



**COPE**™  
CONGRESS OF THE PEOPLE

REV 3

Aligned to the Constitution Adopted by the Congress National Committee on 23 August 2015 by mandate of the 1<sup>st</sup> National Congress (January 2014) and of the Extra-Ordinary National Congress of 12 – 14 June 2015.

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President

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General Secretary

# STANDING RULES & ORDERS





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# COPE Standing Rules & Orders for the Meetings of the Congress of the People

**Rev 1 - Adopted 30 June 2012**

- Promote the ability of meetings to resolve, oversee [particularly CNC] its committees, structures below it and forge links between its structures, membership and the general public.
- Promote fundamental ethos of our constitution.

## CHAPTER 1: DEFINITIONS

In these rules, any word or expression shall have the meaning assigned thereto, unless the context indicates otherwise–

Word / Expression	Definition
<b>“Amendment”</b>	<i>When a Motion is before the meeting an Amendment is a proposition to change the words of the Motion as a whole, or the change certain words, or to add or delete words anywhere in the Motion.</i>
<b>“Chairperson”</b>	<i>means the National Chairperson of the Congress of the People and includes the President and Deputy President acting in the Chairpersons capacity when absent, to control and conduct any meeting of a committee of the CNC, NOB and CEC</i>
<b>“CEC”</b>	<i>means the 6 Executive Committee Members directly elected at Congress and consisting of the President, Deputy President, National Chairperson, General Secretary, Deputy General Secretary and National Treasurer (referred to in the Constitution), herein after referred to as the CEC</i>

## INTRODUCTION

Standing Rules and Orders for the meetings of COPE are for the proceedings and for meetings and the [meeting] to exercise its powers.

Orders and rules are intended to enable COPE meetings to fulfil its constitutional responsibilities, so as to:

- Ensure that all members of the meeting have opportunity to participate in the work of the level of the structure and or committee concerned.
- Promote orderly conduct of meetings in accordance with the constitution.
- Promote and ensuring democratic decision making and collectivism of leadership in its entirety.
- Any decision or draft documents on policy on any pertinent matter should be by decision of CNC through adhoc committee as opposed to smuggling of issues into CNC by any member of CNC, whatever Office the person may be holding, as this feeds to notion of manipulation if not a hidden agenda.



Word / Expression	Definition
<b>“NOB”</b>	means the 12 National Office Bearers (referred to in the Constitution), and the 6 Members of the Congress Executive Committee, herein after referred to as the National Office Bearers.
<b>“CNC”</b>	means the Congress National Committee of the Congress of the People consisting of 6 Congress Executive Committee Members, 12 National Office Bearers and 25 elected additional members, 9 Provincial Secretaries, 9 Provincial Chairpersons. Secretary and Chairperson of the launched Chapters consisting of Women, Youth, Business and Professionals Forum and the Student Movement; all of whom are ex-officio members as per the Constitution.
<b>“Code of Conduct”</b>	means the Code of Conduct for Members of the CNC contained in the Constitution of the Congress of the People.
<b>“contact details”</b>	means a physical address, postal address, electronic mail address, telephone number, facsimile number and cellular-phone number;
<b>“calendar day”</b>	means a twenty-four hour day as denoted on the calendar;
<b>“CNC member”</b>	means a member of the Congress National Committee;
<b>“day”</b>	means any ordinary day other than a Saturday, Sunday or Public Holiday, except where otherwise stated;

Word / Expression	Definition
<b>“deputation”</b>	means a person or group of persons who wish to appear personally before the CNC or a committee of the CNC in order to address the CNC or committee of the Congress of the People;
<b>“Direct Negative”</b>	A Direct Negative is a proposed amendment to a Motion which offers no alternative proposition but simply seeks to negate the whole Motion. A Direct Negative must therefore always be ruled out of order by the Chairperson, since its purpose can be achieved simply by voting against the Motion: and it is thus unnecessary.
<b>“clarity”</b>	means the clarification of some material part of a Member’s former speech or input into a meeting which may have been misunderstood;
<b>“meeting”</b>	means a meeting of the CNC or any one of its committees;
<b>“organisational asset”</b>	means any movable, immovable, corporeal, incorporeal, tangible and intangible property to which the Congress of the People holds title;
<b>“GS”</b>	means the person elected as General Secretary in terms of the Constitution and includes any person acting in that capacity;
<b>“Motion”</b>	A Motion is a proposition submitted for discussion and vote. It must be positive in its wording and declare an opinion



