

NATIONAL TAXI ALLIANCE CONSTITUTION

1. NAME

- 1.1 The name of the organization is the National Taxi Alliance, herein after referred to as the NTA,
- 1.2 Its shortened name will be NTA (hereinafter referred to as the organization).
- 1.3 Body corporate: The organization shall:-
 - 1.3.1 Exist in its own right, separately from its members
 - 1.3.2 Continue to exist even when its membership changes and there are different office bearers
 - 1.3.3 Be able to own and sell any property and other possessions as decided from time to time
 - 1.3.4 Be able to sue and be sued and to litigate in its own name

2. AIMS AND OBJECTIVES

The aims and objectives of the National Taxi Alliance which all members must accept are to:-

- 2.1 Advance, promote and protect the interest of its affiliates and that of members of its affiliates, in particular, and the taxi industry in general;
- 2.2 Represent its affiliates at all levels of the government and the private Sector, by lobbying for laws and policies conducive to the growth and development of the taxi industry;
- 2.3 Ensure fair labour practices by all its members, thereby promoting the Interests of all members' employees;
- 2.4 Encourage, promote and improve road safety education, public service And human relations on all the taxi operations, especially the taxi drivers;
- 2.5 Encourage, promote and improve the standard of living and quality of Life of its members;
- 2.6 Contribute to the growth of the country's economy by expanding

Entrepreneurship therefore creating employment opportunities;

- 2.7 Oppose any law, action or policy in government, corporate or any authority impinging or encroaching upon the rights and privileges if its members;
- 2.8 Take all such steps as may be deemed necessary by the NTA to preclude any misconduct on the part of any of the association's members or the Drivers of such members, to report such misconduct to the authorities concerned And to take such further steps regarding the suspension or expulsion of defaulting Members as may be deemed necessary;
- 2.7 Raise funds for the NTA by any legal means and apply such funds for the purpose of furthering these aims and objectives;
- 2.8 Apply funds for the purpose of giving effect to the objectives of the NTA and, to Invest funds in suitable financial institutions and in addition, acquire by purchase, lease, exchange or gift, immovable and movable property;
- 2.9 Abide by a code of conduct and apply disciplinary procedures in respect of transgression of the Code of Conduct and to amend the rules; and the contents hereby.
- 2.10 Promote and advance education and skills development;
- 2.11 Co-operate with other taxi associations and organizations having similar objectives or interests;
- 2.12 Address the current economic imbalance in the transport industry;

3. STRUCTURES

- 3.1 The NTA shall have the following structures:
 - 3.1 Policy and Leadership and General Conference (PLGC)
 - 3.2 Annual General Conference (AGC)
 - 3.4 National Executive Committee (NEC)
 - 3.5 Management and Policy Committee (MPC).
 - 3.6 National Management Committee (NMG)

4. MEMBERSHIP

Membership of the NTA shall comprise of the following:

1. Taxi Mother bodies
2. Provincial Taxi Bodies
3. Regional Taxi Bodies
4. primary Taxi Associations not affiliated to any of the secondary bodies
5. Association registered as business entity in terms of the Company's Act 61 of 1973 as amended from time to time.
6. Provided that all subscribe to the above aims and objectives.

5. APPLICATION FOR MEMBERSHIP

All taxi associations wishing to become members of the NTA shall apply to the General Secretary who shall instruct them to complete a prescribed membership application form annexed here to as **Annexure A**.

Application for membership is open to taxi structures prescribed in clause 5 of this constitution, that:-

1. Subscribe to the preamble, aims and objectives;
2. Conform to the requirements of this Constitution.

Taxi bodies applying for the membership of the NTA must submit their written application to the General Secretary, accompanied by:

1. A copy of their constitution;
2. A copy of their membership register;
3. Minutes of their last Annual General Meeting;
4. A letter of resignation if previously affiliated to another body.

The NTA reserves the right to accept or reject any membership application at its sole discretion.

If the General Secretary is satisfied that the application meets all the entry requirements he/she may recommend that the executive committee admit the applicant.

Upon admission, the applicant shall be required to pay a membership fee within seven working days, which fee shall be determined by the MPC from time to time.

