

**PROGRESSIVE  
BLACKS IN  
INFORMATION &  
COMMUNICATION  
TECHNOLOGY**

**CONSTITUTION OF THE  
PROGRESSIVE BLACKS IN  
INFORMATION AND  
COMMUNICATION TECHNOLOGY**

Version one: As amended at the 2<sup>nd</sup> National General Conference held on 3<sup>rd</sup> and 4<sup>th</sup> November 2018.

Version two: As amended at the 3<sup>rd</sup> National General Council held on 29<sup>th</sup> - 30<sup>th</sup> May 2020.

## PREAMBLE

**AWARE THAT** The struggle of liberating South Africans continues towards a common purpose of ensuring that every South African is included in the opportunities and benefits of our newly found freedom.

**EMPHASIZING THAT** the PBICT is non-racial, non-sexist, non-xenophobic and non-afro phobic. It aligns itself to the leader of our revolution and its alliance partners in the transformation agenda towards bridging the social divide as well as the digital divide, the struggle for liberation of our country and the abolishment of apartheid systems and so it continues to do lead the agenda of addressing the imbalances of past.

The apartheid regime affected the majority of Black people which are (African, Colored and Indian) in South Africa. We are mindful of the fact that much work needs to be done to correct the imbalances posed by these injustices. We are further aware that there is a need to bridge the digital divide by, decolonizing and transforming the sector to benefit the have nots equally to the haves.

South Africans, through the freedom charter, have been made aware that this Country and its opportunities belong to all those who live in it. We are aware of the fact that a large portion of the ICT spends benefits to the few who control the economy and the Sector. Without an organized structure like the PBICT to push the radically economic transformation agenda in the ICT Sector, we know that the status quo will remain.

The PBICT seeks to attract people in Academia, Industry, Society and Government that are in the space of Science, Technology, Engineering, Arts, Maths, Innovation and Entrepreneurship that alignment themselves with progressive movements and who aspire to progressive ideals such as those enshrined in the Freedom Charter and the Preamble of the Constitution of the Republic of South Africa.

**NOTING THAT** Black people and Black Designated Groups, Africans in particular are the ones mostly historic policies of segregation that led to poverty and subsequently the digital divide, we are further note the reality that our social conditions created by the abovementioned factors makes us vulnerable to accessing opportunities of the sector.

**HAVING REALISED THAT** The opportunity exists now for PBICT to lead the radical transformation agenda of the sector and the Fourth Industrial Revolution. We commit to work tirelessly to ensure the realization of an all-inclusive sector.

**WHEREAS** Government, Parastatals and Private companies continue to exclude our people from economic opportunities in the STEAMIE Sector. This allows the privileged to continue monopolize and control access to the Sector at the expense of the many.

**REALISING THAT** Poverty, illiteracy, incapacitation and several socio-economic issues continue to widen the gap between the haves and have-nots.

**CONVINCED THAT** We have the capacity as a Country to be a producer rather than being a consumer of technology and we are convinced as PBICT that we are in a better position to lead the fight of addressing the plight of the disadvantaged.

The several members whose names are subscribed hereunder constitute and bind themselves to the **Progressive Blacks in Information Communications and Technology (PBICT)** organization.

**NOW THEREFORE** We the members hereby join the PBICT voluntarily and bind ourselves to this constitution.

# CHAPTER 1: DEFINITIONS

1. **Progressive Blacks in Information, Communication and Technology (PBICT)** – a non-profit company established in terms of the company laws of the Republic of South Africa with registration number 2017/114563/08
2. **Black people** - As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 “Black People” is a generic term which means Africans, Coloureds and Indians –
  - a) who are citizens of the Republic of South Africa by birth or descent; or
  - b) who became citizens of the Republic of South Africa by naturalisation:
    - i. before 27 April 1994; or
    - ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date.
3. **Black Designated Groups** means:
  - a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;
  - b) Black people who are youth as defined in the National Youth Commission Act of 1996;
  - c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;
  - d) Black people living in rural and under developed areas;
  - e) Black military veterans who qualify to be called a military veteran in terms of the Military Veterans Act 18 of 2011.
4. **STEAMIE** - means the following sectors Science, Technology, Engineering, Arts, Maths, Innovations and Entrepreneurship.
5. **Communism** - theory or system of social organization in which all property is owned by the community and each person contributes and receives according to their ability and needs.
6. **Radical transformation** - we mean fundamental change in the structure, systems, institutions and patterns of ownership, management and control of the economy in favor of all South Africans, especially the poor, the majority of whom are African and female, as defined by the governing party which makes policy for the democratic government.
7. **Universal access** - defined as the design of products, environments, programmes and services to be usable by all persons to the greatest extent possible without the need for adaptation or specialized design, including assistive devices and technologies for particular groups of persons with disabilities where these are needed., universal access means the removal of cultural, physical, social and other barriers that prevent

people with disabilities from entering, using or benefiting from the various systems of society that are available to other citizens.

