

# **The Constitution of the Republican Party of Namibia**

(As approved by Congress on 18-09-2004)

## **Article 1. NAME**

The name of the Party shall be:

THE REPUBLICAN PARTY OF NAMIBIA (hereinafter referred to as “the Party”)

## **Article 2. FOUNDING STATEMENT**

The Republican Party acknowledges God, the Trinity, as the sovereign creator of the universe, who has entrusted to humanity the right and responsibility to rule over the affairs of the world.

## **Article 3. PROGRAM OF PRINCIPLES**

The Republican Party believes that Namibia must be a nation in submission to Almighty God.

The Republican Party believes in a constitutional state that promotes Christian moral values and as such rejects the concept of Namibia as a secular state.

The Republican Party will strive to mobilise all Namibian citizens, regardless of race and ethnic origin, bound by common democratic values, to exercise their fundamental right of participation in all governmental institutions and processes in order to:

uphold the Constitution of the Republic of Namibia.

guard against any derogation or suspension of the fundamental rights and freedoms as provided for in Chapter 3 of the Constitution with special reference to: the right to life; personal liberty; respect for human dignity; equality before the law; protection against arbitrary arrest and detention; a fair trial; privacy; equal rights for men and women; children’s rights; property rights; right to participate in political activity; the right to culture, language, tradition or religion and education; freedom of speech and press; freedom of thought, conscience and belief; freedom of religion; freedom of residence, association, movement and assembly; the right to withhold labour.

strive tirelessly towards the achievement of freedom and equality and the eradication of all forms of corruption, suppression, unfair preference and nepotism.

promote improved human relations and national reconciliation.

secure peace, security and stability by means of social, economic and human development.

#### **Article 4: AIMS AND OBJECTIVES**

The Republican Party is committed to raise a new generation of God-fearing leaders of integrity, dedicated to serving the nation.

The Republican Party will strive to uphold and promote the Principles as set out in Art. 3 and the Party's Policy as determined by Congress.

#### **Article 5: COMPOSITION OF THE PARTY**

The Party shall function by means of

- 5.1 The President
- 5.2 The Executive Committee
- 5.3 Congress
- 5.4 Regional Committees
- 5.5 Women's Council
- 5.6 Youth Council
- 5.7 Branch Committees
- 5.8 Members

#### **Article 6: POWERS OF THE EXECUTIVE COMMITTEE, REGIONAL COMMITTEES AND BRANCH COMMITTEES**

Each of the Executive Committee, Regional Committees and Branch Committees may institute or defend legal action in its own name, may acquire, dispose of, alienate, rent, lease or mortgage moveable and immovable property on condition that written approval for any of the above-mentioned actions first be obtained from the Executive Committee.

No legal action can be instituted by Regional Committees and Branch Committees without prior approval by the Executive Committee.

The Executive Committee, Regional Committees and Branch Committees have the right to raise funds.

#### **Article 7: MEMBERSHIP**

A Person can become a member of the Party if he / she

- 5.1 is permanently residing in Namibia.
- 5.2 is over the age of 16.
- 5.3 subscribes to the Aims, Objectives and Policy of the Party.
- 5.4 is not a member of any other political party.
- 5.5 is a member of a non-political organisation with aims and objectives not contradictory to that of the Party.
- 5.6 has been approved as a member by a Branch Committee, subject to ratification by the Executive Committee.

## **Article 8: CODE OF CONDUCT**

The code of conduct will be compiled by the Chief Executive Officer and submitted to the Executive Committee for approval.

## **Article 9: PROOF OF MEMBERSHIP**

A membership card signed by an office bearer of a Branch will be considered sufficient proof of membership.

## **Article 10: MEMBERSHIP LISTS**

Each Branch shall keep and regularly update a complete list of names and addresses of its members and shall provide the Executive Administrative Secretary of the Party with a copy of such list at least two months prior to Congress.

## **Article 11: PLACE OF MEMBERSHIP**

11.1 A person becomes a member of a Branch in the Constituency where he / she resides.

11.2 Any member can attain membership of a Branch in another Constituency with the approval of that Branch.

## **Article 12: TERMINATION OF MEMBERSHIP**

12.1 Membership is terminated when

12.1.1 the Party receives a written resignation from the member.