Word / Expression	Definition
	or call for a course of action or both.
<b>“notice of motion”</b>	means the instrument by which Members of the CNC may bring items on to the agenda of a CNC meeting or any one of its committees;
<b>“point of order”</b>	A Point of Order is an objection raised by a member of the meeting on the grounds that a speaker is departing from the subject under discussion, or that the rules of debate are not being operated, or that the speaker is using offensive language.
<b>“precincts”</b>	means the CNC chamber and all places of meeting and all other venues where the meetings of the CNC or a committee of the CNC are conducted;
<b>“Resolution”</b>	A Resolution is a Motion which has been put to the vote and carried
<b>“table”</b>	means to submit a report or any official document to the CNC or any committee of the CNC for consideration at a meeting of the CNC or a committee of the CNC of which notice has been given in terms of these rules and orders;
<b>Gender Number and</b>	In every rule, unless the contrary intention appears, words importing the masculine gender include females and words in the singular number include the plural, and words in the plural number include the singular.

Word / Expression	Definition

## CHAPTER 2: APPLICATION AND INTERPRETATION OF RULES AND ORDERS

### 2.1 Application of these rules and orders

- 2.1.1 These rules and orders govern the proceedings of the CNC and committees of the CNC which bind and must be complied with by:-
- (a) all Members of the CNC ;
  - (b) any member of the Organisation while present in the precincts;
  - (c) any deputation addressing the CNC or a committee of the CNC /NOB; and
  - (d) any official of the Congress of the People.

### 2.2 Interpretation of these rules and orders

- 2.2.1 Any interpretation of these rules and orders must be made having due regard to the supremacy of the Constitution, the rule of law and the rules of natural justice.
- 2.2.2 For the purposes of these rules and orders, any reference to the Chairperson shall mean the National Chairperson, duly elected as the Chairperson of the Congress of the People in terms of the Constitution or the President / Deputy President or any other person elected for a specific meeting in the absence of the Chairperson
- 2.2.3 The ruling of the Chairperson with regard to the interpretation of these rules and orders at a meeting of the CNC or committee of the CNC shall



be final and binding provided he/she has consensus of the meeting.

- 2.2.4 The interpretation and the ruling of the Chairperson of any of these rules and orders must be recorded by the General Secretary in the minutes of the CNC or committee meeting.
- 2.2.5 The General Secretary must keep a register of the rulings and legal opinions.
- 2.2.6 Any Member of the CNC may request the General Secretary, in writing within five days from a ruling made to obtain clarity on the interpretation and ruling. The General Secretary must thereafter report to the CNC or committee of the CNC.
- 2.2.7 The CNC or committee of the CNC may, after consideration of the report, confirm, amend or substitute the ruling of the Chairperson subject to any rights which any third party may have accrued as a result of the ruling and all decisions affecting the rights of others must be in writing and reasons must be recorded of such decisions.

## **CHAPTER 3: FREQUENCY, ADMISSION OF PUBLIC AND NOTICE OF MEETINGS**

### **3.1 Electronic meetings**

- 3.1.1 Any meeting of the Party may take place telephonically or through any other electronic means provided that each member of that Committee is able to communicate clearly and simultaneously with all other members.

### **3.2 CNC meetings**

- 3.2.1 The CNC must hold an ordinary meeting of the CNC quarterly in line with section 11.1.4 of the Constitution.
- 3.2.2 The GS shall convene all meetings of the CNC in consultation with the CEC

### **3.3 NOB meetings**

- 3.3.1 The NOB must hold an ordinary meeting of the NOB once every 2 months in line with section 11.1.3 of the Constitution.
- 3.3.2 The GS shall convene all meetings of the NOB in consultation with the CEC

### **3.4 CEC meetings**

- 3.4.1 The CEC should meet at least once a months in line with section 11.1.2 of the Constitution.
- 3.4.2 The GS shall convene all meetings of the CEC in consultation with the CEC

### **3.5 Admission of public**

- 3.5.1 No meetings of the CNC and those of its committees including the NOB will be open to the general membership, other than when the CNC or committee of the CNC, due to the nature of the business being transacted, deems it reasonable and justifiable to do so, having due regard to the principles of an open and democratic society.

### **3.6 Notice to attend an ordinary CNC meeting**

- 3.6.1 The GS must convene meetings of the CNC in consultation with the CEC, at least quarterly, through a "Notice of CNC Meeting", stating the date, place and time of the meeting and accompanied by or containing the agenda and supporting documentation of the proposed meeting.
- 3.6.2 Notice to attend a meeting shall be given at least—
  - (a) fourteen calendar days prior to an ordinary meeting; and
  - (b) four calendar days prior to a special meeting.



