



Amendments to the Constitution of the JB  
MARKS ALUMNI proposed by the JB Marks  
Executive Committee at the 2019 ANNUAL  
GENERAL MMEETING

## **JB MARKS ALUMNI**

### 2019 ANNUAL GENERAL MMEETING

The JB Marks Alumni Executive committee proposes to the 2019 AGM to adopt the Amendments to the Constitution contained in this AGM Document 2A.

These proposed Constitutional Amendments are moved by the JB Marks Alumni Executive Committee in accordance with Section 20 of the JB Marks Constitution. Each proposed Constitutional Amendment is presented and organized below according to the flow of the present Constitution. A brief explanation or justification, the text of the Constitutional Amendment, and Background Information are included for each proposed Constitutional Amendment.

This document should be studied and discussed by Alumni members. The text of the present Constitution of the JB Marks Alumni can be downloaded from the website at: <http://www.jbmarksedutrust.co.za/Alumni/Default.aspx>

## **Table of Contents**

- 01 Constitutional Amendment – Table of contents**
- 02 Constitutional Amendment – Definitions**
- 03 Constitutional Amendment – Executive Committee**
- 04 Constitutional Amendment – Powers of the Executive Committee**
- 05 Constitutional Amendment – Election of Executive Committee**
- 06 Constitutional Amendment – Meetings Executive Committee**
- 07 Constitutional Amendment – Disciplinary Committee**
- 08 Constitutional Amendment – Sub Committees**
- 09 Constitutional Amendment – Funds of the JB Marks Alumni**
- 10 Constitutional Amendment – General Meeting**
- 11 Constitutional Amendment – Publication of minutes**
- 12 Constitutional Amendment – Disciplinary Procedure**
- 13 Constitutional Amendment – Schedules**
- 14 Constitutional Amendment – Database of Members**
- 15 Constitutional Amendment – Financial Statement & Audit**
- 16 Constitutional Amendment – Amendment of Constitution**

## 01 Constitutional Amendment – Insert table of contents

Brief explanation or justification for the Draft Constitutional Amendment:

- For ease of navigating the document
- Gives the reader the scope and completeness of the document by giving a brief description of the chapters and the page number.

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions | Proposed Amendments  |
|---------------------|--|
| Not Applicable      | <p>TABLE OF CONTENTS</p> <p>(1) PREAMBLE</p> <p>(2) CHAPTER 1: FOUNDING PRINCIPLES</p> <p>(a) Section 1: Legal Foundations</p> <p>(b) Section 2: Founding Values</p> <p>(c) Section 3: Supremacy Of This Constitution</p> <p>(d) Section 4: Definitions</p> <p>(3) CHAPTER 2: MEMBERSHIP, POWERS AND DUTIES AND COMPOSITION OF THE JB MARKS ALUMNI</p> <p>(a) Section 5: membership</p> <p>(b) Section 6: Executive Committee</p> <p>(c) Section 7: Powers of Executive Committee</p> <p>(d) Section 8: Election of Executive Committee</p> <p>(e) Section 9: Meetings of Executive Committee</p> <p>(f) Section 11: Disciplinary Committee</p> <p>(g) Section 12: Subcommittees</p> |

|  |   |
|--|---|
|  | <p>(h) Section 13: Funds of the JB Marks Alumni</p> <p>(i) Section 14: General Meetings</p> <p>(j) Section 15: Publication Of Minutes Of JB Marks Alumni Meetings</p> <p>(4) CHAPTER 3: GENERAL</p> <p>(a) Section 16: Indemnity</p> <p>(b) Section 17: Amendments To This Constitution</p> <p>(5) CHAPTER 4: SCHEDULES</p> <p>(a) Schedule A: Electoral Rules</p> <p>(b) Schedule B: Roles, Responsibilities and criteria of Executive Committee</p> <p>(c) Schedule C: Disciplinary Procedure</p> |
|--|---|

## 02 Constitutional Amendment – delete definition of “services pillar”

Brief explanation or justification for the Draft Constitutional Amendment:

- Term defined is no longer applicable. The fund is independent and is no longer administered by the services pillar

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions  | Proposed Amendments            |
|--|--------------------------------|
| <p>“Services Pillar”</p> <p>The National Union of Mineworkers’ pillar that oversees the administration of the JB Marks Education Trust Fund.</p> | <p>Provision to be deleted</p> |

### 03 Constitutional Amendment – Executive Committee

Brief explanation or justification for the Draft Constitutional Amendment:

- Insert provisions setting out the management by and duties of the JB Marks executive committee

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions  | Proposed Amendments   |
|--|---|
| <p><b>Roles and responsibilities of the executive committee shall be to:</b></p> <p>15.1 Assume ultimate accountability and responsibility for the performance and the alumni and in doing so effectively represent and promote the best interest of the alumni and its stakeholders in a manner that is legal, ethical and sustainable.</p> <p>15.2 exercise leadership, integrity and judgement in directing the alumni affairs to achieve continuing sustainability within the context of transparency and accountability.</p> <p>15.3 Comply with all relevant legislation and maintain strict confidentiality of all information pertaining to Jb marks trust fund</p> <p>15.4 Appreciate that strategy, risk, performance and sustainability are inseparable</p> <p>15.5 Have input into and approve the strategy developed by management.</p> <p>15.6 Monitor the implementation of the strategy, policies, business plans and performance.</p> | <p><b>EXECUTIVE COMMITTEE</b></p> <p>(a) The affairs of the JB Marks Alumni shall be managed by an Executive Committee consisting of a minimum of seven and a maximum of fourteen members who shall be resident in the Republic of South Africa during their term of office. The procedures for nominations and conducting elections shall be set out in the Schedule A</p> <p>(b) The term of office of the Executive Committee shall be two years and shall be from the end of the annual general meeting in the first year until the end of the next annual general meeting in the second year.</p> <p>(c) All members of the Executive Committee will be eligible for re-appointment provided that no person shall hold office as a member of the Executive Committee for more than four consecutive years. A member of the Executive Committee will be eligible for re-appointment after a cooling-off period of two years subsequent to the four consecutive years.</p> <p>(d) A casual vacancy occurring in the membership of the Executive Committee shall be filled by the Executive Committee; an</p> |

|  |  |
|--|--|
| <p>15.7 Oversee the trust and alumni values and ethics and ensure that an appropriate code of ethics is in place</p> <p>15.8 Ensure that the alumni is seen to be, a responsible corporate citizen. It should delegate responsibility to committees and individuals</p> <p>15.9 Manage potential conflicts of interest of council members, students, the alumni and the wider stake holders</p> <p>15.10 ensure that disputes are resolved as effectively and efficient as possible</p> <p>15.11 delegate certain functions to committees without abdicating its duties.</p> <p>15.12 ensure alumni complies with applicable laws and regulations</p> <p>15.13 Approve the appointment and the removal of the secretary and resignation or termination of leadership role.</p> | <p>Executive Committee member so elected shall retire at the next annual general meeting.</p> <p>(e) Notwithstanding the provisions of paragraph (d) hereof, the appointment of a member of the Executive Committee as the case may be shall terminate ipso facto and they shall vacate their office on the happening of any of the following events:</p> <p>(i) they cease to be a member of the JB Marks Alumni;</p> <p>(ii) they resign their office by notice in writing to the Executive Committee;</p> <p>(iii) they are absent for more than three consecutive meetings of the Executive Committee without acceptable reasons;</p> <p>(iv) they are declared unfit or incapable of managing their affairs;</p> <p>(v) they are sequestrated, provisionally or finally, or surrender their estate for the benefit of their creditors or make an offer of compromise to their creditors;</p> <p>(vi) they are convicted in the Republic of South Africa or elsewhere of any criminal offence which, in the opinion of the Executive Committee, is of a disgraceful or dishonourable nature;</p> <p>(vii) they have not contributed to the management responsibilities of the Executive Committee against expectations. The performance evaluation process will be agreed by the Executive Committee and if necessary be set out in the Schedule B.</p> <p>(f) The appointment or removal of a member to the Executive Committee shall</p> |
|--|--|

|  |   |
|--|---|
|  | <p>(i) In the case of removal be confirmed by a letter signed by an Executive Committee member, the Chairperson or deputy-Chairperson on behalf of the Executive Committee whichever is appropriate to the circumstance giving the name of the member removed and the date from which their removal took effect; and</p> <p>(ii) In the case of appointment take effect only on receipt by the Chairperson of a consent to act as a member or member of the Executive Committee signed by the person concerned.</p> |
|--|---|

#### 04 Constitutional Amendment – Powers of the Executive Committee

Brief explanation or justification for the Draft Constitutional Amendment:

|  |
|--|
| <ul style="list-style-type: none"> <li>To set out the exact powers and scope of the JB Marks Alumni Executive</li> </ul> |
|--|