12.1.2 the Branch Committee, Regional Committee, Executive Committee or Congress resolves to terminate the membership of a member.

12.2 Any member who's membership was terminated by a Branch Committee and/or a Regional Committee, will have the right to appeal to the Executive Committee who will have the right to sustain such termination and/or to refer such to the Congress in both instances the decision will be final.

## **Article 13: BRANCHES**

### **13.1 ESTABLISHMENT**

13.1.1 One or more Branches may be established in each Constituency.

13.1.2 A meeting for the establishment of a Branch will be convened and chaired by a member of the Secretariat or his / her nominee in consultation with the Regional Committee.

13.1.3 A Branch shall consist of at least 15 members. A Branch with less than 15 members may, however, be approved by the Executive Committee.

### **13.2 APPROVAL OF BRANCHES**

Newly established Branches must be approved by the Executive Committee, after consultation with the Regional Committee, should such a Regional Committee exist.

### **13.3 CESSATION OF BRANCHES**

A Branch will cease to exist when

- 13.3.1 it fails to function in terms of the provision in the Party's Constitution.
- 13.3.2 it is dissolved by the Executive Committee.

### **13.4 FUNCTIONING OF BRANCHES**

Responsibilities and procedures of Branches will be prescribed by Regulations made by the Executive Committee.

### **13.5 COMPOSITION OF BRANCH COMMITTEES**

- 13.5.1 A Branch Committee will consist of at least 5 members with a Chairperson, Vice- Chairman, Administrative Secretary and Secretary for Finance and at least two additional members.
- 13.5.2 A quorum for a meeting of a Branch Committee meeting shall be 50% plus one.
- 13.5.3 Branch Committees will be elected annually at a date prescribed by the Executive Committee.

### **13.6 DUTIES AND POWERS OF BRANCH COMMITTEES**

A Branch Committee shall

- 13.6.1 canvass and enrol new members for the Party.
- 13.6.2 be responsible for the organisation of the Party within the area of the particular Branch.
- 13.6.3 report annually on its activities to the Regional Committee and the Party Secretariat.
- 13.6.4 enforce Party discipline within the Branch.
- 13.6.5 execute additional duties and responsibilities as prescribed by the Executive Committee by way of Regulations.

## **Article 14: REGIONAL COMMITTEES**

A Regional Committee will be established for each Region.

## **14.1 COMPOSITION OF REGIONAL COMMITTEES**

14.1.1 The Chairperson, Vice- Chairman, Administrative Secretary and Secretary for Finance of each Branch in the Region represent their Branch in the Regional Committee together with elected members of Regional Councils and Local Authorities situated in that Region.

14.1.2 The Regional Committee annually elects from among its members a Chairman, Vice-Chairman, Secretary and at least two additional members.

14.1.3 A quorum of the Regional Committee shall be 50% plus one.

## **14.2 DUTIES AND POWERS**

A Regional Committee shall

14.2.1 coordinate and organise activities of the Branches in its Constituency

14.2.2 report annually on its activities to the Executive Committee.

14.2.3 enforce Party discipline within the Branch.

14.2.4 execute additional duties and responsibilities as prescribed by the Executive Committee by way of Regulations.

14.2.5 shall further the interests of the Party and promote its Aims and Objectives.

## **Article 15: EXECUTIVE COMMITTEE**

### **15.1 COMPOSITION**

15.1.1 The President of the Party who will act as Chairman of the Executive Committee

15.1.2 Vice- President

15.1.3 Chairperson

15.1.4 Vice- Chairman

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15.1.5 Secretary-General

15.1.6 Chief Executive Officer

15.1.7 Executive Administrative Secretary

15.1.8 Secretary for Finance

15.1.9 One representative of each Regional Committee

15.1.10 Members of the National Assembly

15.1.11 Members of Regional Councils

15.1.12 Members of Local Authorities

15.1.13 One representative of the Women's Council

15.1.14 One representative of the Youth Council

15.1.15 Chairpersons of Specialist Committees.

### **15.2 MEETINGS**

The Executive Committee shall meet

15.2.1 at least three times per year

15.2.2 when requested by the President

- 15.2.3 whenever at least eight members of the Executive Committee request a meeting.
- 15.2.4 Chairpersons of Specialist Committees shall have no voting powers.

