

22 To find the minutes of the NEC, PLGC, AGC, AGCC and MPC.

21. DEPUTY PRESIDENTS

Exercise the powers and duties of the Chairperson in his/her absence and any other duties that may be delegated to him/her by the NTA.

22. GENERAL SECRETARY

The duties and responsibilities of the General Secretary are:-

22.1 Office work and administration of the affairs and activities of the NTA;

22.2 To see to the proper record keeping of the organizational documents;

22.3 To ensure that all the minutes of the organization and resolutions are properly documented and kept safe;

22.4 To ensure that the company assets are properly recorded and kept safe;

22.5 Receive and distribute correspondence to the members;

22.6 In conjunction with the Treasure, circulate financial statements, including auditor's reports to the affiliates.

23. DEPUTY GENERAL SECRETARY GENERAL

The Deputy General Secretary is responsible for performing the functions and duties of the General Secretary in his absence or in his ability to perform the whole duties.

24. TREASURER

The functions and duties of the Treasurer are as follows:

- 24.1 The keeping of books and accounts as may be required by the NEC;
- 24.2 The collection of all funds due to the NTA;
- 24.3 The banking of funds received in the name of the NTA;
- 24.4 In conjunction with the General Secretary prepare and circulation of quarterly financial statements and present annual audited financial statements to the NEC, AGC and the PLGC;
- 24.5 Chairing the Finance Committee.
- 24.6 Be part of the Management Committee / Council

25. PUBLIC RELATIONS OFFICER

The duties and functions of the Public Relations Officer are as follows:

- 25.1 To liaise between the NTA, public and all individuals' organizations seeking information about the NTA;
- 25.2 To make media statements on behalf of the NTA
- 25.3 To liaise and co-ordinate charity activities;
- 25.4 To do other duties and responsibilities as may be delegated by the NTA.

26. PROTOCOLS OFFICER

The Protocols Officer is responsible for observing and drafting the Protocols by affiliates and members in the meetings.

27. NATIONAL COORDINATOR

Responsible for the recruitment of new affiliates and ensuring that proper communication between the NTA and affiliates is maintained at all times.

28. POWERS OF THE NATIONAL EXECUTIVE COMMITTEE

The NEC has powers to:-

- 28.1 Take legal action in defense or on behalf of its affiliates;
- 28.2 Enter into contracts with business and other institution in the furtherance of this constitution's aims and objectives.
- 28.3 Members have a 5 year term of office.

29. OVERRIDING POWERS TO THOSE OF THE AFFILIATES

- 29.1 Suspend and cause the executive committee of affiliates or individual executive members of affiliates to be disciplined for transgressing their constitution, committing fraud, perpetuating violence, ignoring outcomes of democratic processes, miscarrying mandates and or neglecting their duties and responsibilities.
- 29.2 Demand that quarterly and or annual financial statements of an affiliate by produce by an affiliate.
- 29.3 To engage employees, agents and brokers to ac for and on behalf of the NTA, its affiliate and their members.
- 29.4 To borrow or raise funds for the purpose of furthering the aims and objectives of this constitution.
- 29.5 To invest funds with the approval of the MPC.
- 29.6 To request for bridging finance from affiliates in times of financial difficulties.
- 28.7 To draft disciplinary and grievances rules and enforce them.
- 29.8 To appoint an administrator to administer the affairs of an affiliate where
- 29.9 The situation warrants such appointment.

29.10 Demand that an affiliate or any person representing such affiliate make available to it, documents i.e. minutes, correspondents, attendance registers, constitution or any information held by an or any person representing an affiliate.

29.11 Demand that an affiliate produce financial statements where a reasonable suspicion or corruption or embezzlement of funds is suspected, and or commission an inquiry or appoint accountants or auditors to produce the required financial statements.

29.12 Legally freeze bank accounts and reopen it of affiliates where the situation warrants such action, and to investigate same

29.13 Appoint standing and hoc committee and regulates the activities of such committee

30. SPECIAL PLGC

The Chairperson shall call a special PLGC if:-

30.1 The NEC passes a resolution calling for the meeting; or

30.2 The Management and Policy Committee should passes a resolution calling for the meeting; or 51% of affiliates in good standing should submit a written request to the General Secretary for the attention of the chairperson calling for the meeting.