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions  | Proposed Amendments   |
|--|---|
| <p>Roles and responsibilities of the executive committee shall be to:</p> <p>15.1 Assume ultimate accountability and responsibility for the performance and the alumni and in doing so effectively represent and promote the best interest of the alumni and its stakeholders in a manner that is legal, ethical and sustainable.</p> <p>15.2 exercise leadership, integrity and judgement in directing the alumni affairs to achieve continuing sustainability within the context of transparency and accountability.</p> | <p><b>POWERS OF THE EXECUTIVE COMMITTEE</b></p> <p>(a) In managing the affairs of the JB Marks Alumni, the Executive Committee shall be entitled to exercise all the powers of the JB Marks Alumni except such powers as are expressly reserved by the provisions of this Constitution to the JB Marks Alumni in general meeting.</p> |

|   |   |
|---|---|
| <p>15.3 Comply with all relevant legislation and maintain strict confidentiality of all information pertaining to Jb marks trust fund</p> <p>15.4 Appreciate that strategy, risk, performance and sustainability are inseparable</p> <p>15.5 Have input into and approve the strategy developed by management.</p> <p>15.6 Monitor the implementation of the strategy, policies, business plans and performance.</p> <p>15.7 Oversee the trust and alumni values and ethics and ensure that an appropriate code of ethics is in place</p> <p>15.8 Ensure that the alumni is seen to be, a responsible corporate citizen. It should delegate responsibility to committees and individuals</p> <p>15.9 Manage potential conflicts of interest of council members, students, the alumni and the wider stake holders</p> <p>15.10 ensure that disputes are resolved as effectively and efficient as possible</p> <p>15.11 delegate certain functions to committees without abdicating its duties.</p> <p>15.12 ensure alumni complies with applicable laws and regulations</p> <p>15.13 Approve the appointment and the removal of the secretary and resignation or termination of leadership role.</p> | <p>(b) Without in any way limiting the scope of its powers as generally described in paragraph (a) hereof and in addition to powers given to it elsewhere in this Constitution or the In the schedules, the Executive Committee shall have power in the name of and on behalf of the JB Marks Alumni:</p> <p>(i) to receive and accept donations, grants and other money;</p> <p>(ii) to purchase or otherwise acquire, take on lease or hire, exchange, improve, sell, mortgage, pledge, let, dispose of or otherwise deal in property of any description whatsoever;</p> <p>(iii) to raise or borrow or secure any sum of money or the performance of any obligation in such manner and upon such terms and conditions as it deems fit and, in particular, by the execution of mortgage or notarial bonds or the issue of debentures or debenture stock charged upon all or any of the property of the Institute;</p> <p>(iv) to invest the funds of the JB Marks Alumni or any portion thereof in such securities and in such manner as the Executive Committee may from time to time determine and to vary or transpose such investments in its discretion;</p> <p>(v) to open and operate banking accounts and savings accounts with registered banking institutions;</p> <p>(vi) to apply and use the funds and income of the JB Marks Alumni to promote the objects of the JB Marks Alumni;</p> <p>(vii) to institute and defend legal proceedings;</p> <p>(viii) to appoint and remove any person as an officer, contractor, administrator, supplier or employee of the Institute and to determine their designation, duties, salary and other terms of employment;</p> |
|---|---|

|  |   |
|--|---|
|  | <p>(ix) to pay reasonable travelling subsistence and other expenses incurred in connection with the affairs of the JB Marks Alumni by any members of the JB Marks Alumni Institute or its Executive Committee or any officer or employee of the JB Marks Alumni;</p> <p>(x) to enter into contracts and to authorise the settling of the terms of and the signature of any contract or any other document;</p> <p>(xi) to interpret any clause of the Constitution or Schedules if any dispute arises as to its meaning, such interpretations being binding on the members of the JB Marks Alumni if accepted by not less than 66% of the members of the Executive Committee or their alternates;</p> <p>(xii) to prescribe the form of the instrument appointing a proxy;</p> <p>(xiii) generally to do whatever the Executive Committee deems necessary to enable it to carry out the objects of the JB Marks Alumni, to exercise the powers, to perform the functions and discharge the duties given to or imposed upon it in terms of this Constitution.</p> <p>(xiv) to the extent that such powers would not be in conflict with or contrary to other provisions this Constitution, the Executive Committee and its members shall have plenary powers to enable them to realise the objectives of the JB Marks Alumni, including, without detracting from the generality of the foregoing, the Common Powers, provided further that the Executive Committee and its members shall not have the power to carry on any trade, acquire immovable property for purposes of deriving rental income, or engage in any speculative transactions.</p> <p>(c) An Executive Committee member shall be entitled to contract with the JB Marks Alumni, or with any body in which the JB Marks Alumni has a direct or indirect interest, and as an Executive Committee member they may</p> |
|--|---|

|  |   |
|--|---|
|  | <p>vote on such contract and on any other matter in which they may have a direct or indirect interest, provided that before doing so they shall disclose the nature and extent of their interest to the other Executive Committee members and that the contract meets with the approval of the Executive Committee and does not conflict with the interests of the JB Marks Alumni.</p> |
|--|---|

**05 Constitutional Amendment – ELECTION OF EXECUTIVE COMMITTEE**

Brief explanation or justification for the Draft Constitutional Amendment:

|  |
|--|
| <ul style="list-style-type: none"> <li>To provide provision for election of executive and to link the provision to schedule A</li> </ul> |
|--|

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions   | Proposed Amendments   |
|-----------------------|---|
| <p>Not Applicable</p> | <p><b>ELECTION OF EXECUTIVE COMMITTEE</b></p> <p>(a) At its first meeting after taking office every year, the JB Marks Alumni shall elect from amongst its members, an Executive Committee.</p> <p>(b) The Executive Committee upon election will appoint a Secretary and such Assistants or other Officers as they consider necessary for the management and conduct of the affairs of the JB Marks Alumni. If such Officers are not themselves members of the Executive Committee, they shall be considered as <i>ex officio</i> members for the purpose of attending Executive</p> |

|  |  |
|--|--|
|  | <p>Committee meetings where required to do so but shall not be eligible to vote in the meetings with the exception of the Secretary who may be so authorised by the Executive Committee.</p> |
|--|--|

## 06 Constitutional Amendment – MEETINGS OF EXECUTIVE COMMITTEE

Brief explanation or justification for the Draft Constitutional Amendment:

|  |
|--|
| <ul style="list-style-type: none"> <li>To provide the terms upon which the executive should meet.</li> </ul> |
|--|

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions   | Proposed Amendments  |
|---|--|
| <p><b>Section 8: Meetings</b></p> <p>8.1 At least Ordinary Meeting every after two months of the JB Marks Alumni leadership.</p> <p>8.2 A Special Meeting may be held at any time during the course of the year, if there are special circumstances which require such a meeting.</p> <p>8.3 The Annual General Meeting shall be held during the weekend of the graduation awards, each year.</p> | <p><b>MEETINGS OF EXECUTIVE COMMITTEE</b></p> <p>(a) The Executive Committee shall meet whenever and as often as it considers necessary but at least quarterly during its term of office at such times and places as it may determine.</p> <p>(b) The quorum for meetings of the Executive Committee shall be not less than half its number.</p> <p>(c) Questions arising at a meeting of the Executive Committee shall be decided by a majority of votes of members personally present and the Chairperson shall have a</p> |

|  |  |
|--|--|
|  | <p>casting vote in addition to their deliberative vote.</p> <p>(d) A resolution in writing signed by not less than a quorum of the members of the Executive Committee (including in the absence or inability of a member to act by their alternate) shall be as valid and effective as if it had been passed at a meeting of the Executive Committee duly convened and constituted: provided that, for purposes of approving technical statements only, a written resolution assented to by a majority of all the members of the Executive Committee shall be as valid and effective as if it had been passed at a meeting of the Executive Committee duly convened and constituted.</p> <p>(e) The Executive Committee shall cause proper minutes to be kept in separate bound Minute Books of:</p> <p>(i) all meetings of the Executive Committee;</p> <p>(ii) all general meetings of members of the JB Marks Alumni.</p> |
|--|--|

## 07 Constitutional Amendment – Disciplinary Committee

Brief explanation or justification for the Draft Constitutional Amendment:

- The disciplinary committee's role is to monitor the professional practice of the members in order to fulfill one of the aspects of their mission. It ensures that the behaviour of our members is flawless and that their deeds and actions respect the Code of Ethics.