### **15.3 POWERS, DUTIES AND RESPONSIBILITIES OF THE EXECUTIVE COMMITTEE**

The Executive Committee:

- 15.3.1 acts on behalf of Congress in the interest of the Party, while Congress is not in session.
- 15.3.2 executes decisions by Congress.
- 15.3.3 appoints office bearers to be ratified at the next session of Congress.
- 15.3.4 determine dates for Congress.
- 15.3.5 finalizes the Agenda for Congress.
- 15.3.6 considers and includes points for discussion on the agenda for Congress.
- 15.3.7 Can forward proposals to Congress.
- 15.3.8 Is responsible to table the annual Report to Congress.
- 15.3.9 Is responsible to publish and distribute the minutes of each Congress.
- 15.3.10 Is responsible to supervise and control subordinate councils and committees.
- 15.3.11 may expel party members in terms of Article 12 and will consider appeals by members expelled by Branches and Regional Committees.

## **Article 16: MANAGEMENT COMMITTEE**

### **16.1 COMPOSITION**

- 16.1.1 The President
- 16.1.2 The Vice-President
- 16.1.3 Chairperson
- 16.1.4 Vice- Chairman
- 16.1.5 Secretary-General
- 16.1.6 The Chief Executive Officer
- 16.1.7 Executive Administrative Secretary
- 16.1.8 Secretary for Finance

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### **16.2 MEETINGS**

- 16.2.1 The President shall call meetings of the Management Committee as often as he/she deems necessary.
- 16.2.2 A quorum of the Management Committee will be 50% of its members plus one.

### **16.3 POWERS, DUTIES AND RESPONSIBILITIES**

The Management Committee shall, under the chairmanship of the President execute such duties and functions as instructed by the Executive Committee or the President.

### **Article 17: YOUTH COUNCIL**

- 17.1 The Executive Committee of the Youth Council will consist of at least 5 members who will be elected at an annual Youth Conference.
- 17.2 The Youth Council will elect from its members a Secretary-General, Administrative Secretary and Secretary for Finance and two additional members.
- 17.3 Each Branch is entitled to nominate two delegates to the Youth Conference.
- 17.4 The Youth Council will represent the youth of the Republican Party of Namibia at the Party's annual Congress.
- 17.5 In the event when a Youth Conference could not be held, the Executive Committee will be elected at the Party Congress by Youth Council members present at the Party Congress.

### **Article 18 WOMEN'S COUNCIL**

- 18.1 The Executive Committee of the Women's Council will consist of at least 5 members who will be elected at an annual Women's Conference.
- 18.2 The Executive Committee of the Women's Council will elect from its members a Secretary-General, Administrative Secretary and Secretary for Finance and two additional members.
- 18.3 Each Branch is entitled to nominate two delegates to the Women's Conference.
- 18.4 In the event when a Women's Conference could not be held, the Executive Committee will be elected at the Party Congress by Women's Council members present at the Party Congress.
- 18.5 The Women's Council will represent the women of the Republican Party of Namibia at the Party's annual Congress.

### **Article 19: AD HOC COMMITTEES**

- 19.1 The Executive and Management Committees can appoint Ad Hoc Committees to execute specific tasks and will determine the composition of such Committees.
- 19.2 The President and Chief Executive Officer will serve ex officio on such Committees.

### **Article 20: FINANCES**

The Executive Committee is responsible to exert proper control over the Party's financial administration, income and expenditure.

## **Article 21: PERSONNEL**

The Management Committee will appoint members of the Secretariat as deemed necessary for the proper execution of all functions of the Party. Appointments must be ratified by the Executive Committee.

