11 The Federal Leadership Council shall perform an eldership role and arbitrate in the event of disputes within the party.
- 8.3.12 The Federal Leadership Council shall authorize all alliances entered into between the CDP and any other Party or Parties.
- 8.3.13 The Federal Leadership Council may ratify proposed amendments to Policy, Rules and Procedures that adhere to the Party Constitution.

Section 9

The Federal Management Committee

- 9.1 The Federal Management committee shall be responsible for the day to day running of the Party. They shall meet from time to time as per the Rules and Procedure.
- 9.2 For structure see Rules and Procedures
- 9.3 The Federal Management Committee shall from time to time:
 - 9.3.1 Open and operate bank accounts in the name of the Party.
 - 9.3.2 Propose amendments to the Party Constitution.
 - 9.3.3 Purchase or acquire, manage, insure, sell, lease, mortgage or dispose of in a lawful way, any movable or immovable property.
 - 9.3.4 Engage, dismiss and remunerate any person or persons, company, legal entity or institution for services rendered to the Party.
 - 9.3.5 Undertake and execute any trust.
 - 9.3.6 Establish pension schemes or any other incentive schemes for its office bearers and employees.
 - 9.3.7 Enter into contracts and execute any contracts, deeds and documents.
 - 9.3.8 Establish sub-committees and determine the function and activities of such sub-committees.
 - 9.3.9 Call and set dates for Federal, Provincial and Regional Congresses as well as for Special Congresses as set out in the Rules and Procedures.
 - 9.3.10 The Federal Management Committee in agreement with the Federal Leadership Council shall have the power to postpone any Congress for up to one year.
 - 9.3.11 The Federal Management Committee shall propose to the Federal Leadership Council amendments to the Policies and/or the Rules and Procedures.

9.3.12 Shall from time to time, as per the Rules and Procedure, appoint Fund Raisers or conduct Fund Raising Campaigns and may at their discretion, delegate these functions to lower structures.

9.3.13 Vote on all resolutions.

Section 10

Provincial Congress

10.1 The Provincial Congress which is the highest decision making body of the Province shall meet from time to time as per the Rules and Procedures.

10.2 Provincial Congress/Special Provincial Congress shall be composed of the following domicile in the particular Province:

- All Federal Leadership/Management members
- All National Parliament members
- All Provincial Parliament members
- All Provincial Leadership Council members
- All Provincial Management Committee members
- All Regional Management Committee members
- All Local Government Councillors
- Eight (8) delegates per Region

10.3 The powers of the Provincial Congress shall be as follows:

10.3.1 The Provincial Congress shall ratify all proposed amendments of the Provincial Constitution.

10.3.2 The Provincial Congress shall ratify all Provincial Policies, Rules and Procedures or amendments thereto.

10.3.3 The Provincial Congress shall elect the Provincial Leader, the Deputy Leader, and the Chairman of the Provincial Management Committee.

10.3.4 The Provincial Congress shall elect all other members who will collectively form the Provincial Management Committee, as per the Rules and Procedure, from amongst the delegates legitimately present at the Congress.

10.3.5 The Provincial Congress shall vote on all resolutions presented by delegates, as per the Rules and Procedure, to the Provincial Congress.

10.3.6 The Provincial Congress shall appoint, if so ordered by the Federal Management Committee from time to time, auditors for the Provincial Accounts.

10.3.7 All delegates shall be eligible to vote in person only, no proxies or other form of representation shall be permitted.

Section 11

Provincial Leadership Council

11.1 The Provincial Leadership Council is the second highest decision making body of the Province and shall meet from time to time as per the Rules and Procedures.

11.2 For structure see Rules and Procedures.

11.3 The powers of the Provincial Leadership Council shall be as follows:

- 11.3.1 The Provincial Leadership Council shall assent to all proposed amendments to the Provincial Constitution, Policies, Rules and Procedures.
- 11.3.2 The Provincial Leadership Council shall formulate vision, objectives and strategies at Provincial level in line with those at Federal Level.
- 11.3.3 The Provincial Leadership Council shall have the right to call for any report or document and for proper accounting from a member, office bearer or organ in the Province.
- 11.3.4 The Provincial Leadership Council shall have the right to appoint any sub-committees in the Province and determine the function and activities of such committees.
- 11.3.5 Any member of the Provincial Leadership Council shall be entitled to attend any meeting of the Provincial Management Committee in an ex officio capacity.
- 11.3.6 Any member of the Provincial Leadership Council shall be entitled to attend any meeting of any other committee within the Province as an observer and adviser.
- 11.3.7 The provincial Leadership Council shall perform an eldership role and arbitrate in the event of disputes within the Province.

