



**NAMAKWA CIVIC MOVEMENT**

(HEREINAFTER REFERRED TO AS "NCM")

**MEMBER, OFFICE BEARER, COUNCILLOR CODE OF CONDUCT**

**AND**

**DISCIPLINARY PROCESS**

(ADDENDUM A)

**RELATING TO**

**NCM PRIMARY CONSTITUTION**

## 1. NCM COUNCILLOR AND MEMBERS' CODE OF CONDUCT

The NCM's behaviour principles are as follows:

- (a) Be professional
- (b) Be accountable
- (c) Be respectful
- (d) Be representative

The NCM values are:

- (a) Transparency
- (b) Consistency
- (c) Integrity
- (d) Honesty
- (e) Trustworthy
- (f) Respect
- (g) Goal-driven
- (h) Pride
- (i) Passion
- (j) Dedication

1.1 The NCM district executives has the right and obligation to create, develop, implement, and maintain the Code of Conduct.

1.2 **The NCM executives are required to review the Code of Conduct on an annual basis and record the outcome of this review in a written report.**

1.3 Any proposed amendments to the Code of Conduct must be reviewed and approved by a (50%+1) of the NCM executives

1.4 Breaches of the Code will be managed in accordance with the NCM's Disciplinary Procedure as determined by the NCM executives, from time to time.

1.5 All NCM members, councillors and political office bearers must abide by the Constitution of NCM and the NCM code of conduct.

1.6 All candidates representing NCM during elections, all subsequent councillor-elects and office bearers, must undertake in writing, prior to the elections, to abide by the Constitution of NCM and the Code of Conduct applicable to elected representatives as Ward and PR Councillors within their respective Municipal Councils.

1.6.1 Subsequently, if an office bearer, councillor-elect neglects or refuses to adhere to clause 1.6 this will constitute gross misconduct and insubordination that will constitute immediate disciplinary action even dismissal.

1.7 Disciplinary proceedings against a member and public representative, and office bearer shall be confined to violations against the Constitution of NCM, its code of conduct and other policies and the Codes of Conduct of Municipal Councils.

1.8 The following may be identified as misconduct –

- 1.8.1. In case where a member has been found guilty of a crime by a court or that you have agreed to plead guilty to a crime.
- 1.8.2. In case where the moral character of a member(s) contravenes good ethical values and standards and thus brings NCM into disrepute.
- 1.8.3. Any form of Human rights violations and discrimination, relating to political intolerance, sexism, racism, religious and tribal chauvinism.
- 1.8.4. Engaging in sexual or physical abuse of women or children or abuse of office to obtain sexual or any other undue advantage from members or others.
- 1.8.5. Abuse of power and/or monetary self-enrichment.
- 1.8.6. Misappropriation of the funds of NCM or destruction of its properties.
- 1.8.7. Behaving in such a way as to provoke serious divisions or a break-down of unity in NCM.
- 1.8.8. Behaviour of disrespect and undermining or impeding the functioning of the structures of the NCM.
- 1.8.9. Participating in organized factional activities that contravenes unity within NCM.
- 1.8.10. Behaviour of non-functioning and non-active participating in the affairs of NCM.

## **2. NCM COUNCILLOR AND OFFICE BEARERS' PLEDGE**

- 2.1 There is a fiduciary relationship and responsibility of a councillor candidate that has successfully contested local government elections within the structure of the Namakwa Civic Movement and arose to the position of councillor in any municipal structure.
- 2.2 It is obligatory that every councillor of the NCM make a monetary contribution towards the strategic objectives, vision, and mission of the NCM.
- 3. If the contestation for the position of councillor is successful the member, will have to abide by the following resolutions:
  - 3.1. Such member shall pledge at least 10 % of their net-value remuneration package towards the ongoing strategic objectives, vision, and mission of the Namakwa Civic Movement (NCM).
    - 2.3.1.1 Net-value definition is Gross salary minus tax, UIF and pension.
  - 3.2. Any new vehicle purchase of a NCM councillor who have had no means of transport prior to their appointment, should be in accordance with the district's terrain, which is mostly gravel. This will enable servitude to the community in the most rural areas.
  - 3.3. No office bearers in the executive leadership or leadership structure of the NCM shall avail themselves for administrative positions within government or local government. This may only be done if such office bearer has the appropriate qualifications and have followed the normal hiring process.
  - 3.4. If such office bearer opts to accept an administrative position within government, the office bearer must resign from their NCM office bearing or executive leadership position within the NCM.
  - 3.5. Clause 2.3.1 and 2.3.2 of this pledge should be adhered to if such office bearer is a political deployee of the NCM.