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions | Proposed Amendments  |
|---------------------|--|
| Not Applicable      | <p><b>DISCIPLINARY COMMITTEE</b></p> <p>The Executive Committee shall appoint a disciplinary committee, which shall have the powers to carry out the duties and exercise the functions granted to it by the Executive Committee.</p> |

### 08 Constitutional Amendment – SUBCOMMITTEES

Brief explanation or justification for the Draft Constitutional Amendment:

|   |
|---|
| <ul style="list-style-type: none"> <li>To make provision for subcommittees to assist the executive committees fulfill their mandate.</li> </ul> |
|---|

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions | Proposed Amendments  |
|---------------------|--|
| Not Applicable      | <p><b>SUB-COMMITTEES</b></p> <p>(a) The Executive Committee may appoint sub-committees to assist it in the performance of its functions and duties and shall be guided by the Sub-Committee Terms of Reference as approved by the Executive Committee. The sub-committee may appoint such of its members and such persons who are not members of the executive committee as it may deem fit to be members of any such sub-committee.</p> <p>(b) One of the members of a sub-committee may be designated by the</p> |

|  |  |
|--|--|
|  | <p>Executive Committee as chairperson of the committee. Should the Executive Committee not so designate a member as chairperson or should the member so designated not be present or be unable to act at any particular meeting, that sub-committee shall elect a chairperson.</p> <p>(c) The sub-committee may determine a quorum for meetings.</p> <p>(d) Any sub-committee so formed shall comply with any instructions given by the Executive Committee and shall keep minutes of its meetings if so directed. All decisions made by the sub-committee shall be presented to the Executive Committee for ratification.</p> <p>(e) The Executive Committee may assign to a sub-committee so established such of its powers which it may deem fit, but it shall not be divested of any power which it may have assigned to a sub-committee and it may amend or revoke any decision of such sub-committee.</p> <p>(f) Any sub-committees to whom the foregoing powers have been assigned shall continue to act and retain the powers so assigned until its appointment is revoked by the Executive Committee.</p> |
|--|--|

## 09 Constitutional Amendment – FUNDS OF THE JB MARKS ALUMNI

Brief explanation or justification for the Draft Constitutional Amendment:

- Term defined is no longer applicable. The fund is independent and is no longer administered by the services pillar

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions | Proposed Amendments   |
|---------------------|---|
| Not Applicable      | <p>FUNDS OF THE JB MARKS ALUMNI</p> <p>(a) The JB Marks Alumni shall, subject to the provisions of this Constitution, apply its funds and income solely for investment purposes or in promoting the objectives of the JB Marks Alumni Institute.</p> <p>(b) The JB Marks Alumni Institute shall not distribute any profits or gains by way of dividend or otherwise to its members or to any other person.</p> <p>(c) Members or officers of the JB Marks Alumni shall not have rights in the property or other assets of the JB Marks Alumni by virtue of their being members or officers.</p> <p>(d) Should the JB Marks Alumni be wound up, a person who has ceased to be a member of the JB Marks Alumni or the executors, administrators, heirs or assigns of such person, shall in no circumstances have any claim to or against the JB Marks Alumni Institute by reason only of such previous membership.</p> <p>(e) Should the JB Marks Alumni be wound up, its funds shall be dealt with in accordance with the provisions of this Constitution.</p> |

**10 Constitutional Amendment – GENERAL MEETINGS**

Brief explanation or justification for the Draft Constitutional Amendment:

- To properly define how general meetings will be conducted

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions  | Proposed Amendments   |
|--|---|
| <p><b>Section 8: Meetings</b></p> <p>8.1 At least Ordinary Meeting every after two months of the JB Marks Alumni leadership.</p> <p>8.2 A Special Meeting may be held at any time during the course of the year, if there are special circumstances which require such a meeting.</p> <p>8.3 The Annual General Meeting shall be held during the weekend of the graduation awards, each year.</p> <p><b>Section 9: Quorum</b></p> <p>9.1 During the course of any term, 7 members of the JB Marks Alumni Executive committee form a quorum at an ordinary or special meeting.</p> <p>9.2 In the case of the Annual General Meeting 50 (fifty) members of the total number of the JB Marks Alumni shall form a quorum. In the event the number is below 50, the Annual General Meeting shall still proceed with no binding decisions taken.</p> <p>9.3 In the event where there is no quorum at the start of any JB Marks Alumni meeting, the meeting shall adjourn for no longer than 30 Minutes. If at any time before, or at the 30 minutes mark, if there are 50 (fifty ) or less members of the total number of JB Marks</p> | <p>GENERAL MEETINGS</p> <p>(a) A General Meeting of the JB Marks Alumni may be convened only at the insistence of the Executive Committee and shall be held at a place and on a date and at a time determined by the Executive Committee.</p> <p>(b) Twenty-one days' notice of a General Meeting, specifying the place, date and time of the meeting and the business to be dealt with, shall be sent by post or electronic mail to each member at their registered postal or e-mail address. The accidental omission to give notice to any member shall not invalidate the proceedings at any such meeting.</p> <p>(c) The quorum at a General Meeting shall be 25 members of the JB Marks Alumni personally present or by proxy who are entitled to vote. Unless that quorum are personally present within 15 minutes of the time appointed for the meeting, the meeting shall stand adjourned for the same time, at the same place and on the same day of the next week, and if such day be a public holiday, to the next business day thereafter.</p> <p>At an adjourned meeting, the members present shall form a quorum and shall have full power to transact the business of the meeting, which could have been transacted, had the</p> |

|  |   |
|--|---|
| <p>Alumni , the meeting can reconvene, and will be considered to quorate for all purposes; provided that this provision may not apply to more than three consecutive meetings.</p> <p>9.4 Proxies shall be counted in order to determine the quorum of any Alumni meeting</p> <p><b>Section 10: Proxy</b></p> <p>10.1 Any Alumni member who foresees that he/she will not be able to attend a meeting, may nominate any other person to act as his or her proxy.</p> <p>10.2 The proxy nomination must be in writing and in the prescribed form.</p> <p>10.3 The proxy form must be submitted to the secretary at least 7(seven) days before the date of the scheduled meeting.</p> <p>10.4 The proxy holder shall be entitled to vote in accordance with the type of proxy which they hold.</p> <p>10.5 A proxy may be revoked at any time before the meeting by the member being physically present at the scheduled meeting</p> <p><b>Section 11: Voting</b></p> <p>11.1 Subject to the provisions of this Constitution and subordinate rules, every appointment and election and every other action, decision or resolution of the JB Marks Alumni meeting is by a simple majority of the members present and voting at a meeting and must be recorded in the JB Marks Alumni meeting minutes.</p> <p>11.2 The chairperson of any meeting has a deliberative vote. In the event of an equality of votes, the Chairperson has a casting vote, but he/she is not obliged to exercise his/her casting vote.</p> | <p>meeting been held on the date for which it was called.</p> <p>(d) Every member of the JB Marks Alumni shall be entitled to be present in person or by proxy at a General Meeting. Each such member shall have one vote. Proxies in the form laid down by the Executive Committee shall be lodged at the head office of the JB Marks Alumni not less than 48 hours before the time of the meeting.</p> <p>(e) Every motion proposed and seconded at a General Meeting of the JB Marks Alumni shall, if so demanded at the meeting, be decided by a poll. A poll demanded on the election of a chairperson for a meeting or on the question of adjournment shall be taken forthwith. A poll demanded on any other question shall be taken at such time as the chairperson of the meeting directs. The demand for a poll shall not prevent the continuation of a meeting for the transaction of any business other than the question upon which the poll was demanded.</p> <p>A poll shall be taken in such manner as the chairperson directs and the result of the poll shall be deemed to be the resolution of the meeting. Scrutineers or observers not being proposers or seconders of the resolution shall be elected to declare the result of the poll and their declaration, which shall be announced by the chairperson of the meeting, shall be deemed to be the resolution of the meeting on the motion on which the poll was demanded, and an entry to that effect in the minutes of the proceedings shall be conclusive evidence of the result.</p> <p>(f) An annual general meeting shall be held each year not later than four months after the end of the previous financial year. The provisions of (a) to (e) above in respect of a general meeting shall apply to an annual general meeting. The business to be dealt with shall be to receive, consider and approve the annual financial statements and the annual</p> |
|--|---|

|  |   |
|--|---|
|  | report by the Chairperson the state of affairs of the Institute and the election of Executive Committee members. In addition, any business required to be dealt with at a general meeting may be dealt with at an annual general meeting provided due and proper notice is given. |
|--|---|

## 11 Constitutional Amendment – PUBLICATION OF MINUTES OF JB ARKS ALUMNI MEETINGS

Brief explanation or justification for the Draft Constitutional Amendment:

|   |
|---|
| <ul style="list-style-type: none"> <li>For security reasons. Financial statements are confidential and should not be published. Should any Alumni member require such access to the financial statements they can do so at the premises of the Fund.</li> </ul> |
|---|

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions   | Proposed Amendments  |
|---|--|
| <p>Section 12: Publication of Minutes of JB Marks Alumni Meetings</p> <p>12.1 The Secretary of the JB Marks Alumni must publish the minutes of each JB Marks Alumni meeting on the official JB Marks Alumni notice-board / website within two weeks of the meeting. A copy of the minutes must be sent to the Principal Officer and the JB Marks Education Trust Fund Archives.</p> <p>12.2 Within three weeks of the end of the term of office of the JB Marks Alumni Leadership, the Finance Officer must publish on the official JB Marks Alumni notice-board / website the financial statements accounting for all the funds or other assets administered by the JB Marks Alumni during its term of</p> | <p>Section 12: Publication of Minutes of JB Marks Alumni Meetings</p> <p>12.1 The Secretary of the JB Marks Alumni must publish the minutes of each JB Marks Alumni meeting on the official JB Marks Alumni notice-board / website within two weeks of the meeting. A copy of the minutes must be sent to the Principal Officer and the JB Marks Education Trust Fund Archives.</p> <p>12.2 <del>Within three weeks of the end of the term of office of the JB Marks Alumni Leadership, the Finance Officer must publish on the official JB Marks Alumni notice board / website the financial statements accounting for all the funds or other assets administered</del></p> |

|  |  |
|--|--|
| <p>office. A copy of the financial statements must be forwarded to the Principal Officer</p> | <p><del>by the JB Marks Alumni during its term of office.</del> A copy of the financial statements must be forwarded to the Principal Officer.</p> <p>12.3. For security reasons. Financial statements are to be kept confidential and will not be published. However, should any JB Marks Alumni member require such access to the financial statements they can do so at the premises of the Fund.</p> |
|  |  |