Section 12

Provincial Management Committee

- 12.1 The Provincial Management committee shall be responsible for the day to day running of the Province. They shall meet from time to time as per the Rules and Procedure.
- 12.2 For structure see Rules and Procedures.
- 12.3 The Provincial Management Committee shall from time to time:
 - 12.3.1 Open and operate bank accounts in the Province in the name of the Party
 - 12.3.2 Propose amendments to the Provincial Constitution, Policies, Rules and Procedures.
 - 12.3.3 Propose amendments to the Party Constitution, Policies, Rules and Procedures through the Federal Management Committee.
 - 12.3.4 Engage, dismiss and remunerate any person or persons, company, legal entity or institution for services rendered to the Party in the Province.
 - 12.3.5 Enter into contracts and execute any contracts entered into in the Province.
 - 12.3.6 Establish sub-committees in the Province and determine the function and activities of such sub-committees.
 - 12.3.7 Call and set dates for the District Annual General meetings in the Province.

Section 13

Regional Congress

- 13.1 The Regional Congress which is the highest decision making body of the Region shall meet from time to time as per the Rules and Procedure.
- 13.2 Regional Congress shall be composed of the following domicile in the particular Region:
 - All Federal Leadership/Management members
 - All National Parliament members

All Provincial Parliament members
 All Provincial Leadership Council members
 All Provincial Management Committee members
 All Regional Management Committee members
 All Local Government Councillors
 All members domiciled in the region

13.3 The powers of the Regional Congress shall be as follows:

- 13.3.1 The Regional Congress shall elect the Chairman, Deputy Chairman Secretary and Treasurer, who with the chairman from the Districts will collectively form the Regional Management Committee, as per the Rules and Procedures, from amongst the delegates legitimately present at the Congress.
- 13.3.2 The Regional Congress shall vote on all resolutions presented by delegates, as per the Rules and Procedures, to the Regional Congress.
- 13.3.3 The Provincial Congress shall appoint from, time to time, if so ordered by the Federal Management Committee, auditors for the Regional Accounts.
- 13.3.4 All delegates shall be eligible to vote in person only, no proxies or other form of representation shall be permitted.

Section 14

Regional Management Committee

14.1 The Regional Management Committee which is the second highest decision making body of the region shall be responsible for the day-to-day running of the Region. They shall meet from time to time as per the Rules and Procedure.

14.2 For structure see Rules and Procedure.

14.3 The Regional Management Committee shall from time to time:

- 14.3.1 Open and operate bank accounts in the region in the name of the Party.
- 14.3.2 Propose amendments to the Party and Provincial Constitution, Policies, Rules and Procedure through the Provincial Management Committee.
- 14.3.3 Engage, dismiss and remunerate any person or persons, company, legal entity or institution for services rendered to the Party on behalf of the Region.
- 14.3.4 Enter into contracts and execute any contract in the Region.
- 14.3.5 Establish sub-committees in the Region and determine the functions and activities of such sub-committees.
- 14.3.6 Shall formulate vision, objectives and strategies at Regional level in line with those of the province.
- 14.3.7 Shall have the right to call for any report or document and for proper accounting from any member, office bearer or organ in the region.
- 14.3.8 The Regional Chairman and Deputy Chairman shall be entitled to attend any meeting of any other committee within the region as an observer and adviser.
- 14.3.9 The Regional Management Committee shall arbitrate in the event of disputes within the region.

Section 15

District Annual General Meeting

- 15.1 The District Annual General Meeting shall take place from time to time as per the Rules and Procedure.
- 15.2 The District Annual General Meeting be composed of the following:
 - All Party members domicile in the particular District
- 15.3 The District Annual General Meeting shall be required to:
 - 15.3.1 Elect from those present at the District Annual Meeting the District Chairman.
 - 15.3.2 Vote on all resolutions presented by delegates, as per the Rules and Procedures, to the District Annual General Meeting.

Section 16

District Chairman

- 16.1 The District Chairman shall be responsible for the day to day running of the District.
- 16.2 For structure see Rules and Procedure.
- 16.3 The District Chairman shall from time to time:
 - 16.3.1 Propose amendments to the Party and Provincial Constitution, policies, rules and procedures through the Regional Management Committee.
 - 16.3.2 Establish sub-committees in the District and determine the function and activities of such sub-committees.

Section 17

Discipline

- 17.1 Disciplinary action shall take from time to time as per the Rules and Procedure.
- 17.2 For structure see Rules and Procedure.
- 17.3 Disciplinary action shall be taken against any member in the following situations
 - 17.3.1 Conduct deemed to bring the Party into disrepute.
 - 17.3.2 Contravention of any provisions of this Constitution, the Party Policy Document or the Party Rules and Procedures, or a decision competently taken at any properly constituted meeting of the Party at Federal, Provincial, Regional or District level.
 - 17.3.3 Public statements made which are in conflict with Party Policy
 - 17.3.4 Behaviour deemed to bring discord within Party ranks.