4. All Executive members and members within the organization that are employed and able to, should consider allocating a donation amount of at least R100 per month towards the strategic objectives, vision, and mission of the Namakwa Civic Movement.
- 2.5 Ward councillors must visit their constituency and or citizens at least once every month.
- 2.6 Ward councillors and PR councillors in private employ must capitalise the NCM treasury with 30 % of the net earnings from council per month.

### **3. NCM COUNCILLOR COMMITMENTS**

1. A culture of accountability, transparency and good governance will form the foundation of all work to be performed in the municipalities.
2. All councillors must acknowledge the value of openness and will ensure the accessibility of information to residents of the municipalities.
3. All NCM councillors shall be accessible and responsive to all residents of the municipalities.
4. All NCM councillors shall endeavour to eliminate corruption and maladministration within the municipalities, including a non-negotiable commitment to the rule of law and constitutionalism.
5. The separation of party and state will be strictly adhered to by all NCM councillors.
6. All NCM councillors shall champion inclusion, redress, and reconciliation and avoid incurring fruitless and wasteful expenditure within the municipalities.
7. All NCM councillors shall endeavour to expand opportunities for all, and oppose any forms of racial, gender or other quotas.
8. All NCM councillors shall uphold non-racialism.
9. All NCM councillors shall avoid the politics of patronage, nepotism, or self-enrichment.
10. NCM councillors shall ensure the municipalities are driven by the pursuit of excellence, this includes merit-based appointments and policymaking guided by evidence and the NCM objectives and goals.
11. No NCM councillor shall enter into any agreement with another movement or party's members/councillors that may cause:
  - 11.1. Serious divisions or a break-down of unity in NCM or the municipal council where the NCM is part of a majority or in an outright majority.
  - 11.2. Or acts contrary to a mandate from the NCM executive committee.
  - 11.3. **This will lead to immediate suspension and revoking of the responsible councillor's membership status.**

### **4. NCM COUNCILLOR OBJECTIVES**

- 4.1 Ensure that every community has access to dependable, clean, running water, which is safe to drink and to prepare food; and that there is no untreated wastewater contaminating the environment, homes, streets, and sidewalks within the municipality.

- 4.2 Ensure there is a hygienic environment to live, and play delivered through effective waste collection and rubbish disposal to protect the environment and the health of residents.
- 4.3 Reclaim public spaces currently taken over by lawlessness, litter, and neglect so that they may be once again places for all residents to enjoy.
- 4.4 Be tough on crime and tougher on the causes of crime by investing in localised law enforcement and tackling the local conditions which give rise to crime in the first place.
- 4.5 Focus first on getting the basics right as the foundation to bringing in investment and jobs to the local economy.
- 4.6 Collaborate for sustainable housing by increasing the scale of housing delivered through private initiative, diversifying housing options, and ensuring more people own their homes.
- 4.7 Adopt a comprehensive approach to keeping communities in good health by ensuring that all departments work together to minimise the risks which lead to poor health, to respond effectively to health emergencies, and to achieve overall positive health outcomes; and
- 4.8 Govern in the interests of the people by eliminating corruption, adopting best practices in good governance, and ensuring the resilience of communities through effective disaster risk management.
- 4.9 Embrace innovative evidence-based approaches to solving problems.

## **5. NCM COUNCILLOR TERM OF OFFICE PRIORITIES**

1. The NCM councillor is confined to the 5-year statutory term imposed on every municipal council by the Constitution of South Africa. Accordingly, a commitment towards the strategic objectives of the NCM or the shared objectives within a coalition must therefore be reached.
2. As a general priority to every municipality where there is a NCM councillor, the following are identified as default priorities –
  - 2.1. Good Governance.
  - 2.2. Financial sustainability.
  - 2.3. Water provision.
  - 2.4. Waste management.
  - 2.5. Sewerage management.
  - 2.6. Electricity provision.
  - 2.7. Infrastructure maintenance.
  - 2.8. Public Spaces.
  - 2.9. Roads and Transport.
  - 2.10. Safety and Security.
  - 2.11. Job Creation and Investment.
  - 2.12. Sustainable Housing.