30.3 Notice in writing for a special PLGC shall take place within 14 days.

30.4 Should the chairperson fail to call the special PLGC when reasonably expected to do so, the NEC is empowered to nominate a convener of the PLGC.

30.5 The quorum for the PMC meetings shall be at least 51% of the delegates having the right to attend and vote.

30.6 If after 1 hours of the time fixed for the meeting, a quorum is not present, the meeting must stand adjourned to a time and place decided upon by the Chairperson provided that the meeting must be held within one month of the date of the adjourned meeting;

30.7 The General Secretary shall inform affiliates in writing of the adjourned meeting.

30.8 Delegates present at the adjourned meeting shall form a quorum and shall take binding decision on the entire membership.

31. MANAGEMENT AND POLICY COMMITTEE

31.1 The Management and Policy making Committee shall receive and consider policies and resolutions from the members for adoption by the management council.

31.2 It shall supervise the implementation of the resolutions of the NEC.
Receive and approve quarterly financial statements.

31.3 Ratify or reject decisions of the NEC, or those of committees and sub-committees appointed by the NEC.

31.4 The Management and Policy Making Committee shall make a decision on who among the elected NEC members shall be Office Bearers and their remuneration, Office Bearers may not exclude the Chairperson and General Secretary.

31.5 The General Secretary shall send written notices of an MPC meeting to the affiliates, 7 days in advance, and the notices shall include the agenda of the meeting.

If after 1 hour of the time fixed for the meeting, a quorum is not present, the meeting must be adjourned to seven days later.

The General Secretary shall send written notices of the adjourned meeting to the affiliates.

The members present at the adjourned meeting form a quorum.

32. Management Policy Committee (MPC) consists of:

The National Executive Committee (NEC)

Five(5) members from each affiliate in good standing

33. ANNUAL GENERAL CONFERENCE (AGC)

The business of the AGC is to:

33.1 Consider and approve minutes of the previous AGC

33.2 Receive and consider the Secretarial Annual Report

33.3 Receive and consider the Chairperson's Annual Report

33.4 Receive and consider Audited Financial Statements

33.5 Confirm leadership of the NTA

33.6 The AGC has power to pass a motion of no confidence to the entire National Executive Committee, part of it or an individual within.

33.7 In the event of a motion of no confidence being passed, the AGC will elect members to act in the positions left vacant for the remainder of the term until the next PLGC.

3.3.8 Evaluate the performance of the National Executive Committee, individually and collectively.

- 3.3.9 Each affiliate in good standing is represented by 5 members of the AGC.
- 3.3.10 The General Secretary must send notices of the AGC to the affiliates at least 30 days in advance.
- 3.3.11 Affiliates must submit the names of their delegates to the General Secretary at least 14 days in advance.
- 3.3.12 In after Ninety minutes of the time fixed for the meeting, a quorum is not present; the meeting must stand adjourned for 30 days from the date of the failed meeting.
- 3.3.13 The General Secretary must send written notices of the adjourned meeting to affiliates.

34. ELECTION OF THE NATIONAL EXECUTIVE COMMITTEE

The PLGC elects members from affiliates to the following National Executive Committee Positions:-

- 34.1 President
- 34.2 Deputy President
- 34.3 General Secretary
- 34.4 Treasurer
- 34.5 Public Relations Officer
- 34.6. Protocols Officer
- 34.7 National Coordinator
- 34.8 Presidents or Chairperson of affiliates are members of the Executive Committee(NEC)
- 34.9 Only members of the affiliates in good standing may stand for the elections to the National Executive Committee (NEC)
- 34.10 Nominations for NEC positions must be submitted to an independent body appointed by the Management Committee for the purpose at least 30 days before the date of the elections.

34.11 Nominations must be duly seconded and voting must be by secret ballot. If a candidate nominated for a position is unopposed, then no ballot is necessary and that candidate must be declared duly elected.

35. TERMS OF OFFICE

35.1 The National Executive Committee members shall hold office for 5 years and thereafter until the next election.

35.2 Resolution to be moved at a PLGC shall be submitted in writing and delivered to the General Secretary for circulation to the affiliates not less than 30 days before the PLGC is held, provided that the PLGC shall have the right to consider special resolution.