## **Article 22: JUDICIAL COMMISSION**

- 22.1 Congress shall annually appoint the Chairperson of the Judicial Commission. The chairperson must be a qualified legal practitioner and will be responsible to appoint three members of which at least two should also be qualified legal practitioners. All appointments must be ratified by the Executive Committee.
- 22.2 The Executive Committee may refer any dispute, which might arise from within the Party to the Commission for investigation, consideration and recommendation to the Executive Committee.
- 22.3 Three members shall form a quorum.
- 22.4 The Judicial Commission determines its own procedures and regulations.
- 22.5 Any dispute regarding the interpretation of this Constitution by any Committee of this Party may be submitted to the Judicial Commission whose ruling shall be binding on all members of the Party.
- 22.6 The Chairman of the Judicial Commission shall submit an annual report to Congress regarding the activities of the Commission.
- 22.7 The Judicial Commission is empowered to subpoena any member of the Party to give evidence and/or provide documents, which could have a bearing on the matter under investigation. Refusal by a member to comply with such a request by the Commission, will be deemed an act against the Code of Conduct of the Party, which act could result in the expulsion of such a member.
- 22.8 Any dispute regarding the nomination of a member of the Party as a candidate in any election, can be brought before the Commission by the Management Committee of the Party or the disputing parties. The ruling of the Commission will be final.

## **Article 23: CONGRESS**

Congress shall be the highest decision and policy-making body of the Party.

### **23.1 COMPOSITION**

The Congress of the Party shall consist of:

- 23.1.1 the members of the Executive Committee
- 23.1.2 the Chairperson, Vice-Chairman and Administrative Secretary of each Regional Committee
- 23.1.3 two delegates from each Branch for the first 50 members and one additional delegate for every 50 members thereafter
- 23.1.4 The Executive Committee of the Youth Council
- 23.1.5 The Executive Committee of the Women's Council
- 23.1.6 Full-time office bearers of the Party who are not delegates are allowed to attend Congress but will not be allowed to vote.



## **23.2 OFFICE BEARERS TO BE ELECTED AT CONGRESS**

- 23.2.1 President
- 23.2.2 Vice-President
- 23.2.3 Chairperson
- 23.2.4 Vice-Chairman
- 23.2.5 Secretary-General
- 23.2.6 Secretary for Finance
- 23.2.7 Auditors
- 23.2.8 Chairperson of the Judicial Commission in terms of Art. 32.1

## **23.3 PROCEEDINGS, POWERS AND AUTHORITY OF THE CONGRESS**

- 23.3.1 Congress may review and amend the Constitution of the Party.
- 23.3.2 Constitutional changes can only be effected by a two-third majority vote.
- 23.3.3 Review and discuss the reports for the preceding period since the previous Congress to be tabled by:
  - 23.3.3.1 Secretary-General
  - 23.3.3.2 Chief Executive Officer
  - 23.3.3.3 Secretary for Finance
  - 23.3.3.4 Chairpersons of Regional Committees
  - 23.3.3.5 Secretary-General for the Youth
  - 23.3.3.6 Secretary-General for Women
- 23.3.4 Apart from decisions on constitutional changes, all other decisions will be taken by a bare majority vote.
- 23.3.5 Points for discussion by Congress must be submitted to the Secretary of the Party at least 21 days before Congress.
- 23.3.6 Membership fees, as well as minimum contributions by Branches to Regional Committees, and by Regional Committees to the Party's head office, will be determined by Congress.
- 23.3.7 The Annual Congress may appoint Specialist Committees to advise the Party and its executive bodies.
- 23.3.8 The Annual Congress shall decide on collaboration agreements with other political parties.

## **23.4 DELEGATES**

- 23.4.1 The number of delegates of a Branch to the Congress will be determined by the number of members enrolled by the Branch at the date of the meeting at which delegates to the Congress have been appointed.
- 23.4.2 No Branch will be entitled to send delegates to the Congress, unless their updated membership lists have been received by the Executive Administrative Secretary as specified in Art. 10.

- 23.4.3 The names and addresses of delegates and their secundi must be submitted to the Secretary of the Party at least 21 days before Congress.

## **Article 24: EXTRA-ORDINARY CONGRESS**

- 24.1 The Executive Committee can call for a special or extra-ordinary Congress, in the event of an emergency or at the request of at least 3 Regional Committees.
- 24.2 The date and venue as well as the points for discussion for such a special or extra-ordinary Congress shall be determined and approved by the Management Committee of the Party.

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## **Article 25: THE PRESIDENT**

In the event of a crisis or an emergency, while Congress is not in session, the President of the Party has the power to act on behalf of the Congress.