2.13. Health.

3. The NCM councillor shall, identify the municipality's needs / pressing projects and priorities, in addition to the default priorities listed in 5.2 above that may be achievable within the term of office and ensure that the NCM district executive is consulted in the processes and that the goals and strategic objectives of the NCM is also considered.

5.3.1 The district executive may mandate any councillor of the NCM to present a quarterly performance review report of a councillor's activities within such councillors' ward of area of service.

## **6. NCM COUNCILLOR CAUCUS**

6.1 The NCM councillors within each municipality, shall:

6.1.1 Establish a NCM councillors' caucus for the purposes of ensuring a coordinated response to issues that will serve before the municipal council.

6.1.2 Where there is only one councillor within a municipal area, this councillor shall report directly to the NCM district executive leaders.

6.1.3 Elect a NCM councillor whip that will also be the caucus chairperson.

6.1.4 Adopt a set of NCM caucus rules in terms of how the NCM caucus will function and takes decisions, which rules must be endorsed by the district executive leaders.

6.1.5 NCM Councillors must always adhere to and support decisions of the caucus and must not differ publicly from any decision once it has been taken except when a member may on a question of conscience exercise a free vote. A councillor may refuse to support a caucus decision where, in the councillor's view, it falls outside the prescripts of this policy or violates one of its principles and values.

6.1.6 NCM councillors must attend caucus meetings punctually and no member is excused from attending a caucus meeting except by leave of the chairperson of the caucus.

6.1.7 Must always perform their duties in the relevant forum diligently and to the level and standard required by this policy.

6.1.8 Ensure that the caucus is responsible for the proper functioning of the council and coalitions in the relevant municipality.

6.1.9 NCM councillors and caucus shall be strictly bound to this policy in realising the objectives and commitments specifically mentioned herein.

6.1.10 Individual NCM councillors shall apply a non-negotiable principle of "no ambushing or surprises".

6.1.11 NCM councillors shall agree to a caucus management process that is inclusive, accessible, engaging and dispute-resolution driven.

6.1.12 NCM caucus shall convene at least once every 3 weeks and include the NCM District executive committee at least once every 2 months.

6.1.13 NCM councillors shall resolve conflict in accordance with the Dispute Resolution Mechanism provided for in clause 6.2.

6.2 The NCM councillors agree that the success of a caucus lies in the effective resolution of conflicts that may arise in the caucus group.

- 6.2.1 It is imperative that an effective mechanism is established for realisation of good governance and to preserve a good working relationship between the councillors.
  - 6.2.2 The NCM chairperson of the caucus shall, when a dispute arises, record the full extent of the dispute in detail and shall list every member of the caucus' concerns or support of the dispute in question.
  - 6.2.3 The chairperson shall thereafter, after consultation with the NCM caucus, classify the dispute in terms of clause 6.3.
  - 6.2.4 When a dispute arises and is recorded by the NCM caucus in terms of clause 6.3 above, the public representatives, should endeavour to resolve it expeditiously, efficiently, and effectively, as a commitment to their duty of care towards the caucus, and their mandate from the voters.
- 6.3 The NCM councillors agree that certain disputes that arise may be more complex than others and therefore agree to distinguish between certain types of disputes:
- 6.3.1 General disputes:
    - 6.3.1.1 Any disputes that arise during the functioning of the caucus should be resolved in terms of this section. The parties can rely on the caucus to resolve the dispute and shall resolve same expeditiously and in an effective manner.
    - 6.3.1.2 Should the dispute not be resolved through the caucus within a reasonable time, the dispute shall be escalated by the chairperson of the caucus to the NCM executive committee for assistance in the resolution of the dispute, within a reasonable time.
    - 6.3.1.3 When a dispute resolution decision is made by chair of the Executive or the executive committee, the decision must be abided by.
1. Major disputes concerning the material provisions of this clause (6)
- 1.1. Disputes envisaged hereunder reference disputes that concern altering any of the provisions of this policy.
  - 1.2. The chairperson of the NCM caucus shall immediately escalate the dispute to the NCM district executive leadership within a reasonable period and it should then be resolved in the most effective, participative, and expeditious way.
  - 1.3. The district executive leaders shall resolve a dispute envisaged hereunder by way of consensus after receiving the input councillor caucus and considering any relevant considerations.

- 1.4. The NCM district executive leaders shall notify the chairperson of the NCM caucus of the resolution to the major dispute and the chairperson shall forthwith notify the caucus.
- 1.5. The resolution shall be respected and implemented by the NCM caucus.