## 12 Constitutional Amendment – Delete disciplinary procedure

Brief explanation or justification for the Draft Constitutional Amendment:

|  |
|--|
| <ul style="list-style-type: none"> <li>To be contained in the schedules as annexure to the constitution</li> </ul> |
|--|

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions   | Proposed Amendments  |
|---|--|
| <p><b>Section 16: Disciplinary procedure</b></p> <p>16.1 Any member who is alleged to have violated one or more of the provisions of the JB Marks Alumni Constitution or Code of Conduct may be subjected to disciplinary proceedings.</p> <p>16.2 The EC may suspend a member who is alleged to have violated one or more provisions of this Constitution or the Code of Conduct pending the outcome of disciplinary action.</p> | <p>Detailed disciplinary procedure to be contained in schedule C</p> |

|   |  |
|---|--|
| <p>16.3 The disciplinary committee shall consist of the Legal and Compliance Officer and the Legal, Ethics and Compliance Committee.</p> <p>16.4 In cases of serious misconduct the disciplinary committee shall also include the JB Marks Professional Development Officer, the Principal Officer and the NUM Legal Officer.</p> <p>16.5 The member who is found guilty of serious misconduct may be suspended from the Alumni for a period of one year.</p> <p>16.6 The decision of the disciplinary committee shall be binding on the alumni until it is overturned by the Appeal's Committee.</p> <p>16.7 Any member who is found guilty of violating the Constitution or the Code of Conduct shall have a right to appeal this decision to the Appeal's Committee within fourteen working (14) days of being aware of such a decision, by providing grounds for appeal.</p> <p>16.8 Right to appeal shall expire after fourteen (14) days after the decision of the disciplinary committee and it shall not be condoned.</p> <p>16.9 The member who is found guilty of violating the constitution shall be suspended from the Alumni for a period of one yea</p> |  |
|---|--|

### 13 Constitutional Amendment – SCHEDULES

Brief explanation or justification for the Draft Constitutional Amendment:

- Include schedules to detail various processes dealing with election, discipline and roles responsibilities of the JB Marks Alumni.

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions | Proposed Amendments  |
|---------------------|--|
| na.                 | <p>Schedules</p> <p>(a) The Schedules shall be those annexed hereto.</p> <p>(b) The Executive Committee may from time to time add to, rescind and/or amend the schedules.</p> <p>(c) The Executive Committee, in making and/or rescinding and/or amending the schedules may cover any matter, which the Executive Committee considers necessary or expedient to prescribe for the better execution of this Constitution and the furtherance of the objects of the Institute.</p> <p>(d) A resolution for the making and/or rescinding and/or amending of the schedules shall be deemed to have been passed if carried by at least two-thirds of the Executive Committee members.</p> |

#### 14 Constitutional Amendment – DATABASE OF MEMBERS

Brief explanation or justification for the Draft Constitutional Amendment:

- |  |
|--|
| <ul style="list-style-type: none"> <li>• Term defined is no longer applicable. The fund is independent and is no longer administered by the services pillar</li> </ul> |
|--|

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions | Proposed Amendments |
|---------------------|---------------------|
| NA                  | DATABASE OF MEMBERS |

|  |   |
|--|---|
|  | The Executive Committee shall maintain a database of JB Marks Alumni. |
|--|---|

### 15 Constitutional Amendment – FINANCIAL STATEMENT AND AUDIT

Brief explanation or justification for the Draft Constitutional Amendment:

|  |
|--|
| <ul style="list-style-type: none"> <li>To provide for the recording of financial transactions and audit of same</li> </ul> |
|--|

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions | Proposed Amendments   |
|---------------------|---|
| NA                  | <p>FINANCIAL STATEMENTS AND AUDIT</p> <p>The Executive Committee shall cause:</p> <p>(a) records to be properly kept of all transactions undertaken in the name of the Institute;</p> <p>(b) an annual report and financial statements to be prepared and circulated to members. Such statements shall be audited by a member or firm appointed by the Executive Committee. The remuneration of the auditor shall be determined by agreement between the Executive Committee and the auditor and shall be disclosed in the annual financial statements.</p> |

### 16 Constitutional Amendment – AMENDMENT OF CONSTITUTION

Brief explanation or justification for the Draft Constitutional Amendment:

|  |
|--|
| <ul style="list-style-type: none"> <li>Set out how amendments are to be made.</li> </ul> |
|--|

The Alumni,

- Adopts the following amendments to the JB Marks Alumni Constitution:

| Existing provisions   | Proposed Amendments   |
|---|---|
| <p>Section 20: Amendments to the Constitution<br/>           20.1 This constitution may be amended by JB Marks Alumni Leadership recommendations.</p> | <p>AMENDMENT OF CONSTITUTION</p> <p>The Constitution may from time to time be amended, provided that such amendments are approved by not less than three-fourths of the members of the JB Marks Alumni who are present in person or by proxy at a General Meeting of which the requisite notice has been given with full particulars of the proposed amendments and the quorum for such meeting shall be not less than 25 members of the JB Marks Alumni.</p> |

## SCHEDULE A: ELECTORAL RULES

### **1. Constitution**

The nomination and election of the JB Marks Alumni Executive will be conducted in accordance with the JB Marks Alumni Constitution

### **2. Term of Office**

The members of the executive committees will serve a two year term.

### **3. Eligibility to Hold Office**

Any member who is in good standing and eligible to run for office.

### **4. Nomination Notice**

A nomination notice will be posted on JB Marks website and emailed to all members of the JB Marks Alumni.

Nominations may also be made in writing and must be received by the Recording Secretary at 7 Rissik Street Corner Frederick Street, Johannesburg, 2000, In order to nominate candidates, a member must be in good standing.

### **5. Nomination Acceptances**

A candidate must accept or decline nomination if present at the nomination meeting. Any nominee not present is required to submit a written acceptance or declination to Recording Secretary before the commencement of the nomination meeting. Ineligible nominees will be advised of the reason(s) they are not eligible to run for the JB Marks Alumni Relations Officer.

### **6. The Election Process**

- 6.1. Advance written notice of the election meeting must be provided to the members.
- 6.2. The Principal Officer presides at the election meeting.
- 6.3. The privilege of voting shall be limited to members of the JB Marks who are present
- 6.4. Election of the Executive Committee is held at the meeting and will come under "new business" on the agenda. The principal officer will read the sections of the rules pertaining to nominations and elections.
- 6.5. The Principal Officer will inform the members of the new nominees. The Principal Officer will ask each one of the nominees to stand and confirm their availability to serve in the executive committee.

### **7. Voice vote**

If there is but one nominee for any portfolio, the ballot vote for that portfolio may be dispensed with and the election held by voice vote, as described above.

## **8. Two or more nominees for a portfolio**

When there are two or more nominees for an office, the election shall be held by ballot. The secretary should have ballot slips available.

## **9. Ballot vote**

9.1. When there are two or more nominees for a single portfolio, the election is held by ballot.

To verify eligibility to vote, the membership list must be checked before ballots are distributed. All present members are allowed to vote. If it is known prior to the election meeting that there will be two or more nominees for any pillar.

9.2. The principal officer requests all members eligible to vote to rise and be counted. This count will determine the number of ballots to be tallied.

9.3. A nominee for an office cannot be involved in the election procedure as a teller who collects ballots and counts votes.

9.4. Blank ballots are not counted.

9.5. Illegal ballots are counted to determine the number of votes cast, but are not applied as a vote for or against any nominee. Ballots are considered illegal if

- a. They are unintelligible;
- b. They contain the name of a nominee who is not a member; or
- c. Two or more filled out ballots are folded together. These are recorded as one illegal vote.

9.6. In a contested election each nominee may designate a person as an observer at the time the ballots are counted.

9.7. If another vote is necessary, the voting members must be recounted to establish the number of ballots to be tallied. If a member eligible to vote was not present when the original ballot was cast but arrives in time for another vote, the member is entitled to vote.

9.8. The results of the voting are reported by the principal officer, in writing to the members.

9.9. This procedure is repeated for each contested portfolio. The principal officer announces who has been elected to office. Unless requested, the principal officer does not have to announce the number of votes cast for each nominee, but the complete Report must be recorded in the minutes. Following the announcement of the vote.

9.10. It is permissible to use these two procedures in one election by using voice vote for uncontested portfolio and a ballot for those that have two or more nominees.