### **3.7 Notice to attend an ordinary NOB meeting**

- 3.7.1 The GS must convene meetings of the NOB in consultation with the CEC in line with the Constitution, through a “Notice of NOB Meeting”, stating the date, place and time of the meeting and accompanied by or containing the agenda and supporting documentation of the proposed meeting where possible.
- 3.7.2 Notice to attend a meeting shall be given at least–
- (a) five calendar days prior to an ordinary meeting; and
  - (b) 1 calendar day prior to a special meeting.

### **3.8 Special meetings**

- 3.8.1 The GS in consultation with the CEC must call a Special CNC /NOB meeting–
- (a) for the purpose of pertinent or urgent matters
  - (b) or at the request of a majority, 50% plus 1 of the Members of the said Committee of the Congress of the People,
- 3.8.2 A special meeting must be held in compliance with rule 3.6 and in terms of rule 3.7 no later than four days from the date of receipt of a request.
- 3.8.3 A request for the calling of a special meeting, as contemplated in rule 3.8.1(b), shall–
- (a) *be signed by no less than 50% (fifty per cent) plus one of all Members of the CNC of the Congress of the People; and*
  - (b) *be accompanied by–*
    - (i) *a duly signed notice of motion; and*
    - (ii) *a written statement by the Member of the CNC or Committee of the CNC, signing*

*the notice of motion giving reasons as to why the intended business of the special meeting is urgent and cannot wait for an ordinary meeting of the CNC or Committee of the CNC*

### **3.9 Service of notices and agenda**

- 3.9.1 Notice to attend a meeting or any other official communication from the CNC or a Committee of the CNC, shall be delivered to–
- (a) an e-mail address; or
  - (b) by a short message service (SMS)
- provided that contact details shall be supplied by each Member of the CNC or a Committee of the CNC, to the General Secretary in writing within two days of a Member of the CNC or a Committee of the CNC being elected, thereafter, within 3 days of the Member changing either address and or contact details.*
- 3.9.2 All documentation relevant to any CNC or committee meeting must be given to all Members of the CNC at least four (4) calendar days prior to an ordinary CNC or committee meeting and two calendar days prior to a special CNC or special committee meeting

### **3.10 Non-receipt of notice**

- 3.10.1 A Member of the CNC may request an investigation regarding the non-receipt of a notice to attend a meeting.
- 3.10.2 Non-receipt of a notice to attend a meeting shall not affect the validity of any meeting or proceedings of CNC or any of its committees.



## CHAPTER 4: QUORUM

### 4.1 Quorum

- 4.1.1 The quorum of a CNC and any other meeting of the Congress of the People must be fifty percent (50%) plus one (1) the current Members of the specific structures less resignations, before a vote may be taken on any matter. (QUERY – CONSTITUTION 11.2.4 - (Resignations, apologies and absenteeism will be excluded from consideration in determining the quorum).
- 4.1.2 Apologies tendered and accepted does not form part of a quorum. (unless such apology was presented in same meeting by person indicating that he/she will leave before the meeting end. )
- 4.1.3 Subject to a quorum, the failure of any Member of the CNC to vote shall not invalidate the proceedings of the CNC meeting.

### 4.2 Cancellation and adjournment in absence of quorum

- 4.2.1 No meeting shall take place, if no quorum is present sixty (60) minutes after the time at which a meeting was due to commence, if no quorum is present, the meeting must be cancelled.
- 4.2.2 If during discussion on an item at any meeting of CNC or any of its committees the attention of the Chairperson is called to the number of Members of the CNC present, he or she shall–
- count the Members of the CNC or a Committee of the CNC present;
  - if it is found that there is no quorum, the Chairperson must adjourn the meeting and allow an interval of fifteen minutes for a quorum to become present;
  - if a quorum becomes present after the adjournment then the meeting must continue;

- if no quorum becomes present after the adjournment then the Chairperson adjourn the meeting.

- 4.2.3 When a meeting is adjourned as a result of no quorum, the meeting shall be re-convened within seven days as a continuation meeting.

## CHAPTER 5: ATTENDANCE

### 5.1 Attendance

- 5.1.1 All Members of the CNC must punctually attend and remain in attendance at each meeting of the CNC and a committee of which that Member of the CNC is a member except when:-
- leave of absence is granted in terms of Item 5.2;
  - the Member of the CNC or a Committee of the CNC is required to withdraw in terms of rule 13.1.2;
  - the Member of the CNC or a Committee of the CNC is absent with the permission of the Chairperson and General Secretary.
- 5.1.2 Each Member of the CNC or a Committee of the CNC attending any meeting of the CNC or a committee of the CNC shall sign an attendance register provided for that purpose.
- 5.1.3 The attendance register shall be filed in the office of the General Secretary
- 5.1.4 Any Member of the CNC who is entitled to leave of absence in terms of item 5.2, and no longer requires such leave, may attend the meeting from which leave of absence was granted and sign the attendance register.