## **Article 26: PARTY REGULATIONS**

- 26.1 Party Regulations shall be issued by the Executive Committee and must be ratified by the Annual Congress.
- 26.2 Amongst others the following is ruled by Party Regulations:
- 26.2.1 Procedures regarding the organisation of meetings, powers of chairpersons, etc.;
- 26.2.2 Procedures regarding the nomination of candidates for elections on local, regional and national levels;
- 26.2.3 Procedures regarding the appointment of Party officials;
- 26.2.4 Appeal procedures;
- 26.2.5 All issues with regard to the practical execution and tasks of the Party.

## **Article 27: SUCCESSORS**

When an office bearer of the Party vacates his position, he/she shall hand over all documents, books, assets and possessions of the Party to his/her successor without delay, or in the event that the successor is not appointed immediately, to an office bearer in a position of higher rank.

## **Article 28: RULES AND PROCEDURES FOR MEETINGS**

A Chairman of a meeting, which is held in terms of this Constitution, shall adhere to standard rules and procedures. Where doubt exists, the Chairman may act according to his own judgement or, where appropriate, allow the meeting to take a decision by majority vote.

## **Article 29: RIGHT OF ATTENDANCE**

The President and the Chief Executive Officer of the Party or any of their plenipotentiaries have the right to attend and participate in any Branch meetings and/or Committees of the Party and will automatically act as chairman when present.

### **Article 30: CASTING VOTE**

At all official meetings of Committees and Bodies of the Party, composed in terms of this Constitution, the Chairman will have an ordinary vote as well as the casting vote in the event of a tie of votes.

### **Article 31: AMENDMENT OF THE CONSTITUTION OF THE PARTY**

Amendments of the Constitution of the Party can only be amended, if

- 31.1 the Secretary of the Party has informed all Branches and Regional Committees at least 21 days prior to a Congress of any proposed amendments.
- 31.2 such proposed amendment has been considered and recommended by the Executive Committee.
- 31.3 the proposed amendment is accepted by a two-thirds majority by the Congress.

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### **Article 32: PROGRAMME OF PRINCIPLES**

The Programme of Principles of the Party is an integral part of this Constitution.

### **Article 33: OTHER POLITICAL PARTIES**

- 33.1 Agreements with other political parties, organisations or groups may be entered into by the President should the Executive Committee deem it in the interest of the Party.
- 33.2 Should any member, Committee or Body of the Party enter into an agreement with any other political party or group, this shall be deemed to be in conflict with the interest of the Party. In case of a member, he / she will be expelled immediately from the Party. In case of a Committee or Body of the Party, it will immediately be dissolved.

### **Article 34: TRANSFER OF PROPERTY AND ASSETS**

- 34.1 When a Branch of the Party ceases to exist or is dissolved by the Executive Committee, all fixed property, assets and belongings of that Branch shall immediately become the property of the Regional Committee with the approval of the Executive Committee.
- 34.2 When a Regional Committee ceases to exist or is dissolved by the Executive Committee, all fixed property, assets and belongings of that Branch shall immediately become the property of the Party

### **Article 35: FINANCIAL YEAR**

The Financial Year of the Party will be from 1 July to 30 June the following year.

## **Article 36: FINANCIAL STATEMENTS**

- 36.1 Financial Statements of the Party will be compiled by the Auditors (as appointed by the Congress) annually.
- 36.2 The Secretary of the Party will submit the Financial Statements of the Party as well as the General Financial Report to the annual Party Congress.

## **Article 37: AUTONOMY**

Every Branch and Regional Committee shall have exclusive control over its assets and finances, subject to Art. 4 and Art. 7 above.

## **Article 38: NOMINATIONS AND ELECTIONS**

Nomination of candidates for local, regional, national and presidential elections, as well as the procedures for the election of the Party's office bearers will be as fully described in the Regulations.

## **Article 39: TRANSITIONAL ARRANGEMENTS**

The Executive Committee and the Management Committee of the Party elected by the Founding Congress are authorised by this Constitution to execute all functions prescribed by the Constitution and to co-opt additional members, until such time as the boundaries of Regional Committees and Branches have been demarcated and Branch Committees as well as Regional Committees have been elected.

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