If the executive of the NTA is not satisfied that the applicant meets the requirements and resolves not to admit the applicant, then the applicant may appeal to the next Management and Policy Committee, and the Management and Policy Committee must uphold or reverse the NEC's decision. The decision of the MPC on this matter shall be final.

While enjoying benefit from the Alliance, new applicants shall undergo probation for period not less than Three (3) months, prior being a fully fledged members of the Alliance.

An affiliate that has withdrawn its membership or been expelled from the Alliance may be re-admitted to the Alliance for membership on condition that the national executive committee may be determined, after consultation with the disciplinary tribunal.

Every affiliates must notify the secretary of the national executive committee, in writing of its address and any changes thereof within 7(seven) days from the date of any changes.

6. TERMINATION OF THE MEMBERSHIP

An affiliate may terminate its membership of the NTA by giving three (3) months calendar notice to the General Secretary stating reason for such termination.

Affiliate members of the NTA who deliberately poach members of another affiliate, shall be fined, expelled or suspended after a complaint is received by the General Secretary, and is referred to a tribunal set up for this purpose who will separately deal with it.

The NTA may terminate membership if sufficient grounds and just cause exist for it in terms hereof. In the event of a dispute, resolution as contained herein will be done.

7. MANAGEMENT

7.1 A management committee will manage the organization. The Management committee will be made up of not less than six members. They are the office bearers of the organization as elected/appointed.

7.2 Office bearers will serve for term of office length, but they can stand for re-election for another term in office after that. Depending on what kind of services they give to the organization, they can stand for re-election into office again and again. This is so long as their services are needed and they are ready to give their services;

7.3 If a member of the management committee does not attend three management committee meetings in a row, without having applied for and obtaining leave of absence from the management committee, then the management committee will find a new member to take that person's place;

7.4 The management committee will meet at least once a month . More than half of members need to be at the meeting to make decisions that are allowed to be carried forward. This constitutes a quorum.

7.5 Minutes will be taken at every meeting to record the management committee's decisions. The minutes of each meeting will be given to management committee members at least two weeks before the next meeting. The minutes shall be confirmed as a true record of proceedings, by the next meeting of the management committee, and shall thereafter be signed by the chairperson.

7.6 The organization has the right to form sub-committees. The minutes of each meeting will be given to management committee members at least two weeks before the next meeting. The minutes shall be confirmed as a true record of proceedings, by the next meeting of the management committee, and shall thereafter be signed by the chairperson.

7.7 All members of the organization have to abide by decisions that are taken by the management committee.

7.8 The management committee may take on the power and

Authority that it believes it needs to be able to achieve the objectives that are stated in point number 2 of this constitution. Its activities must abide by the law.

7.9 The management committee has the power and authority to
raise funds or to invite and receive contributions.

7.10 The management committee does, however, have the power to

Buy, hire or exchange for any property that it needs to achieve its objective.

7.11 The management committee has the right to make by-laws for proper management, including procedures for application, approval and termination of the membership.

7.12 Organization will decide on the powers and the functions of office bearers.

7.13 The management committee will decide on the objective and projects from time to time.

8. Purpose Powers and Duties

The Policy and Leadership General Conference (PLGC) must adopt general and specific policies by means of resolutions, which further the aims and objectives of the NTA.

The PLGC shall consider and decide on:-

8.1 Representation of affiliates;

8.2 The agenda of the PLGC

8.3 Receive and consider:

8.4 Secretarial Annual Reports

8.5 Audited financial Reports

8.6 Chairperson's Annual Reports

8.7 Amendments to the NTA Constitution

8.8 Nominations and election of the National Executive committee

8.9 Any motion and resolutions which may have been duly seconded

8.10 Any other matter that may be deemed to be in the best interests of the NTA.

8.11 Resolutions shall be taken by sufficient consensus and shall be subjected to voting after at least one postponement when consensus can not be reached.

9. Changes to the Constitution :-

- 9.1 The constitution can be changed by a resolution. The resolution has to be agreed upon and passed by not less than two thirds of the members who are at the annual general meeting or special general meeting. Members must vote at this meeting to change the constitution;
- 9.2 Two thirds of the members shall be present at a meeting ("the quorum") before a decision to change the constitution is taken. Any annual general meeting may vote upon such a motion, if the details of the changes are set out in the notice referred to in 7.3.
- 9.3 A written notice must go out not less than fourteen (14) days before the meeting at which the changes to the constitution are going to be proposed. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.
- 9.4 No amendments may be made which would have the effect of making the organization cease to exist.