Section 18

Selection Committees

- 18.1 Selection committees shall meet from time to time as per the Rules and Procedure.
- 18.2 For structure see Rules and Procedures.

- 18.3 The different Selection Committees shall, according to prescribed criteria set out in the Rules and Procedures, be responsible for the following:
- 18.3.1 The Federal Selection Committee shall determine the suitability of and list candidates in their respective order on the National Parliamentary list.
 - 18.3.2 The Provincial Selection Committee shall determine the suitability of and list candidates in their respective order on the Provincial Legislature list.
 - 18.3.3 The Regional Selection Committee shall determine the suitability of and list candidates in their respective order for Local Government.
- 18.4 The selection committees shall in consultation with the Federal Members of the Federal Leadership Council confirm constituencies, ward and proportional representation candidates.

Chapter 3 – General

Section 19

Finance

- 19.1 The Federal Leadership Council will have oversight over all Party bank accounts and may in the event of any irregularities intervene and may either suspend or replace signatories, or close any bank account.
- 19.2 The Party shall keep proper accounting records, in accordance with standard accounting practises, which shall explain all financial transactions and fairly present the financial position of the Party.
- 19.3 All Accounting records shall be kept in such a place as the Federal Management Committee deems fit and shall be open to all office bearers for inspection.
- 19.4 No member/supporter, not being an office bearer, shall have the right to inspect any account records or documents of the Party except as conferred by this Constitution, the Rules and Procedures or by authorization by the Federal Management Committee or the Federal Congress.
- 19.5 The Federal Treasurer shall, as per the Rules and Procedures, be responsible for the consolidation of all financial reports and shall lay before the Federal Congress audited financial statements.
- 19.6 The Federal, Provincial, and Regional Treasurers shall adhere to all conditions of their office as set out in the Rules and Procedure.
- 19.7 The Provincial, and Regional Treasurers shall, as per the Rules and Procedure, be responsible for submitting to the Federal Treasurer a Financial Statement for which an audit will not be required, unless so ordered from time to time and at the discretion of the Federal Management Committee or the Federal Leadership Council.

- 19.8 The Federal Members of the Federal Leadership Council shall in the absence of proper structures have the right to open Bank accounts in the name of the party and to perform all such financial duties as ascribed to the Management Committees.

Section 20

Legal Personality

- 20.1 The Party shall be a legal person with all the rights and obligations associated with this status.

Section 21

Indemnity against Legal Claims for damages

- 21.1 Subject to the provisions of any statute, each member of the Party and all office bearers shall be indemnified by the Party subject to clause 22, for all acts done by them in good faith on its behalf, and it shall be the duty of the Party to pay all costs and expenses which any such person incurs or becomes liable for as a result of any contract entered into, or act or deed done by him or her, in his or her said capacity, in the bona fide discharge of his or her duties on behalf of the Party.
- 21.2 Subject to the provisions of any relevant statute, no Party member or office- bearer shall be personally liable for the acts, receipts, neglect or default of any other member or office-bearer; or for having joined in any receipt or other act for conformity; or for any loss or expense suffered by the Party through the insufficiency or deficiency of any security in or on which the monies of the Party may be invested; or for the loss or damage arising from the bankruptcy, insolvency or delinquent act of any person with whom any monies, securities or effects are deposited; or for any loss or damage caused in any other way, which occurs in the execution of the duties of his or her office or in relation thereto.

Section 22

Legal Liability

- 22.1 Only Federal, Provincial or Regional office bearers shall have the authority to bind the Party or to create legal relationships and then only by resolution taken by the Federal, Provincial Management Committees and the Regional Management Committee.

Section 23

Implementation and Amendments

- 23.1 This Constitution comes into effect when ratified by the Federal Congress.
- 23.2 This Constitution shall only be amended by a two-thirds majority of delegates present and voting at the Federal Congress as per the Rules and Procedures.
- 23.3 The English version of this Constitution will be seen as the original version; all legal requirements of the Constitution shall be taken from the English Version. All other translations are merely a copy of the original and shall not be used for legal interpretation of this Constitution.

Section 24

Disbandment/Winding up/Dissolution

- 24.1 The Party may be dissolved upon the passing of a resolution to that fact by 75% majority of the members present at a Federal Congress/Special Federal Congress and as per the Rules and Procedures.
- 24.2 Upon dissolution the surplus assets of the Party shall be transferred to its successor in title or in pursuance of Christians in Politics or if that is impossible it will be distributed to a registered bon fide Charitable Organisation.