## **7. NCM COUNCILLOR CANDIDATE IDENTIFICATION, SCREENING AND PR-LISTING PROCESS**

7.1 Councillors are elected to represent local communities on municipal councils, to ensure that municipalities have structured mechanisms of accountability to local communities, and to meet the priority needs of communities by providing services equitably, effectively, and sustainably within the means of the municipality. In fulfilling this role councillors must be accountable to local communities.

7.2 Persons that cannot stand for elections are –

- 7.2.1 people who have been disqualified from voting for the National Assembly.
- 7.2.2 unrehabilitated insolvents and
- 7.2.3 persons that were declared to be of unsound mind.

7.3 The following criteria will be applied when screening and identifying a potential councillor candidate:

- 7.2.1 Must be a South African Citizen, with proven origins in the geographic area of the Namakwa District Municipality.
- 7.2.2 Must not be involved in any illegal activities and must not have a criminal record.
- 7.2.3 Should not be under investigation for any fraud or other corrupt or criminal activities.
- 7.2.4 It would be beneficial if individuals have a history of community service and respected within his/her community.
- 7.2.5 Must be a NCM member in good standing.

7.4 All individuals that wish to or is identified to represent the NCM as a ward/PR candidate should register on the leadership registration page of the NCM website – [www.namakwacivic.org.za](http://www.namakwacivic.org.za), leadership registration, or should submit a leadership application form to the municipal conveners and NCM district executive committee within each municipal area.

7.4.1 The Municipal conveners will do a preliminary vetting process of the candidates.

7.4.2 Thereafter NCM district committee will schedule an interview with the potential candidates and score the candidates based on his/her competency.

7.4.3 This list of ward councillors and list of PR councillors from each municipal area must be sent to the district executive leadership for a final review of candidates based on the above criteria and the registration or removal of these candidates from the IEC online registration portal will exclusively be a district executive leadership function.

7.4.4 The PR list ranking will be determined by the candidate's competency interview and this ranking may not be altered based on votes received in a specific ward or for a specific candidate.

- 7.4.4.1 The Executive Committee may alter a PR list at any time given that a (50%+1) supports the change/decision exists.

## **8. NCM DISCIPLINARY PROCESS**

**Misconduct** – means any act or omission, whether intentional or unintentional which are contrary to one or more of the provisions in the code of conduct, Constitution of the NCM or conduct as described in clause 1.8 of the policy document.

The disciplinary processes of the NCM are intended to regulate the conduct of members, office bearers and councillors and address and resolve instances of misconduct in a fair, objective, rational and transparent manner to protect the public, maintain public confidence in the NCM and its members, and to declare and uphold the highest standards of conduct amongst NCM members in furtherance of the integrity – These procedures are binding to all NCM members, office bearers and councillors.

### **8.1 Misconduct that may lead to immediate dismissal, revoking of membership and life-ban on membership –**

**8.1.1 Office bearers, Councillors and members that cause serious divisions or a break-down of unity in NCM or the municipal council where the NCM is part of a majority or in an outright majority.**

**8.1.2 Engaging in sexual or physical abuse of women or children or abuse of office to obtain sexual or any other undue advantage from members or others.**

**8.1.3 Misappropriation of the funds of NCM or destruction of its properties.**

**8.1.4 In case where a member has been found guilty of a crime by a court or that you have agreed to plead guilty to a crime.**

**8.1.5 Participating in organized factional activities that is contravenes unity within NCM.**

### **8.2 How to raise a complaint of a member, office bearer and councillor –**

**8.2.1** Wherever possible, NCM's preference is to promote positive behaviours, and prevent issues from happening in the first place.

**8.2.2** NCM recognises the importance of challenging poor behaviours, hence members and officer bearers, councillors as well as any third party should endeavour to report, and do so in good faith and in the manner prescribed by the code, known or suspected misconduct of another member.

**8.2.3** Complaints must not be raised in an open forum.

**8.2.4** Complaints must be expressed in writing and handed in to the respective structural hierarchical designation like, ward coordinator, municipal convenor, district executive leadership etc.

**8.3** The NCM district executive leadership shall designate at least three persons to serve as members of the NCM disciplinary panel to **preside over complaints of political office bearers and councillors**. The respective municipal management leadership will designate persons to serve as members of a NCM disciplinary panel to preside of ordinary members.