### 5.2 Leave of absence

- 5.2.1 Leave of absence shall not be granted in such a manner that more than the number required for a quorum will at any one time be absent.
- 5.2.2 If a Member–



- (a) is unable to attend a meeting of which notice had been given; or
- (b) is unable to remain in attendance at a meeting; or
- (c) will arrive after the stipulated commencement time of a meeting,

*he or she shall, as soon as is reasonably possible and prior to that meeting, lodge with the General Secretary a written application for leave of absence from the whole or any part of the meeting concerned, which application must provide reasonable and bona fide reasons for the application and show good cause for the granting of the application.*

- 5.2.3 The General Secretary must as soon as possible inform the Chairperson of any application for leave of absence received.
- 5.2.4 The General Secretary in consultation with the Chairperson must as soon as possible consider an application for leave of absence and either grant or reject the application with reasons.
- 5.2.5 The General Secretary must as soon as is reasonably possible, inform a Member of the CNC who has applied for leave of absence of the decision.
- 5.2.6 A Member of the CNC shall be deemed absent without leave from the meeting concerned where an application for leave of absence has not been granted and he or she–
  - (a) failed to attend a meeting; or
  - (b) failed to remain in attendance at a meeting.
- 5.2.7 Where a Member of the CNC fails to remain in attendance at a meeting –
  - (a) without being granted permission to do so; or
  - (b) without obtaining permission from the Chairperson to leave prior to the close of the meeting, the time of leaving must be recorded in the minutes of the meeting and that Member of the CNC shall be deemed to

have been absent without leave at that meeting;

- 5.2.8 Where a Member of the CNC arrives late at a meeting, without obtaining permission to do so, the time of arrival and the reasons for the late attendance must be recorded in the minutes of the meeting and the Member of the CNC may attend the meeting and sign the attendance register.
- 5.2.9 Leave of absence for two or more consecutive CNC or committee meetings must be sanctioned by the CNC or the relevant committee.

### **5.3 Non-attendance**

- 5.3.1 Where a Member of the CNC has been absent without obtaining leave from a meeting–
  - (a) the Rules Committee as contemplated in item 12.1 or the General Secretary in consultation with the Chairperson as the case may be, shall invite the Member of the CNC to provide a formal explanation setting out the reasons for the Member's absenteeism from the meeting;
  - (b) the General Secretary in consultation with the Chairperson shall consider the explanation and decide whether or not the Member of the CNC was absent with good cause, providing appropriate reasons for the decision;
  - (c) the General Secretary must as soon as is reasonably possible, inform a Member of the CNC in writing of the decision.
  - (d) a Member of the CNC may appeal in writing to the decision within seven days of receipt of such decision.
  - (e) the National Office Bearers or committee, as the case may be, shall–
    - i. allow the Member of the CNC an opportunity to make written representations; and



- ii. consider the Member's appeal, together with any comments from the Chairperson of the meeting concerned;
- iii. make a finding as to whether the Member of the CNC was absent with or without good cause.

- 5.3.2 The General Secretary shall keep a record of all incidents in respect of which Members of the CNC or a Committee of the CNC have been found to be absent or deemed to be absent without leave and without good cause and shall submit a written report to the National Office Bearers Committee whenever a Member of the CNC or a Committee of the CNC is absent from three (3) or more consecutive meetings which that Member of the CNC was required to attend.
- 5.3.3 Where the NOB receives a report in terms of 5.3.2, the General Secretary must submit the report with recommendations to the CNC for consideration.

## **CHAPTER 6: ADJOURNMENT**

### **6.1 Adjourned meetings**

- 6.1.1 A CNC or a Committee of the CNC meeting may, by majority vote, be adjourned to another day or hour but no later than 14 days after the original meeting.

### **6.2 Continuation meeting**

- 6.2.1 When a meeting is adjourned, notice of the continuation meeting shall be served in terms of item 3.6.
- 6.2.2 No business shall be transacted at a continuation meeting except such as is specified in the notice of the meeting, which was adjourned.