9.11. A challenge to the election procedure or outcome must be made during the election meeting.

## **10. VOTING RIGHTS OF OFFICERS**

All JB Marks Alumni Executive Committee have the same voting privileges as other members.

**SCHEDULE B****JB Marks Alumni Executive Committee Positions**

|   |                                      |
|---|--------------------------------------|
| <b>Position:</b>  | Chairperson                          |
| <b>Duration:</b>  | 2 years                              |
| <b>Organisation:</b>  | JB Marks Education Trust Fund Alumni |
| <b>Role &amp; Responsibilities</b>  |                                      |
| <p>Without limiting the generality of the foregoing, the Chairperson is empowered and tasked to:</p> <ul style="list-style-type: none"> <li>• Chair all the meetings of the Alumni Association Membership and the Executive Committee;</li> <li>• Serve as an ex-officio member of all clubs and committees sanctioned by the Executive Committee</li> <li>• Make all required appointments of standing and special committees</li> <li>• See that all orders and resolutions of the members and Executive Committee are carried into effect and act;</li> <li>• Create Task Forces or Advisory Groups from time to time and determine the membership of each, in consultation with the Executive Committee;</li> <li>• Promote the welfare and further the objectives of this Association</li> <li>• Serve as spokesperson (or duly appoint another spokesperson in his/her stead) for the Association to the press, legislative bodies, groups or organizations within the Alumni and the public at large;</li> <li>• Perform such other duties as are necessary incident to the Chairperson or as may be prescribed by the Executive Committee;</li> <li>• Keep members of the Association informed of all activities undertaken and matters of concern to the Executive Committee;</li> <li>• Serve as Alumni Representative at the Trust Development Committee Board Meetings or duly appoint a representative;</li> <li>• Work with the secretary in the development of the agenda for the meetings;</li> <li>• Encourage the Executive Committee's role in strategic planning;</li> <li>• Play a lead role in fundraising activities and other events;</li> <li>• Serve as a liaison to the Trust Alumni Office to carry out mission of the organization.</li> <li>• The alumni Chairperson serves a key role as liaison between graduates and the office. He/she is the pipeline through which information is relayed and alumni involvement can be fostered.</li> <li>• Establish a strong relationship and line of communication with alumni across the entire country.</li> <li>• Plan alumni events thoroughly and in advance</li> <li>• Work very closely with and report to the Alumni Relations Officer (ARO)</li> <li>• Oversee the execution of portfolio objectives and strategies</li> <li>• Give monthly progress reports to the ARO on alumni activities</li> <li>• Report on current alumni needs, suggestions, queries etc.</li> <li>• Follow up with all stakeholders after an event, send thank you notes and follow up communiqué</li> <li>• Include alumni on important alumni decisions that affect the status of the group as a whole</li> <li>• Recognise alumni and their contribution, support and dedication to the group.</li> <li>• Recognise alumni for their professional accomplishments and personal milestones</li> <li>• Work very closely with the second-in-command (Vice-Chairperson) and ensure that when he/she is aware of everything happening with the alumni and is able to stand in for the Chairperson in his/her absentia</li> <li>• Ensure that the NOB has a clear understanding of their roles, responsibilities and their mandate.</li> <li>• Ensure that the NOB work as a team and are executing their portfolio strategies</li> </ul> |                                      |
| <b>Entry Criteria</b>   |                                      |
| <ul style="list-style-type: none"> <li>• Graduate of JB Marks Education Trust Fund</li> </ul>   |                                      |

- Relevant degree/diploma is advantageous
- Has never held this position under the JB Marks Alumni previously
- Knowledgeable of the activities/affairs of the alumni Association
- Possess good organizational skills
- Is skilled in collaboration and delegation
- Understands the mission and revenue goals of the Association
- Willing to commit time, energy, talent, and enthusiasm to the position
- Proven track record of leadership qualities
- Flexible schedule (available during the week & weekends on occasion – for events & meetings)
- Willing to travel nationally
- Well versed politically
- Good command of the English language
- Good presentation skills and people skills
- Able to work in a team
- Good communication skills and a charismatic personality
- Shown interest in or previous involvement in alumni activities is advantageous

|                      |                                      |
|----------------------|--------------------------------------|
| <b>Position:</b>     | Vice-Chairperson                     |
| <b>Duration:</b>     | 2 years                              |
| <b>Organisation:</b> | JB Marks Education Trust Fund Alumni |

#### **Roles & Responsibilities**

The Vice Chairperson is empowered and tasked to:

- Fulfil the duties of the Chairperson in the absence or indisposition of the President;
- Assist the Chairperson with his or her duties, when requested, and to be responsible for such duties as are delegated or assigned by the Chairperson or the Executive Committee;
- May act as liaison to one or more of the following groups: students, Trust, graduates/alumni and other stakeholders;
- Shall advise all portfolios and report the portfolio activities at each meeting of the Executive Committee;
- Perform any other duties assigned or delegated by the Vice Chairperson or the Executive Committee

#### **Entry Criteria**

- JB Marks Education Trust Fund graduate
- Relevant qualification
- Knowledgeable of the activities/affairs of the alumni association
- Possess good organizational skills
- Is skilled in collaboration and delegation
- Understands the mission and revenue goals of the Alumni Association
- Willing to commit time, energy, talent, and enthusiasm to the position
- Proven track record of leadership qualities
- Flexible schedule (available during the week & weekends on occasion – for events & meetings)
- Willing to travel nationally
- Well versed politically
- Good command of the English language
- Good presentation skills and people skills
- Able to work in a team

- Good communication skills and a charismatic personality
- Shown interest in or previous involvement in alumni activities is advantageous

|                      |                                      |
|----------------------|--------------------------------------|
| <b>Position:</b>     | Finance and Audit Portfolio Head     |
| <b>Duration:</b>     | 2 years                              |
| <b>Organisation:</b> | JB Marks Education Trust Fund Alumni |

#### **Roles & Responsibilities**

The Finance and Audit portfolio head is empowered and tasked to:

- Gather information on expenses of the Association, and report the same to the Executive Committee at each meeting;
- Monitor funds of the Association, and alert Chairperson to any concerns in conjunction with the JB Marks Alumni Office;
- Work with the Chairperson to develop an annual budget, and present same to Executive Committee for approval;
- Work with the Portfolio Manager to manage the Alumni Fund.
- Perform other responsibilities assigned by the Executive Committee.
- Assist other portfolios with drawing up budgets aligned to their projects and sending them to the ARO for approval.
- Report on alumni expenditure at the Executive Committee meetings and bi-annual AGM's.
- Work very closely with the Fundraising Team to draw up practical budgets & targets
- Submit monthly progress reports to the ARO

|  |  |
|--|--|
| <b>Position:</b>   | Portfolio Head                         |
| <b>Duration:</b>   | 2 years                                |
| <b>Organisation:</b>   | JB Marks Education Trust Fund Alumni   |
| <b>Portfolio:</b>  | Marketing Communications & Fundraising |
| <b>Roles &amp; Responsibilities</b>  |  |
| <p>General roles and responsibilities of the PH include the following:</p> <ul style="list-style-type: none"> <li>• Promotes the Association’s mission and purpose through marketing &amp; PR tactics</li> <li>• Conceptualize Communications &amp; Marketing Strategies for the Alumni Association &amp; implement them</li> <li>• Work closely with the ARO on generating content for the Alumni bi-monthly newsletter</li> <li>• Write regularly for the alumni newsletter and find other alumni journalism students and encourage them to contribute to the newsletter</li> <li>• Organize the Executive Committee uniform for events and meetings</li> <li>• Devise social media campaigns for the alumni association and their activities</li> <li>• Formulate a marketing and communications plan for each portfolio event</li> <li>• Profile the alumni executive regularly</li> <li>• Find out about the accomplishments of alumni across the country and promote them via PR tactics</li> <li>• Review and adopt annual strategic plans which support the Trust’s initiatives</li> <li>• Ensure effective organizational planning and management of resources</li> <li>• Be an advocate of the Trust and the Alumni association - a gracious donor, share expertise for decision-making, and be a committed volunteer</li> <li>• Devise fundraising strategies, events and plans for alumni association activities</li> <li>• Develop a budget for fundraising events</li> <li>• Have excellent writing skills and public speaking skills</li> <li>• Show ability to network and converse with stakeholders in managerial positions (e.g. CEOs &amp; Directors).</li> <li>• Negotiation skills</li> <li>• Be knowledgeable about Trust programs and services</li> <li>• Ensure legal and ethical integrity and maintain accountability</li> <li>• Recruit and orient new volunteers</li> <li>• Attends Alumni Association events including general membership meetings, Executive Committee meetings, and fundraising events</li> <li>• Populates alumni association activities in the media and on social media</li> <li>• Spokesperson for the alumni association in the absence of and as an alternative to the Chairperson and the Vice Chairperson</li> <li>• Submit monthly progress reports to the ARO</li> </ul> |  |
| <b>Entry Criteria</b>  |  |
| <ul style="list-style-type: none"> <li>• JB Marks Graduate</li> <li>• Qualified to degree/diploma level (marketing, communications, journalism, social science and business management qualification is an advantage)</li> <li>• Professional qualifications in the areas of administration and marketing are desirable</li> <li>• Administration experience or marketing duties is beneficial</li> <li>• Experience of operating events is essential – no matter how minimal</li> <li>• Project management skills are needed in this role</li> <li>• Leadership and people skills are key</li> <li>• Team player</li> <li>• An ability to communicate with people clearly</li> </ul>  |  |