36. TERMINATION

A member of the National Executive Committee will cease to hold office in the event of :-

36.1 Ceasing to be a member of an affiliate;

36.2 his/her suspension;

36.3 Failing to attend 3 consecutive meeting of the National Executive Committee without any acceptable apologies;

36.4 Resigning after giving a one month calendar notice;

36.5. On being convicted of a criminal offence and of such nature that the image of the alliance may be jeopardized or tarnished.

37. FINANCIAL YEAR

37.1 The NTA financial year ends on the 31 March.

38. FINANCIAL COMMITTEE

Finance Committee shall consist of the:

38.1 Treasurer

38.2 General Secretary

38.3 Deputy President

38.4 One delegate from each affiliate in good standing.

38.5 The Finance Committee is chaired by the Treasurer

38.6 The Finance committee reports to the National Executive National Executive Committee, and may be summoned to report to the MPC, AGC and PLG Duties and responsibilities of the Finance Committee are to:

38.7 Assist the Treasure with the preparation of the NTA budget.

38.8 Assist with the preparation of quarterly financial statements to be presented to the NEC and Management and Policy Committee.

38.9 Assist the Treasurer with the preparation and submission of the financials to the NTA auditors and the presentation of audited financial statements to every Annual General Conference and to the Policy and Leadership General Conference every fifth year.

39. Sub-committees

39.1 Sub-committee shall be appointed from members in good standing appointed by the right to dissolve or suspend a sub-committee or its member, depending on the circumstances and always putting the interest of the association first. Sub-committees shall compromise of the following:

39.2 The NEC shall reserve a right to solve or suspend a committee, subcommittee of individual committee members depending on the

circumstance and always putting the interest of the association first. Subcommittees shall compromise of the following:

39.2.1 Standing Subcommittees and Project Subcommittees

39.2.2 Disciplinary grievances ; training; and other committees as determined by the Executive Committee, all “Defining the terms of reference”

40. Disciplinary Committee

40.1 Ensure observance of the association rules and regulations by disciplining those that contravene these rules.

40.2 Report extreme cases to the executive committee for the latter's recommendations or action.

40.3 Project sub-committee to operate similar to “Ad hoc” committee which are normally constituted to address specific problems, and are immediately disbanded once the given assignment have been completed.

41. Auditors

41.1 The executive committee shall propose the names of an auditing firm which shall be appointed auditor(s) , the Auditing firm shall not have direct interests in the minibus take industry.

committee members of any association committee.

42. Meetings

42.1 The conduct at meetings of the NTA shall at all times rest with the chairperson whose decision relating to matters of procedure shall be final.

43. Signatories

43.1 The Treasurer, General Secretary, President shall sign all the bank accounts of the NTA.

44. Indemnity

44.1 NEC members, Committee Members and NTA officials shall indemnified by the NTA if sued for an act of omission or any unintended wrong doing while genuinely doing duties for the NTA, or its affiliates in terms of the provisions of this constitution and any other resolutions that may be passed by structures of the NTA.

44.2 The NTA shall not indemnify any of its members, Committee members and officials charges for fraud or corruption.

45. Expulsion and Suspension

45.1 The NEC may suspend an affiliate for transgressing the rules and regulations of the NTA in this constitution, pending a disciplinary hearing.

45.2 A suspended affiliate shall during the period of suspension lose all rights indicated in the Constitution.

45.3 A suspend affiliate pending a disciplinary hearing shall be brought before disciplinary hearing not later than 60 days from the date of the suspension.

45.4 In the event of a suspended affiliate not being brought before a hearing for the 60 days suspension shall cease at 12:00 midnight on the 60th day of the suspension and the NEC may not re-suspend the affiliate for the same offence.

45.5 An affiliate found guilty and expelled by a disciplinary hearing shall reserve a right to appeal the expulsion within 21 days of the expulsion verdict.

45.6 Pending the appeal hearing the expelled affiliate shall return its right and obligations prescribed in this constitution,

45.7 Permanently expelled affiliates shall forfeit their rights in the NTA assets.

46. Disaffiliation

46.1 An affiliate may disaffiliate after giving a three months notice to the NEC and having settled all its debts to the NTA.