## **CHAPTER 7: PROCEEDINGS**

### **7.1 Speaker and Chairpersons of meetings**

- 7.1.1 At every meeting of the CNC the National Chairperson shall preside over the meeting.
- 7.1.2 The Chairperson of CNC and committee meetings:-
- (a) must maintain order during meetings;
  - (b) must ensure compliance in the CNC with the Code of Conduct for Members of the CNC ;
  - (c) must ensure that meetings are conducted in accordance with these standing rules and orders.
  - (d) Chairperson must not be conflicted on items on the agenda if s/he must recuse him/her self or the meeting must do so
- 7.1.3 If the National Chairperson of the CNC or committee of the CNC is absent or not available to perform the functions of Chairperson, or during a vacancy, the President or Deputy President shall act as Chairperson.
- 7.1.4 Should the President and or the Deputy President also be absent or not available, the CNC or committee under the direction of the General Secretary or his/her nominee must elect another Member of the CNC to act as Chairperson as the case may be.
- 7.1.5 No meeting of the CNC or a committee of the CNC may commence or continue unless a Chairperson presides at a meeting.

### **7.2 Minutes**

- 7.2.1 The proceedings of every CNC or committee meeting must be electronically recorded and retained in accordance with the Archives and Record Policy of the Party
- 7.2.2 Written minutes of the proceedings of each CNC and committee meeting must be accurately recorded in the approved format and retained in



accordance with the Archives and Record Policy of the Party.

- 7.2.3 The approved minutes of every meeting of a CNC or committee other than in-committee meetings must be available to the structures of the Party.
- 7.2.4 Where the General Secretary is of the opinion that any resolution or proceeding of a CNC or a Committee of the CNC meeting may be in contravention of any law, he or she must advise the CNC or committee accordingly and full details of such opinion must be recorded in the minutes.

### 7.3 Order of business

7.3.1 The order of business at every ordinary meeting of the NOB is as follows:

- (a) Moment of Silence, Prayer or Meditation;
- (b) Opening and Welcome;
- (c) Apologies and Credentials
- (d) Adoption of the Agenda
- (e) Confirmation of Minutes of previous meeting and Matters arising;
- (f) Announcements by the Chairperson;
- (g) Resolution Register
- (h) Matters of an urgent nature.
- (i) Organisational Report
- (j) Financial Report
- (k) Items / Matters of which notice has been given
- (l) Sub-Committee Reports or Submissions
  - i. Parliamentary Leader
  - ii. Secretary for Membership Development
  - iii. Secretary for Elections
  - iv. Secretary for Information, Communication and Advocacy
  - v. Secretary for Organised Labour and Civil Society Liaison

- vi. Secretary for Business Community Liaison
- vii. Secretary for Projects Oversight and Development
- viii. Deputy for the Economic;
- ix. Deputy for the Land and Agriculture;
- x. Deputy for the Social;
- xi. Deputy for the International Relations ;
- xii. Deputy for the Safety and Security
- xiii. Deputy Governance and Administration
- xiv.
- xv. Women's Movement
- xvi. Youth Movement
- xvii. Students Movement
- xviii. Council of Elders
- xix. Business and Professionals

- (m) Provincial and National Programme
  - i. National Days of Importance
- (n) Correspondence
- (o) Meeting Schedule
- (p) Closure

7.3.2 The order of business at every ordinary meeting of the CNC is as follows:

- (a) Moment of Silence, Prayer or Meditation;
- (b) Opening and Welcome;
- (c) Apologies and Credentials
- (d) Adoption of the Agenda
- (e) Confirmation of Minutes of previous meeting and Matters arising;
- (f) Announcements by the Chairperson;
- (g) Political Report



- (h) Organisational and NOB Report
  - Inclusive of Sub-Committee Reports or Submissions from
    - a. Provincial Secretaries
    - b. Parliamentary Leader
    - c. Secretary for Membership Development
    - d. Secretary for Elections
    - e. Secretary for Information, Communication and Advocacy
    - f. Secretary for Organised Labour and Civil Society Liaison
    - g. Secretary for Business Community Liaison
    - h. Secretary for Projects Oversight and Development
    - i. Deputy for the Economic Cluster;
    - j. Deputy for the Land and Agriculture;
    - k. Deputy for the Social;
    - l. Deputy for the International Relations;
    - m. Deputy for the Safety and Security and
    - n. Deputy Governance and Administration
    - o. Women's Movement
    - p. Youth Movement
    - q. Students Movement
    - r. Council of Elders
    - s. Business and Professionals Forum
- (i) Provincial and National Programme
- (j) Financial Report
- (k) Matters of an urgent nature.
- (l) Items / Matters of which notice has been given
- (m) Correspondence
- (n) Meeting Schedule
- (o) Closure

7.3.3 The Chairperson may, in his discretion, at any stage bring forward any business that is on the Agenda provided the Chairperson has consensus of the meeting.