10. DISSOLUTION / WINDING – UP

- 10.1 The organization may close down if at least two-thirds of the members present and voting at a meeting convened for the purpose of considering such matter, are in favour of closing down. The management committee can advise on dissolution / winding up.

11. ANNUAL GENENRAL MEETING

11.1 The annual general meeting must be held once every year, towards the end of the organization's financial year.

11.2. The organization should deal with the following business, amongst others, at its annual general meeting:-

11.2.1 Agree to the items to be discussed on the agenda

11.2.2 Write down who is there and who has sent apologies because they cannot attend.

11.2.3 Read and confirm the previous meeting's minutes with matters arising

11.2.4 President's report

11.2.5 Treasurer's report

11.2.6 Changes to the constitution that members may want to make at the PLG

11.2.7 President, Sa, Treasure, Pro

11.2.8 Close the meeting

12. FINANCE

12.1 An accounting officer also called treasurer shall be appointed at the annual general meeting. His or her duty is to audit and check on the finances of the organization.

12.2 The treasurer's job is to control the day to day finances of the organization. The treasurer shall arrange for all funds to be put into a bank account in the name of the organization. The treasurer must also keep proper records of all the finances.

12.3 Whenever funds are taken out of the bank account, the General Secretary and at least two other members of which the Treasurer is one of the organizations must sign the withdrawal of cheque.

12.4 The financial year of the organization ends on 30 March every year.

13. RIGHTS OF JOINED ACCREDITED AFFILIATES

Affiliates shall enjoy the following rights:-

- 13.1 Membership of the NTA if they are in compliance with the provisions of this Constitution and accredited by the management committee;
- 13.2 Membership benefits as provided for in this Constitution;
- 13.3 To elect and /or be elected to any leadership position of the NTA;
- 13.4 Attend and participate at meetings and conferences of the NTA as per the provisions of this Constitution;
- 13.5 Enjoy schemes and other benefits as they may be negotiated by the NTA on behalf of its members;
- 13.6 Protection against harmful legislation, processes and procedures by government and non-government organs, in line with the aims and objectives of the NTA prescribed in this Constitution.

14. AUTONOMY OF AFFILIATES

14.1 Affiliates shall remain autonomous bodies governed by their own constitution but they must abide by this Constitution and the policies of the NTA and are subjected to same.

14.2 NB! NTA constitution shall be the supreme constitution with overriding powers over all affiliates constitutions.

15. POLICY AND LEADERSHIP GENERAL CONFERENCE (PLGC)

15.1 The Policy and Leadership General Conference shall meet every five (5) years.

15.2 The NEC shall decide on the date and venue of the PLGC

A one month notice of a pending PLGC shall be given to the affiliates

15.3 Purpose Powers and Duties

15.4 The Policy and Leadership General Conference (PLGC) must adopt general and specific policies by means of resolutions, which further the aims and objectives of the NTA.

15.5 The PLGC shall consider and decide on:-

- a. Representation of affiliates.
- b. The agenda of the PLGC.
- c. Receive and consider.
- d. Secretarial Annual Reports.
- e. Audited Financial Reports.
- f. President's Annual Reports.
- g. Amendments to the NTA Constitution.
- h. Nominations and election of the National Executive Committee.
- i. Any motion and resolutions which may have been duly seconded.
- j. Any other matter that may be deemed to be in the best interests of the NTA.

15.6 Resolutions shall be taken by sufficient consensus and shall be subject to voting after at least one postponement when consensus cannot be reached.

15.7 22 a quorum of 51% will be required.

16. NATIONAL EXECUTIVE COMMITTEE COMPOSITIONS

16.1.1 President

16.1.2 Deputy President

16.1.3 General Secretary

16.1.4 Deputy General Secretary

16.1.5 Treasurer

16.1.6 Public Relations Officer

16.1.7 Protocols officer

16.1.8 National Coordinator

16.1.9 Presidents and Chairpersons of Affiliates

16.2 Each affiliate in good standing is entitled to send five (5) delegates from its executive committee and two members for every five thousand proven members.

16.3 Through the General Secretary the PLGC is entitled to request reasonable proof of the size of the membership on which the affiliates have decided the size of their delegation.