47. Dissolution

47.1 The NTA may be dissolved by a PLGC, where 75% members present vote in favour of a seconded dissolution motion.

47.2 If the alliance is unable for any reason to continue its function.

47.3 Those members deciding to revive the alliance after its dissolution may do so, after the disposal of all assets of the alliance.

48. Disposal of Assets

48.1 If resolution for winding-up of the Alliance has been passed as already provided above, or the Alliance has become dormant and is unable to fulfill its obligations, the following provisions shall apply.

48.2 The last elected chairperson of the Alliance executive committee Shall prepare, sign and-or dispatch to the appointed liquidator all the necessary and relevant documents for the winding-up of the Alliance.

48.3 The liquidator shall be appointed by the national executive committee to Carry out the winding-up and such a liquidator shall not be a member of the Alliance or any taxi body.

48.4 After payment of all debts in accordance with prescribed of this law and common procedure of this winding-up, the remaining funds shall be distributed by the liquidator amongst the affiliates of the Alliance who were in good standing as at the date of dissolution and each affiliate be awarded a share proportional to subscriptions actually paid by him/her in respect twelve (12) months immediately preceding the said date.

59. GRIEVANCE PROCEDURE

49.1 Definition of a grievance is any dissatisfaction or feeling of having bear wronged on the part of affiliate structure, its members and employees regarding membership and matters pertaining to the duties, action and participation of an affiliated structure, members, and employees.

49.2 The primary objective of the grievance procedure is to enable the affiliated structure or group of the members and a member of the public Community to raise and cause an adjustment of a matter which he/she may fee aggrieved about. The basic principle underlying the grievance procedure is that all bodies intend to equitably resolve the grievance/disputes at the earliest possible stage.

50. FUNCTIONS OF THE ADJUDICATOR

50.1 To prevent and avoid conflict

50.2 Settle dispute rapidly

50.3 Protects and recognize the rights of the affiliates and its members

50.4 Introduce a mechanism whereby affiliated structures and their members may attain a fair hearing against a conduct or practice that may appear unmerited.

50.5 The grievance procedure further provides for a formal framework for fair and equitable dispute, complains and grievance solution.

51. GRIEVANCE PROCEDURES WITHIN THE ALLIANCE

51.1 Affiliated structures and members should complete a grievance for their grievance, and submit it to the Grievance Committee.

51.2 The completed and signed form must be submitted to the above mentioned committee within a period of 30 days from the date the grievance or dispute arose.

51.3 The Chairperson of the grievance Committee must prepare a report on the proceeding of the Grievance Committee. The report must contain the decision or award of the grievance committee and the rationale thereof.

51.4 If the aggrieved party is not satisfied with the decision of the grievance committee, such party must notify the Chairperson of the grievance Committee within 15 days upon the receipt of such decision.

51.5 Where the aggrieved party is a traveling public, he/she must submit such grievance to the Executive Committee of the NTA, which shall deal with such grievance in accordance with the grievance procedure applicable to the NTA, Affiliates and its members as well as the employees.

52. CONFLICT RESOLUTION

- 52.1 If a conflict arises between the affiliates such conflict shall be referred to the grievance Committee of the NTA in writing within 30 working days.
- 52.2 The Chairperson of the Grievance Committee must within 30 days after the conflict was reported, convene a meeting between parties concerned to attempt to resolve the conflict.
- 52.3 If the conflict remains unresolved the Chairperson of the Grievance Committee must refer the matter together with a report or certificate to that effect, to the National Executive Committee within 10 days after the hearing was held.
- 52.4 The National Executive Committee must decide whether to refer the matter to an independent mediator, who shall deal with the matter within 10 days from the date the matter was referred.
- 52.5 The National Executive Committee of the NTA shall decide the cost of the mediator.

53. ARBITRATION

If a conflict remains unresolved by the mediator the parties must refer the matter for arbitration in terms of the arbitration act of the day.

THUS DONE AND SIGNED AT _____ ON THIS _____ DAY
OF _____ 2015.

The Chairman

Deputy Chairman

General Secretary

Treasurer

Deputy General Secretary

Public Relations Officer

National Co-coordinator

Executive Member

Executive Member

Executive Member

Protocol Officer

Executive Member

Executive Member

Executive Member

Executive Member

Executive Member