#### **7.4 Confirmation of minutes of previous meeting**

7.4.1 The minutes of every meeting shall be confirmed at the next ordinary meeting of that CNC or committee and shall be signed and dated by the Chairperson and General Secretary

7.4.2 No motion or discussion shall be allowed upon the minutes of a previous meeting, other than relating to the accuracy of those minutes and matters arising.

#### **7.5 Deputations**

7.5.1 A deputation wishing to address the CNC or a committee of CNC shall submit a memorandum to the General Secretary in which is set out the representations it wishes to make.

7.5.2 A request by a deputation to address the CNC or a committee of the CNC must be approved by the NOB.

7.5.3 The General Secretary shall submit the memorandum to the NOB, which may receive the deputation.

7.5.4 The NOB shall decide if there is a need for a deputation to address the CNC. The final arbiter shall be the CNC on deciding whether to receive deputation or not.

7.5.5 Any matter requiring consideration arising from a deputation, shall not be further considered by the NOB, CNC or committee until the deputation has withdrawn, provided that questions of clarity may be permitted.

7.5.6 When speaking at a CNC or committee meeting, a deputation must comply with any directions or orders given by the Chairperson.

7.5.7 If a deputation conducts himself/herself in a disorderly and unruly manner at any time, the



Chairperson must direct that that member remove himself or be removed from the precincts.

- 7.5.8 Deputation from structures cannot be listened to unless they have been exhausted by below structures and protocol followed.

## **7.6 Reports**

- 7.6.1 All communications of the party shall be done through the Office of the General Secretary which is the Head of Administration, even if a Report was brought to the attention of the "President" or Chairperson, such report should be forwarded to the Secretariat unless it is something that has to do with the Office of the President/Presidency as espoused by the Constitution.
- 7.6.2 The Chairperson must allow debate on any report submitted to the CNC or a committee of the Party, in compliance with Chapter 10, at the meeting at which that report is submitted and if the debate is incomplete or does not take place for any reason whatsoever, then the debate in respect of that report shall be held, at the next meeting.

## **7.7 Motions**

- 7.7.1 No subject shall be brought before the CNC or by a Member of the CNC except by way of notice of motion.
- 7.7.2 A notice of motion must –
- (a) be in writing; and
  - (b) be signed by the Member of the CNC submitting it and by another Member of the CNC acting as seconder; and
  - (c) refer to one matter only.
- 7.7.3 A notice of motion shall be lodged with the General Secretary before 12h00 seven calendar days prior to the next meeting, failing which the notice will be considered at the next ensuing meeting.
- 7.7.4 The General Secretary must–
- (a) date and number each notice of motion;
  - (b) enter each notice of motion lodged in a register, which shall not be open to the general

Membership and public for inspection as it would not have been debated and resolved by the CNC. It is only after the motion has been debated resolved and or rejected by CNC that it can be communicated to structures, general membership and the general public.

- (c) be open to inspection by any Member of the CNC and the public; and must
  - (d) enter each notice of motion on the agenda in the order received.
- 7.7.5 The Chairperson shall–
- (a) read out the number of every motion and the name of the mover and seconder;
  - (b) ascertain which motions are unopposed and these shall be passed without debate; and
  - (c) call the movers of the opposed motions in the order they appear on the agenda.
- 7.7.6 A Member of the CNC submitting a motion shall move such motion and shall have the right of reply.
- 7.7.7 A motion shall lapse if the Member of the CNC and seconder who submitted it is not present at the meeting when such motion is being debated.
- 7.7.8 A Member of the CNC shall be allowed not more than two notices of motion on the same agenda.
- 7.7.9 The Chairperson must not reject a motion received by him or her in terms of these rules.

## **7.8 Supply of information to Members**

- 7.8.1 No Member of the CNC shall communicate any decisions to any Member, structure or entity until such time that such decisions are made available in writing by the General Secretary

## **7.9 General matters of an urgent nature**

- 7.9.1 General items of an urgent nature may be placed on an agenda by the General Secretary and or by any member of the CNC through the General Secretary's Office with the prior consent of the Chairperson, which consent shall not be unreasonably withheld.



7.9.2 Prior to adoption, Members of the CNC must be afforded reasonable time to peruse and consider any report or official documents.

## **7.10 Interpretation**

7.10.1 If a majority of Members of the CNC present so resolve, an interpreter may be used in meetings of the CNC and committees of the Party.

## **CHAPTER 8: VOTING**

### **8.1 Decisions by voting**

- 8.1.1 A quorum must be present in line with section 11.2.2 of the constitution in order for a vote to be taken.
- 8.1.2 All other questions before the CNC shall be decided by a majority of the votes cast by the Members of the CNC or a Committee of the CNC present.
- 8.1.3 If on any matter there is an equality of votes, the Chairperson may exercise a casting vote in addition to a deliberative vote as a CNC Member, provided that the Chairperson shall not exercise a casting vote during the election of any office bearer.