- You will be expected to work to deadlines and prioritise workloads
- Copywriting and editorial skills are advantageous
- Strategic Thinker
- Understanding of and passion for higher education and JB Marks graduates
- Understanding of the background of NUM and politics is advantageous
- Willing to work occasional weekends and evenings (sometimes during the week)
- Willing to travel nationally
- Flexible schedule during the week
- Access to the internet

|                      |  |
|----------------------|--|
| <b>Position:</b>     | Coordinator                            |
| <b>Duration:</b>     | 2 years                                |
| <b>Organisation:</b> | JB Marks Education Trust Fund Alumni   |
| <b>Portfolio:</b>    | Marketing Communications & Fundraising |

### **Roles & Responsibilities**

General roles and responsibilities of the Coordinator include the following:

- Organising reunions for alumni members
- Arranging networking events
- Encouraging donations to support bursaries, research and university development
- Promoting the alumni community to current students
- Strategic planning for the direction of the alumni office
- Managing the budget for the office
- Contribute to the alumni website and online community
- Arrange for discounts, benefits and services for alumni members
- Work with ARO and PH in communicating with university departments and local businesses to arrange benefits packages for alumni members
- Attending events for alumni communities
- Work with and the PH on marketing, communications and fundraising strategies & plans

### **Entry Criteria**

- JB Marks Graduate
- Qualified to degree/diploma level (marketing, communications, journalism, social science and business management qualification is an advantage)
- Professional qualifications in the areas of administration and marketing are desirable
- Administration experience or marketing duties is beneficial
- Experience of operating events is essential – no matter how minimal
- Project management skills are needed in this role
- People skills are key
- Team player
- An ability to communicate with people clearly
- You will be expected to work to deadlines and prioritise workloads
- Writing skills are advantageous
- The officer needs to be industrious and creative
- Understanding of and passion for higher education and JB Marks graduates
- Understanding of the background of NUM and politics is advantageous
- Willing to work occasional weekends and evenings (sometimes during the week)
- Willing to travel nationally

- Flexible schedule during the week
- Access to the internet

|                      |                                      |
|----------------------|--------------------------------------|
| <b>Position:</b>     | Portfolio Head                       |
| <b>Duration:</b>     | 2 years                              |
| <b>Organisation:</b> | JB Marks Education Trust Fund Alumni |
| <b>Portfolio:</b>    | Community Outreach                   |

### **Roles & Responsibilities**

General roles and responsibilities of the PH include the following:

- Conceptualize and develop alumni community outreach programs aligned to those of the Trust
- Create and implement a community outreach plan
- Reach out to the grassroots level of people and make a difference in their lives
- Investigate what communities require most before creating outreach plans
- Organize, attend and present at business, and community group meetings regarding the project, its impacts and intended mitigation
- Develop public education and information materials, presentations and displays – including contributing to the Alumni’s newsletters, media/new media outreach and website content
- Organize and participate at community outreach activities to educate the broader community about the Trust, our activities and projects
- Submit monthly progress reports to the ARO

### **Entry Criteria**

- JB Marks Graduate
- Qualified to degree/diploma level (social sciences, social work, community relations, public affairs or related field)
- Willing to sacrifice your time to be of service to the residents and make their quality of life better
- Research skills are necessary
- You will be expected to work to deadlines and prioritise workloads
- Knowledge and experience in working with diverse communities or groups of people
- Knowledge of government structures, agencies and policies which impact Trust business and progress
- Exceptional interpersonal skills
- Strong writing and oral presentation skills
- Experience in facilitating public meetings and other public forums
- Exceptional organizational and planning skills
- Work effectively with other team members to articulate project goals, issues and timelines
- Flair for creating engaging displays and public education materials
- Bilingual ability (at least 3 or 4 South African languages) an asset
- Knowledge and command of Microsoft Office (including Power Point)
- Understanding of the background of NUM and politics is advantageous
- Willing to work occasional weekends and evenings (sometimes during the week)
- Willing to travel nationally
- Flexible schedule during the week
- Access to the internet

|  |                                      |
|--|--------------------------------------|
| <b>Position:</b>   | Coordinator                          |
| <b>Duration:</b>   | 2 years                              |
| <b>Organisation:</b>   | JB Marks Education Trust Fund Alumni |
| <b>Portfolio:</b>  | Community Outreach                   |
| <b>Roles &amp; Responsibilities</b>  |                                      |
| General roles and responsibilities of the Coordinator include the following:   |                                      |
| <ul style="list-style-type: none"> <li>• Work closely with Portfolio Head to implement the community outreach plans</li> <li>• Stand in for and attend meetings and events relating to the portfolio</li> <li>• Be able to do budgets for projects</li> <li>• Represent the alumni and lead community outreach programs</li> <li>• Work in partnership with the PH to organize, attend and present at business, community, and neighbourhood group meetings regarding the project, its impacts and intended mitigation</li> <li>• Work with the PH to develop public education and information materials, presentations and displays – including contributing to the Alumni’s newsletters, media/new media outreach and website content</li> <li>• Work with the PH to organize and participate at community outreach activities to educate the broader community about the Trust, our activities and projects</li> </ul>  |                                      |
| <b>Entry Criteria</b>  |                                      |
| <ul style="list-style-type: none"> <li>• JB Marks Graduate</li> <li>• Qualified to degree/diploma level (social sciences, social work, community relations, public affairs or related field)</li> <li>• Willing to sacrifice your time to be of service to the residents and make their quality of life better</li> <li>• Research skills are necessary</li> <li>• You will be expected to work to deadlines and prioritise workloads</li> <li>• Knowledge and experience in working with diverse communities or groups of people</li> <li>• Knowledge of government structures, agencies and policies which impact Trust business and progress</li> <li>• Exceptional interpersonal skills</li> <li>• Strong writing and oral presentation skills</li> <li>• Work effectively with other team members to articulate project goals, issues and timelines</li> <li>• Bilingual ability (at least 3 or 4 South African languages) an asset</li> <li>• Knowledge and command of Microsoft Office (including Power Point)</li> <li>• Understanding of the background of NUM and politics is advantageous</li> <li>• Willing to work occasional weekends and evenings (sometimes during the week)</li> <li>• Willing to travel nationally</li> <li>• Flexible schedule during the week</li> <li>• Access to the internet</li> </ul> |                                      |

|                      |                                      |
|----------------------|--------------------------------------|
| <b>Position:</b>     | Portfolio Head                       |
| <b>Duration:</b>     | 2 years                              |
| <b>Organisation:</b> | JB Marks Education Trust Fund Alumni |
| <b>Portfolio:</b>    | Student Development                  |

### **Roles & Responsibilities**

General roles and responsibilities of the PH include the following:

- Conceptualize and develop alumni student development programs aligned to those of the Trust
- Create and implement a student development plan
- Develop an alumni-beneficiary mentorship program/plan and execute it
- Find more innovative ways to enhance the relationship between the Trust and its beneficiaries
- Lead the Alumni Career Days program and improve on the existing plan
- Develop a plan for a more effective way for the alumni to assist the Trust with its capacity building programs
- Submit regular monthly reports to the ARO

### **Entry Criteria**

- JB Marks Graduate
- Qualified to degree/diploma
- Research skills are necessary
- You will be expected to work to deadlines and prioritise workloads
- Knowledge and experience in working with young people with diverse backgrounds
- Knowledge of the South African Basic and Higher learning education structure, the tertiary institutions available in South Africa, tertiary entry requirements, campus culture, high school subject groups, FET colleges, their entry requirements, qualifications and how they operate etc
- Exceptional interpersonal skills
- Strong writing and oral presentation skills
- Exceptional organizational and planning skills
- Work effectively with other team members to articulate project goals, issues and timelines
- Flair for creating engaging displays and public education materials
- Bilingual ability (at least 3 or 4 South African languages) an asset
- Knowledge and command of Microsoft Office (including Power Point)
- Understanding of the background of NUM and politics is advantageous
- Willing to work occasional weekends and evenings (sometimes during the week)
- Willing to travel nationally
- Flexible schedule during the week
- Access to the internet

|                      |                                      |
|----------------------|--------------------------------------|
| <b>Position:</b>     | Coordinator                          |
| <b>Duration:</b>     | 2 years                              |
| <b>Organisation:</b> | JB Marks Education Trust Fund Alumni |
| <b>Portfolio:</b>    | Student Development                  |

### **Roles & Responsibilities**

General roles and responsibilities of the Coordinator include the following:

- Work closely with the PH to conceptualize and develop alumni student development programs aligned to those of the Trust
- Work with PH to create and implement a student development plan
- Assist in the development of an alumni-beneficiary mentorship program/plan and execute it
- Find more innovative ways to enhance the relationship between the Trust and its beneficiaries
- Represent the PH in his/her absentia at meetings, events and on projects

- Research what beneficiaries are satisfied with and what they would like more improvement on with regards to the Trust

#### Entry Criteria

- JB Marks Graduate
- Qualified to degree/diploma
- Research skills are necessary
- You will be expected to work to deadlines and prioritise workloads
- Knowledge and experience in working with young people with diverse backgrounds
- Knowledge of the South African Basic and Higher learning education structure, the tertiary institutions available in South Africa, tertiary entry requirements, campus culture, high school subject groups, FET colleges, their entry requirements, qualifications and how they operate etc
- Exceptional interpersonal skills
- Exceptional organizational and planning skills
- Work effectively with other team members to articulate project goals, issues and timelines
- materials
- Knowledge and command of Microsoft Office (including Power Point)
- Understanding of the background of NUM and politics is advantageous
- Willing to work occasional weekends and evenings (sometimes during the week)
- Willing to travel nationally
- Flexible schedule during the week
- Access to the internet

|                      |                                      |
|----------------------|--------------------------------------|
| <b>Position:</b>     | Portfolio Head                       |
| <b>Duration:</b>     | 2 years                              |
| <b>Organisation:</b> | JB Marks Education Trust Fund Alumni |
| <b>Portfolio:</b>    | Stakeholder Relations                |

#### Roles & Responsibilities

General roles and responsibilities of the PH include the following:

- Research all JB Marks alumni stakeholders and their relationship to the association
- Engage with the NUM and all its political affiliations on behalf of the alumni
- Build a strong relationship between the NUM Youth Forum and the Alumni
- Be the JB Marks Alumni political liaison
- Build relationships with SRC representatives at different institutions
- Propose Stakeholder Engagement Plans
- Hold Political Induction Workshops for beneficiaries & alumni
- Contribute a political opinion piece to the alumni magazine on the regular
- Submit monthly progress reports to the ARO

#### Entry Criteria

- JB Marks Graduate
- Qualified to degree/diploma
- Research skills are necessary
- Be politically acclimatised
- Knowledge and experience in working with young people with diverse backgrounds

- Be up to date on current political climate in South Africa and current news affecting the youth
- Be aware of NUM's position on several political issues and keep beneficiaries & alumni in the loop
- Bilingual ability (at least 3 or 4 South African languages) an asset
- Great leadership qualities
- Understanding of the background of NUM and politics is advantageous
- Willing to work occasional weekends and evenings (sometimes during the week)
- Willing to travel nationally
- Flexible schedule during the week
- Access to the internet

|                      |                                      |
|----------------------|--------------------------------------|
| <b>Position:</b>     | Coordinator                          |
| <b>Duration:</b>     | 2 years                              |
| <b>Organisation:</b> | JB Marks Education Trust Fund Alumni |
| <b>Portfolio:</b>    | Stakeholder Relations                |

#### **Roles & Responsibilities**

General roles and responsibilities of the PH include the following:

- Assist and work closely with the PH on projects
- Attend meetings with or in place of the PH
- Be up to date with everything relating to the portfolio

#### **Entry Criteria**

- JB Marks Graduate
- Qualified to degree/diploma
- Research skills are necessary
- Be politically acclimatised
- Be up to date on current political climate in South Africa and current news affecting the youth
- Be aware of NUM's position on several political issues and keep beneficiaries & alumni in the loop
- Bilingual ability (at least 2 South African languages) an asset
- Understanding of the background of NUM and politics is advantageous
- Willing to work occasional weekends and evenings (sometimes during the week)
- Willing to travel nationally
- Flexible schedule during the week
- Access to the internet

|                      |                                      |
|----------------------|--------------------------------------|
| <b>Position:</b>     | Portfolio Head                       |
| <b>Duration:</b>     | 2 years                              |
| <b>Organisation:</b> | JB Marks Education Trust Fund Alumni |
| <b>Portfolio:</b>    | Legal & Compliance                   |

#### **Roles & Responsibilities**

General roles and responsibilities of the PH include the following:

- Amend and improve upon the existing alumni constitution/bi-laws and ensure that members are informed about any and all changes to the document before being adopted
- Draft the Alumni Ethical Code and propose to the Executive Committee for adoption – then present at the next AGM

- Improve upon Vision/Mission and Values of the Alumni Association and submit to the Executive Committee for adoption
- Set house rules for all AGM Meetings and punishment for non-compliance to the house rules
- Review any and all existing and potential legal issues relating to the Alumni Association from all portfolios
- Draft a Code of Conduct for the Alumni NOB, propose to Executive Committee for adoption
- Contribute to the JB Marks Alumni Magazine on random legal topics to educate readers on issues that may affect them
- Submit monthly progress reports to the ARO

#### **Entry Criteria**

- JB Marks Graduate
- Qualified to degree/diploma (Law)
- Research skills are necessary
- Be politically acclimatised
- Knowledge and experience in working with young people with diverse backgrounds
- Be up to date on current political climate in South Africa and current news affecting the youth
- Be aware of NUM's position on several political issues and keep beneficiaries & alumni in the loop
- Exceptional interpersonal skills
- Bilingual ability (at least 3 or 4 South African languages) an asset
- Charismatic personality
- Great leadership qualities
- Understanding of the background of NUM and politics is advantageous
- Willing to work occasional weekends and evenings (sometimes during the week)
- Willing to travel nationally
- Flexible schedule during the week
- Access to the internet

## **SCHEDULE C DISCIPLINARY PROCEDURE**

### **LEGAL AND COMPLIANCE COMMITTEE DISCIPLINARY POLICIES & PROCEDURES**

#### **GENERAL**

1. The Legal and Compliance portfolio is the mechanism within the executive committee that is available to adjudicate disputes amongst members. The Legal and Compliance Committee will determine all matters referred to it and determine facts, resolve disputes, make recommendations and decisions, and issue sanctions it deems appropriate.
2. No person serving on the Legal and Compliance Committee shall be eligible to sit on a dispute matter or hearing in which he/she has an interest.

#### **APPLICATION PROCEDURE**

1. All matters shall be referred to the Legal and Compliance Committee by any aggrieved member of the JB Marks Alumni, must be submitted in writing, and shall set forth grounds for the Legal and Compliance Committee to take action.
2. Within seven (7) days of receipt of the written matter, the Chair of the Legal and Compliance Committee shall set a date for the hearing and shall so notify all parties to the matter. The notice shall inform the parties of the time, place, date, and purpose of the hearing. The notice shall also advise that if a party does not attend the hearing, the matter may proceed in the party's absence without further notice.
3. A hearing may be adjourned from time to time as may be necessary in order to do justice between the parties in dispute.

#### **HEARING PROCEDURE**

1. Any application may be resolved on the written consent of all parties, prior to or during a hearing, and before the Legal and Compliance Committee takes the matter under advisement to issue its decision, and the Legal and Compliance Committee shall issue such order as may be necessary to give effect to such consent, provided it is not inconsistent with any policy of the JB Marks Alumni.
2. A party to a hearing may be represented by any member of the JB Marks Alumni, call and examine witnesses, conduct such cross-examinations of witnesses as may be reasonably required for a fair and full disclosure of any facts given in evidence, submit written documents, and present argument.
3. The hearing shall not be open to the public unless the Chair otherwise orders, for good cause. Witnesses appearing before the Legal and Compliance Committee shall be sequestered after giving testimony. All reasonable efforts shall be made by the parties, witnesses, and the Legal

and Compliance Committee to keep all matters confidential and preserve the privacy of the parties.

4. In a hearing, the Legal and Compliance Committee will:
  - a. determine whether the matter is within its jurisdiction;
  - b. confirm that all papers have been properly submitted;
  - c. permit the parties to present their cases in accordance with due process and in the interests of justice;
  - d. receive such evidence as is relevant and considered to be reliable and trustworthy.
5. The Chair of the Legal and Compliance Committee may add as a party to a hearing any person that he/she determines might be affected by the resolution of the issues before the Legal and Compliance Committee.

#### **DECISION**

1. At the conclusion of the hearing, the Legal and Compliance Committee may allow or dismiss the application or make such order as is just in the circumstances and consistent with the policies and principles of the JB Marks Alumni.
2. The Legal and Compliance Committee shall give its decision or recommendation, and order if any, in writing within 10 calendar days of the hearing date to the parties. The Chair of the Legal and Compliance Committee shall notify each party by telephone or email, as soon as reasonably possible after the Legal and Compliance Committee renders its decision, in addition to mailing the written decision.
3. Where on evidence produced the Legal and Compliance Committee concludes that there has been a contravention of any order, policy, rule, or prior decision, the Legal and Compliance Committee may:
  - a. suspend or restrict the privileges extended through the to the party in default;
  - b. render any other decision in order to do justice between the parties in dispute.
4. Each party, member, of the JB Marks Alumni agrees to be and shall be bound by decision of the Legal and Compliance Committee and agrees to take all such steps as are necessary within its organization to ensure compliance with such decisions.
5. The decision of the Legal and Compliance Committee shall be final and binding on all parties, member of the JB Marks Alumni, subject only to such further rights of appeal as may be available under the Constitution, By-Laws, Policies, and Procedures of the JB Marks Alumni.