**8.3.1** The group shall comprise of members in good standing, advisors, or consultants or any such person that the NCM district executive leadership or the respective municipal leadership may determine from time to time.

8.3.2 The group may comprise of at least one executive leadership member that will also serve as chairperson of the panel.

8.4 The NCM disciplinary panel may remove or exclude any person from the group in section 8.3.1 above, if it deems it appropriate to do so under the circumstances, i.e., conflict of interest.

8.5 The Panel shall execute their administrative and adjudication functions in a reasonable, procedurally fair, transparent, and unbiased manner in accordance with the provision of these Procedures and the principles of natural justice.

8.6 Where it is of the opinion that a *prima facie* case of misconduct on the part of the member, office bearer or councillor concerned is or may be made out, the leadership may issue a **member with a Notice of Complaint which shall** contain the particulars of the complaint, including the complainant's statement and further particulars, where relevant) calling upon the Member to furnish the leadership structure with an explanation in answer to the complaint, in writing and the form of an answering statement, incorporating any documentation in support of their answer, **within 10 (ten) days of receipt of such Notice.** in of

8.7 A member of the Panel shall, at the earliest possible opportunity, recuse himself/herself from the Panel should there be any potential or actual personal interest in the matter, bias, prejudice, or conflict of interest on their part regarding the complaint or the Member

8.8 The Panel shall decide each matter on the evidence before it upon the balance of probabilities. The decision will be by majority ruling and in the case of a deadlock the Chairperson will have a casting vote. The Chairperson shall communicate the requests and decision(s) of the Panel, through the Secretariat of the NCM structures, to the Complainant and the Member.

8.8.1 Dismiss the complaint, and provide both the Complainant and Member a Notice of dismissal notifying the parties of such outcome; or

8.8.2 Where the Panel is of the opinion that an adequate answer to the complaint has not been given, formulate in writing a charge or charges of misconduct (Notice of Misconduct Charge(s)) and require the Member to furnish it with the Member's answer to such charge or charges, in writing in the form of a statement, within a stipulated time.

8.8.3 Failure to respond to or co-operate with the requests made by the Panel in the fulfilment of their duties as set out in these Procedures, including requests by the Company Secretary, so instructed by the Panel, will constitute a further charge against Member.

8.8.4 Having considered the Member's reply to the Notice of Misconduct Charge(s), or where no answer is received, then based on the papers before it, the Panel may either still dismiss the complaint in terms of clause 8.8.1 above or find the member guilty of one or more of the charges.

8.9 The Panel and keep a full record of a complaint in an appropriate format or medium for a minimum period of 5 (five) years after the date on which the matter ended.

8.10 Finding and Sanction –

8.10.1 Where the Panel makes a finding of guilt against a Member on one or more charges, it shall notify the Member accordingly in the form of a Notice of Finding and Sanction, through the Company Secretary, and afford the Member an opportunity

to place before it, in writing and within 10 (ten) days of such Notice, mitigating submissions as are relevant to the nature of the finding and the sanction to be imposed.

8.10.2 Upon receipt of any submissions concerning the nature of the sanction to be imposed on the Member, the Panel shall consider the Member's submission(s) before it, and any aggravating circumstances it deems relevant in the circumstances and impose upon the Member a sanction(s) provided for in these Procedures.

8.10.3 If a Member is dissatisfied with the finding and/or sanction imposed he/she shall have the right to refer the matter for appeal, as provided for in section 8.12 below.

8.10.4 The sanction shall be one or a combination of the following and shall, in the case of multiple sanctions, run concurrently:

8.10.4.1 a written admonishment or reprimand, with or without the requirement to issue a written apology to the Complainant and/or NCM and/or any other relevant party.

8.10.4.2 a suspension of membership and role within the NCM for a period not exceeding 48 (forty-eight) months.

8.10.4.3 an order to successfully complete a competency or ethics related course and/or examination (the cost of which shall be for the Member's account) of NCM's choosing, within a specified period.

8.10.4.4 an order to successfully complete personal or professional coaching or counselling (or similar remedial intervention) of NCM's choosing, within a specified period (the cost of which shall be for the Member's account).

8.10.4.5 termination of membership for a period not exceeding 10 (ten) years, at the expiry of which the Member concerned may re-apply for membership;

or

8.10.4.6 a life bans on membership.

8.10.5 The Panel may suspend or defer all or any part of sanction(s) for any period on any condition that it deems appropriate in the circumstances.