### **8.2 Method of voting**

- 8.2.1 Voting shall be by secret ballot in terms of section 11.2.1 of the Constitution and shall be conducted either manually or electronically unless the CNC or a Committee of the CNC by resolution of a majority of the Members of the CNC present resolves by secret ballot conducted manually or electronically to proceed with voting by the show of hands.
- 8.2.2 During the taking of a vote no Member of the CNC or a Committee of the CNC may leave the CNC committee room.
- 8.2.3 The General Secretary or her/his nominee, shall count the votes cast and shall record the result of voting, but the Chairperson shall announce the result.
- 8.2.4 Voting by means of a Round Robin Resolution; or e-mail and / or text messaging (SMS); or by any other electronic means is allowed in terms of

section 11.2.4 of the constitution and in line with the procedures developed by the CNC and agreed upon for use by the participants of that meeting.

### **8.3 Dissenting votes**

8.3.1 A Member of the CNC may request that his dissenting vote be recorded as evidence of how he or she voted on the motion.

## **CHAPTER 9: REVOCATION OF CNC AND COMMITTEE RESOLUTIONS**

### **9.1 Revocation of CNC or Committee Resolutions**

- 9.1.1 Approval to rescind or alter a resolution of CNC may not be delegated to any person or committee.
- 9.1.2 Prior notice of an intention to move a motion for rescinding or alteration of a CNC resolution must be given.
- 9.1.3 Any revocation or alteration of a resolution of a committee of the CNC must be approved by a majority of the number of the members of that committee.

## **CHAPTER 10: DEBATE**

### **10.1 Opportunity to speak**

- 10.1.1A Member of the CNC or a Committee of the CNC may only speak when so directed by the Chairperson.
- 10.1.2A Member of the CNC or a Committee of the CNC may indicate a desire to speak by raising his hand and awaiting the direction of the Chairperson, which direction must not be withheld.
- 10.1.3 Members of the CNC or a Committee of the CNC shall stand when speaking and shall direct their address to the Chairperson.



## 10.2 Relevance

10.2.1 Every speaker must restrict him or herself strictly to the matter under consideration.

## 10.3 Length of speeches

10.3.1 Other than the tabling of reports or presentations, no speech shall exceed three minutes in length without the consent of the Chairperson.

## 10.4 Members of the CNC to speak only once

10.4.1 A Member of the CNC may not speak more than once on any item or proposal unless permission to do so is granted by the Chairperson provided that the mover of the motion may speak to the motion, shall have the right of reply and the reply shall be confined to answering previous speakers and shall not introduce any new matter into the debate.

## 10.5 Precedence of the Chairperson

10.5.1 Whenever the Chairperson rises during a debate, any Member of the CNC or a Committee of the CNC then speaking or offering to speak must seat himself and the Member of the CNC or a Committee of the CNC must be silent, so that the Chairperson may be heard without interruption.

## 10.6 Points of order

10.6.1 Any Member of the CNC or a Committee of the CNC may raise a point of order at any time by standing to draw the attention of the Chairperson.

10.6.2 The point of order takes precedence over everything else in the meeting and the Chairperson must grant immediate hearing to the Member of the CNC raising the point of order and rule accordingly.

10.6.3 The ruling of the Chairperson on a point of order shall be final and shall not be open to discussion.

## 10.7 Explanation

10.7.1 Any Member of the CNC or a Committee of the CNC may speak in explanation, provided that such explanation is confined to some material part of the discussion, which may have been misunderstood.

## CHAPTER 11: CONDUCT

### 11.1 General Conduct

11.1.1 Members of the CNC or a Committee of the CNC and officials must during any CNC or a Committee of the CNC meeting—

- (a) conduct the business in the highest decorum and integrity that the occasion deserves;
- (b) must, at all times adhere to the principles contained in the code of conduct and these rules and orders;
- (c) must at all times adhere to the rule of law and policies of the Congress of the People;
- (d) must be dressed appropriately for the dignity of the meeting;
- (e) must not use offensive or objectionable language;
- (f) switch of cellular phones.
- (g) shall not use laptop during any meeting;
- (h) bring a firearm or any dangerous weapon into a meeting of CNC or any of its committees.

### 11.2 Misconduct

11.2.1 The Chairperson may order a Member of the CNC or a Committee of the CNC to withdraw and apologise for any word, statement, opinion or gesture made by that Member.