16.4 Each affiliate must submit its list of delegates to the General Secretary at least one calendar month before the date of the PLGC.

17. MANAGEMENT AND POLICY MAKING COUNCIL / COMMITTEE

17.1 In addition to the National Executive committee, each structure shall nominate 5(five) members to serve as the Management Council of NTA (Management Committee).

18. MEETINGS OF THE NTA

18.1 The Policy and Leadership General Conference shall meet every four (5) years.

- 18.2 The Management committee shall meet at least 4 times a year.
- 18.3 NEC shall meet at least once a month.
- 18.4 A 30 days notice of meeting pending PLGC sitting shall be given to the Affiliates, followed by the one month reminder circular containing agenda, time, venue and date.
- 18.5 The aims and objectives of the PLGC shall ratify and adopt all resolutions, which are tabled before it at the conference.

It shall consider and decide on:-

- 18.5.1 Policy and Leadership General Conference(PLGC)
- 18.5.2 Management committee MANCO
- 18.5.3 National Executive Committee (NEC)

19. DUTIES AND RESPONSIBILITIES OF THE NATIONAL EXECUTIVE MEMBERS

The roles and responsibilities of the National Executive Committee (NEC) are the following:

- 19.1 To manage, conduct and control the affairs of the Alliance;
- 19.2 To arrange for the holding of periodic meeting and to regulate the proceedings of meetings;
- 19.3 To collect funds from its members and to take action to raise funds;
- 19.4 To keep the accounting records according to the generally accepted accounting practices and to produce financial statements;
- 19.5 To draw up and accept a set of administrative rules consistent with this constitution;
- 19.6 To manage and control its affairs, and to alter or add to such rules and regulations at its discretion;

- 19.7 To appoint attorneys, accountants, and other professional persons to act on behalf of the Alliance. To institutes legal actions against all or any party who may act contrary to the interest of the members of the alliance;
- 19.8 to make policy on matters not provided for in the constitution;
- 19.9 To invest the funds Alliance;
- 19.1 To establish or participate or to undertake and execute any trust of any agency business which may seem directly or indirectly conducive to any of the objectives of the Alliance;
- 19.11 To print and publish any newspaper, periodicals, magazines, books or leaflets considered desirable for the promotion of it's objectives; to sell, manage, lease, mortgage, pledge, alienate, dispose of or otherwise deal with all or any part of the assets of the Alliance;
- 19.12 If possible, to grant loans, donations, bursaries or financial assistance in any form of any purpose directly or indirectly conducive to any part of the objectives of the Alliance and to provide financial assistance to any one or any of its members, employees and their dependants;
- 19.13 To establish support and aid the establishment of any affiliates formed for all or any of the objectives of this Alliance;
- 19.14 The executive committee shall convene an AGM and may hold such additional Special General meeting at such times and such places as it may at its discretion decide;
- 19.15 At the AGM, the executive Committee shall present together with the audited accounts of the Alliance, its report on the activities of the Alliance, it's report on the activities of the Alliance during the previous year;

19.16 A meeting of the Executive Committee shall take place at least once a month, and further meeting may be called by the chairperson at it his/her own discretion from time to time;

19.17 To do all such other lawful thing as are incidental or conducive to the attainment of its objectives;

19.18 To implement a system where operators and drivers are evaluated and graded according to a system approved by the members at an AGM.

20. PRESIDENT

The President presides at all meetings of the executive committee and performs other duties as directed by law. The President shall serve as the Chairman and is authorized to vote on all issues before the executive committee. It shall be the prerogative of the chairman to alter the order of the agenda or move an agenda item to a different position within the course of any meeting, if there is no objection from executive members present:-

20.1 Is responsible for orderly conduct of all executive meetings;

20.2 Calls the meeting to order at the appointed time;

20.3 Enforces the order of meetings;

20.4 Identify person who desire to speak and protects the speaker who has the floor from disturbance or interference;

20.5 Explains what the effect of a motion would be if it is not clear to every member;

20.6 Restrict discussion to the question when a motion is before the executive;

20.7 Puts motions to a vote, stating definitely and clearly the vote and result thereof;

20.8 To preside over meetings of the (NEC, PLGC, AGC and MPC);

21 To conduct the meeting according to this constitution;