## APPEALS

1. Any party aggrieved by a decision of the Legal and Compliance Committee has the right to appeal that decision to the Principal Officer of JB Marks, will process such appeal consistent with the procedures and principles stated herein.
2. The appeal must be submitted in writing within ten (10) days from the date of the Legal and Compliance Committee's written decision.
3. The appeal must be submitted to the Principal of the JB Marks Education Trust Fund. Who will set the time, date, and place for the appeal no later than the next regularly scheduled meetings of the JB Marks Alumni, or at a time, date, and place as the interests of justice may require.
4. No person designated to hear an appeal shall be eligible to sit on such matter or hearing in which he/she has an interest.
5. The Principal officer may receive such evidence as is relevant and considered to be reliable and trustworthy provided that no witness can give evidence who did not give evidence before the original hearing of the Legal and Compliance Committee, unless the Appeal Committee is satisfied that:
  - a. the evidence was not discoverable by reasonable diligence before the end of the original hearing;
  - b. the evidence is wholly believable;
  - c. the evidence is practically conclusive of an issue in the hearing.

The onus is on the party seeking to introduce such evidence to satisfy the Appeal Committee that such evidence should be received.

6. At the conclusion of the appeal, the Appeal Legal and Compliance Committee shall approve or dismiss the appeal, shall uphold or modify, in whole or in part, the original decision of the Legal and Compliance Committee, or make such other or additional decision to serve the interests of justice.
7. The Appeal Legal and Compliance Committee shall issue its decision in writing within ten (10) days of the hearing which shall be binding on the parties and members affected thereby, subject only to such further rights of appeal as may be available under the Constitution.

## DISCIPLINARY CODE

This format of the Disciplinary Code is effective and does not differ in content or J Marks Alumni intent from the Code enforce prior to this date.

1. This disciplinary code is applicable to all JB Marks Alumni members.
3. Disciplinary action must always be based on the seriousness and nature of the offence concerned as well as the circumstances under which it was committed and the principles of fairness and consistency should be applied in all cases.
4. The aim of disciplinary action should be to correct behavior. As such, disciplinary sanctions should be imposed progressively, as set out below in the disciplinary code.
5. Notwithstanding anything else contained in this code, misconduct can even on a first transgression give rise to removal, suspension or demotion. Similarly, mitigating factors could give rise to a lesser sanction than the one suggested in this code.
6. A disciplinary code cannot make provision for every conceivable offence. Discipline must therefore be applied with discretion and in accordance with the guidelines and spirit of this code.
7. It is to be noted that:
  - 7.1 The disciplinary code that follows is not exhaustive, that is, it does not contain a full and exhaustive list of the offences with which a member can be charged. It merely sets out, by way of example, a list of some of the offences with which a member may be charged. If an offence is not dealt with in the code, it is deemed advisable to approach the Principal Officer before any disciplinary steps are taken.
  - 7.2 The disciplinary code contains a penalty/sanction guideline which means that, should the Legal and Compliance elect to charge a member with an offence listed below, the sanctions set out in respect thereof are merely guidelines as to the penalty/sanction to be imposed and do not constitute inflexible rules which have to be followed slavishly.
  - 7.3 The disciplinary code does not derogate from the JB Marks Alumni right to remove a member on any grounds that the law regards as sufficient;
  - 7.4 The JB Marks Alumni reserves the right to add to, delete from, or amend, any of the recommended actions or transgressions/offences listed in the disciplinary code at any time.
  - 7.5 Sanctions imposed in terms of this code shall be valid for a period of three(3) months if it's a written warning and six (6) months if it's a final warning.

## **OFFENCES DESCRIPTION GUIDELINES SANCTION**

### **1. Attendance, timekeeping and Absence from meetings, events, etc.**

#### 1.1 Absence without permission.

Absent from work for at least one to four consecutive council meetings.

First Offence- Written Warning

Second Offence- Final Warning

Third Offence- Removal

#### 1.2 Failing to inform the Council in good time of absence.

First Offence- Written Warning

Second Offence- Final Warning

Third Offence- Removal

#### 1.3 Disappearance from meetings and events without permission

First Offence- Written Warning-

Second Offence- Final Warning

Third Offence- Removal

### **2. Work Performance**

#### 2.1 Negligence, indifference, unreliability, poor co-operation, sleeping and lack of interest.

Failure to carry out duties diligently or at all due to the aforesaid.

First Offence- Written Warning

Second Offence- Final Warning

Third Offence- Removal

2.2 Poor Work Performance (this is not a form of misconduct) Continued output of work of a low quality as a result of the incapacity of an employee to comply with the post requirements.

First Offence- Consultation with the member to try identify the problems and resolve them.

Second Offence- Final Warning

Third Offence- Removal

### **3. Dishonesty**

#### 3.1 Dishonesty or attempted dishonesty

Any dishonesty or attempted dishonesty including conspiracy, theft, unauthorized possession of property, bribery, fraud, corruption, forgery or giving false or misleading statements to anybody

First Offence- Removal

#### 3.2 Misuse of position Misuse of position to promote personal interests

First Offence Removal

#### 3.3 Competing / conflict with the interests of the JB Marks Alumni e.g. doing private work without

### **4. Offences to the person or dignity of others**

4.1 Rudeness, insolence, impoliteness, the use of foul language, making disparaging remarks and making improper or indecent gestures at any other member of the JB Marks Alumni. Abusive behavior that may upset relationships or injure the dignity of others.

First Offence- Final Warning

Second Offence- Removal

4.2 Harassment, including sexual-, religious, or racial harassment Unwanted deliberate and subtle physical and psychological harassment of others by innuendos or physical acts or otherwise belittling his/her person

First Offence- Removal

4.3 Assault, attempt or a threat to assault a person or fighting Physical or verbal attack on a person

First Offence- Removal

4.4 Unfair Discrimination Promoting or engaging in hate speech, incitement or being abusive or engaging in discriminatory behaviour based on inter alia race, gender, creed, political beliefs or sexual orientation, including racist jokes

First Offence- Removal

4.5 Skylarking or horseplay Conduct that has a detrimental effect on the maintenance of order, health & safety and discipline

First Offence- Final Warning

Second Offence- Removal

#### 4.6 Act which is a crime in terms of South African law

Performance of an act which is a crime in terms of South African law and where such act relates to the JB Marks Alumni members relationship or poses a threat to the interests of the Council.

First Offence- Removal

### **5. Alcohol or drug-related offences**

#### 5.1 Under the influence of drugs/alcohol during meetings or sessions

First Offence- Written Warning

Second Offence- Final Warning

Third Offence- Removal

#### 5.2 Unauthorized possession or consumption of drugs/alcohol

First Offence- Removal

### **6. Unacceptable Behavior**

#### 6.1 Improper behavior damaging the interests of the Company

Improper behavior with the effect of potentially damaging the interests of the Company

First Offence- Final Warning

Second Offence- Removal

### **7. Health, Safety and Environment**

#### 7.1 Contravention of any provision of regulation contained in any applicable legislation, internal policies, procedures & practices

Contravention of any provision of regulation contained in any applicable legislation, internal policies, procedures & practices

First Offence- Final Warning

Second Offence- Removal

#### 7.2 Possession of forbidden articles

Unauthorized possession of a firearm, weapon or other dangerous materials

First Offence- Final Warning

Second Offence- Removal

## **8. Offences relating to property and assets**

8.1 Revealing confidential information Without obtaining the prior approval, revealing confidential information that has been gathered or obtained as a result of his/her duties for reasons other than the execution of his/her official duties

First Offence- Removal

8.2 Copyright and patent

Infringements

Commits any act which infringes on copyright or any other form of immaterial property law and where such act may be detrimental to the JB Marks Alumni Council

First Offence- Final Warning

Second Offence- Removal

8.3 Unauthorized use/misuse of property or assets

Uses the property, facilities, vehicles, electronic equipment and applications, or other assets without authorization

First Offence- Final Warning

Second Offence- Removal

8.4 Damaging of property or assets

Wilful or negligent damaging of property or assets

First Offence- Final Warning

Second Offence- Removal

## **9 Resisting Authority**

9.1 Insolence / undermining authority

Repudiation by a member of the JB Marks Alumni Council of his/her duty to show respect or to recognize the authority of superiors.

First Offence- Final Warning

Second Offence- Removal

### 9.2 Insubordination/ refusal to obey instructions

Refusal to execute reasonable and fair orders or ignoring such orders, or inciting or intimidating other members to act accordingly

First Offence- Final Warning

Second Offence- Removal

### 9.3 Intimidation directly or indirectly influencing others to engage in disorderly conduct

First Offence- Final Warning

Second Offence- Removal

## **10. APPROVAL**

This code is to be approved.