#### 8.11 **Precautionary suspension of membership and leadership role within the NCM –**

8.11.1 Where the **NCM District executive leadership** or municipal conveners becomes aware of published (irrespective of the medium or form) allegations or reports of misconduct on the part of a Member or leader, and where the process in section 8.1 – 8.10 above has not yet commenced, or has commenced but has not yet been concluded, the NCM may:

8.11.1.1 make a preliminary inquiry at their discretion as to the nature and extent of the allegations or reports to determine whether the publication of such allegations or reports poses a potential risk to NCM's reputation or activities.

8.11.1.2 advise the Member in writing that a precautionary suspension of membership and leadership role is intended and provide the Member with an opportunity to make written representations **within 10 (ten) days** to the NCM leadership before the precautionary suspension is confirmed.

8.11.1.3 where the representations in 8.11.1.2 above are rejected, confirm the precautionary suspension in writing, and thereafter proceed with the

process as outlined in section 8.1 – 8.10 above at **the first reasonable opportunity.**

8.11.2 A precautionary suspension should be uplifted if, and at the earliest opportunity, if it be reasonable to do so.

8.11.3 The decision on the implementation, duration and/or upliftment, of a precautionary suspension shall vest with **the NCM municipal leadership or District executive leadership.**

8.11.4 The precautionary suspension is not a form of sanction.

#### 8.12 **Appeal process –**

8.12.1 A Member (the Appellant) having been found guilty of a charge or charges may lodge an appeal against the finding and/or sanction of the Panel within **10 (ten) days** of the date of the finding by setting out the grounds for appeal in writing and submitting their appeal to the NCM secretariat.

8.12.2 The NCM Secretary shall identify and furnish a new panel (the Appeal Panel), comprising of no less than three persons as set out in above, with the appeal documentation at the first reasonable opportunity, taking cognisance of the timelines in 8.3 above.

8.12.3 The Appeal Panel shall study the record of the complaint and the grounds for the appeal and allow or disallow an appeal within 20 (twenty) days of receiving the Notice of Appeal, and the NCM Secretary shall cause the Appellant to be informed in writing, accordingly (Notice of Response to Appeal). In the case of the Appeal Panel disallowing the appeal, the matter will be dealt with as if no appeal has been lodged.

8.12.4 No person who participated in the initial consideration of the complaint, may be tasked to consider the appeal thereof.

8.12.5 Where an appeal is allowed, the Appeal Panel shall consider both the record of the initial complaint and the appeal received from the Member concerned, but may not consider new evidence, except where:

8.12.5.1 added information becomes available, and it would be impracticable, in the opinion of the Appeal Panel, to refer the matter back to the (initial) Panel; and/or

8.12.5.1 a dispute arises as to a point of procedure followed by the (initial) Panel, and it is not possible to ascertain from the record, in the opinion of the Appeal Panel and on a balance of probabilities, the process that was initially followed.

8.12.6 The Appeal Panel shall, in its sole discretion, have the authority to:

8.12.6.1 substitute any finding of the (initial) Panel, with a new finding

8.12.6.2 impose any new sanction(s) from the competent sanction(s) in section 8.10.4.

8.12.6.3 confirm the finding(s) and/or sanction(s) of the (initial) Panel; and/or

8.12.6.4 refer the matter back for a rehearing by a new Panel on all or some of the original charges.

8.12.7 The Appeal Panel shall execute their adjudication function in a reasonable, procedurally fair, transparent, and unbiased manner in accordance with the provision of these Regulations and the principles of natural justice.

8.12.8 The NCM Secretary shall cause a full record of the appeal to be kept in an appropriate format or medium for a minimum period of 5 (five) years after the date on which the matter ended.

8.12.9 Nothing in this section 8.12, shall preclude the Member concerned from approaching a Court for such relief as he/she may believe they may be entitled to in the event that they are aggrieved by the outcome of their appeal.

8.13 The termination, or voluntary cancellation, of a Member's membership shall in no way derogate from or affect the NCM's jurisdiction to adjudicate a disciplinary procedure, in the manner set out in these procedures, a complaint(s) of misconduct against a Member which:

8.13.1 arose prior to the date the Member's membership being terminated or voluntarily cancelled.

8.13.2 allegedly occurred while the Member was (still) a member/leader of the NCM; and

8.13.3 which complaint(s) have not yet been resolved.

END