11.2.2 If a Member or Members of the CNC or a Committee of the CNC behave improperly during a meeting of CNC or any of its committees, the Chairperson shall direct the Member/s of the CNC

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or a Committee of the CNC to conduct himself or themselves properly and, if speaking, to stop speaking and resume his/her seat or their seats.

11.2.3 In the event of persistent disregard of the directions of the Chairperson, the Chairperson shall direct such Member/s of the CNC to retire from the meeting and remove her/himself or themselves from the place of meeting until the item under discussion has been finalized.

11.2.4 In the event that any misconduct by a Member/s of the CNC or a Committee of the CNC prejudices the proceedings of the CNC or committee the Chairperson must adjourn the meeting and any such misconduct by a Member/s of the CNC must be dealt with in terms of these standing rules and orders and the Code of Conduct.

11.2.5 Any Member of the CNC who refuses to leave a meeting of the CNC or a committee of the CNC when directed to do so by the Chairperson of a meeting in terms of any rule in these rules and orders, may be subjected to disciplinary action.

## **CHAPTER 12: COMMITTEES**

### **12.1 Rules of the committees**

12.1.1 The CNC may by resolution of a majority of Members of the CNC establish a special committee to be known as the Rules Committee to investigate and make findings on any alleged breaches of the Code of Conduct, including sanctions for non-attendance at meetings and to make recommendations regarding any other matter concerning the Rules and Orders.

12.1.2 The Rules Committee shall consist of the Secretariat and 3 members of the CNC.

### **12.2 Own rules**

12.2.1 Every committee of the CNC shall determine its own procedures subject to directions from the CNC and these standing rules and orders.

12.2.2 Chapter 10 of these rules and orders may be relaxed by a Chairperson of a committee to

accommodate interactive and effective participation, provided that the Chairperson may, at his/her discretion, apply the provisions of any rule contained in chapter 10.

## **12.3 The Chairperson**

12.3.1 The Chairperson of a committee shall–

(a) *preside at every meeting of the committee at which he or she is present; and*

(b) *be entitled to vote in the first instance and in the case of an equality of votes in addition to his deliberative vote, shall give a second or casting vote.*

(1) In his absence, the acting or deputy Chairperson shall have the same powers and rights of voting as those possessed by the Chairperson.

## **CHAPTER 13: PECUNIARY INTEREST**

### **13.1 Declaration of pecuniary interest**

13.1.1 A Member of the CNC or a Committee of the CNC must disclose to any committee of which that Member of the CNC is a member, any direct or indirect personal or private business interest that that member, or any spouse, partner or business associate of that Member of the CNC may have in any matter before the CNC or committee.

13.1.2 The Member of the CNC making a declaration must withdraw from the proceedings of the CNC or a Committee of the CNC unless the CNC or committee decides that the Member's direct or indirect interest in that matter is trivial or irrelevant.

13.1.3 A Member of the CNC or a Committee of the CNC who, or whose spouse, partner, business associate or close family member, acquired or stands to acquire any direct benefit from a contract concluded with the Congress of the People, must disclose full particulars of the benefit of which the Member of the CNC or a Committee



of the CNC is aware at the first meeting of the CNC at which it is possible for the Member to make disclosure.

(e) the reasons for the suspension of the rule are recorded in the minutes of the meeting.

## **CHAPTER 14: BREACH AND SANCTIONS**

### **14.1 Breach**

14.1.1 Any Member of the CNC or a Committee of the CNC who fails or refuses to obey any of these rules and orders, or any resolution, may be guilty of a breach of the Code of Conduct.

### **14.2 Sanction**

14.2.1 Where it is alleged that a Member of the CNC or a Committee of the CNC has breached these rules, such Member/s will be subjected to Disciplinary action

## **CHAPTER 15: GENERAL PROVISIONS**

### **15.1 Suspension of a rule or order**

15.1.1 In instances of urgency or where a CNC or a Committee of the CNC considers that adherence to a rule would be unreasonable and would prejudice the effectiveness of a meeting, then the CNC or a Committee of the CNC may with the approval of the majority of the number of Members of the CNC or a Committee of the CNC, for the duration of that meeting, temporarily relax the provisions of a rule, provided that:

- (a) Such relaxation must not be in contravention of any Policy of the Congress of the People;
- (b) No rule may be relaxed when the removal of any Member is before the CNC.
- (c) The suspension or relaxation of the rule relates to an item on the agenda for the meeting of the CNC or committee; and
- (d) Item 11 must not be suspended;

### **15.2 Adoption as policy**

15.2.1 These rules and orders must be adopted as a Policy of the Congress of the People.

### **15.3 Short title and commencement**

15.3.1 These standing rules and orders shall be called COPE Standing Rules and Orders, 2010 and shall come into operation upon promulgation.