8. **Monopolization** - illegal and the main categories of prohibited behavior include exclusive dealing, price discrimination, refusing to supply an essential facility, product tying and predatory pricing.
9. **Consortium** - is an association of two or more individuals, companies or organizations with the objective of participating in a common activity, such as responding to a tender, or pooling their resources to achieve a common goal.
10. **Cooperative** - an autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly owned and democratically controlled enterprise.
11. **Special NGC** – Special National Conference in terms of section 8.6.3 (e) of the PBICT Constitution.
12. **Chief Directing Officer:**
  - a) exercises general executive control over and management of the whole in consultation with the National Executive Committee, or a significant portion, of the organization and activities of the organization; or
  - b) regularly participates to a material degree in the exercise of general executive control over and management of the whole, or a significant portion, of the business and activities of the organization.
13. **Preside** - ensures that debate and proceedings are carried out in accordance with the rules of the organization.
14. **NWC** – National Working Committee established by the NEC in terms of the PBICT Constitution.
15. **Deputize** - temporarily act or speak on behalf of someone else.

## CHAPTER 2: NAME, LOCATION & LOGO

- 2.1 The name of the organization shall be **PROGRESSIVE BLACKS in INFORMATION, COMMUNICATION and TECHNOLOGY** (hereinafter referred to as the "**PBICT**").
- 2.2 The Offices of the PBICT shall be located at a duly designated and approved address in each Province and the National Executive Committee (NEC) shall determine the Head Office.
- 2.3 The PBICT organization shall be a non-profit company.
- 2.4 The colors of the PBICT organization shall be black, green and gold. To the PBICT the colors shall be further extended as outlined in **Appendix 1** where the logo is also described and constituted.

## CHAPTER 3: FOUNDING PROVISIONS

### 3.1 Vision

We see ourselves living in a Country where the economy is in the hands of its people and we are a largely producer of technology rather than a largely consumer of foreign technology.

### 3.2 Mission

We will breakdown gatekeepers, challenge the systems that deprive our people opportunities and support systems that promote transformation and development of our people.

### 3.3 Character of the PBICT

- 3.3.1 The PBICT is a progressive organization which aligns itself to the revolution which aims to address the imbalances of the past and one which strives to ensure equity through radical economic transformation.

#### 3.3.2 The PBICT shall:

- a) Be a non-racial, non-sexist organization, which focuses on transforming the STEAMIE sector to benefit the Black people of South Africa.
- b) Ensure that its policies and position are clearly articulated in the industry.
- c) In its composition and functioning, be unitary, democratic and follow these key principles: inclusivity, engagement and communism.

- d) Cooperate closely with progressive movements and other forums or groupings that strive to transform the lives of Black people in the country.
- e) Create a platform for an exchange of ideas and shall encourage open debates on all organizational and sector related issues which include but not limited to the following political, economic, social, legislative and technological.
- f) Lead the rapid and radical transformation of the STEAMIE sector in South Africa.
- g) Partake in the sector related programme in Africa that seeks to empower the continent and its people.
- h) Challenge any system that excludes Black people from participating in the sector.
- i) Support the leader of the South African revolution and its government where the PBICT feels we share the same views and objectives. Contradict when the former does not apply.

### 3.4 Purpose of the PBICT

The purpose of the PBICT shall be to ensure that Black people and Black Designated Groups have full access to the STEAMIE sectors and shall further promote innovation and advance the agenda to ensure that as a Country we produce technology more than we consume.

### 3.5 Establishment

The PBICT shall be deemed to have come into force upon the following:

- a) Registration as with the Companies and Intellectual Property Commission as a non-profit company.
- b) Adoption of the concept by interested members who are active participants in the industry.
- c) Recruitment of at least one hundred (100) founding members across five (5) or more Provinces.
- d) Convening of the founding conference that must be attended by fifty-one (51) or more founding members.
- e) Adoption of the Constitution at the founding conference.
- f) Election of the first National Executive Committee of the PBICT at the founding conference.

## CHAPTER 4: AIMS, OBJECTIVES & ACTIVITIES OF THE PBICT

### 4.1 Aims and Objectives of PBICT

4.1.1 The PBICT aims to ensure that Black people take full ownership of the STEAMIE Sectors.

4.1.2 The aims and objectives of the PBICT are:

- a) To unite all the South Africans in the sector, who subscribe to the radical economic transformation agenda.
- b) To create an enabling environment which gives Black people and/or Black Designated Groups of people a minimum of 70% of the mainstream economic opportunities in the sector.
- c) To lead the agenda of eradicating the digital divide, social divide and ensure universal access for all South Africans.
- d) To support and advise stakeholders on the policies and direction of the sector.
- e) To co-ordinate the development of technologies and innovations in South Africa.
- f) To build relations with Public and Private stake-holders who share a common interest and vision of the PBICT.
- g) To support and advance the international agenda of protecting the environment and promoting green technology in South Africa.
- h) To support and advance the development of the youth and women sector;
- i) To open doors of opportunity for Black SMME's in the sector.
- j) To challenge any system, legislations, policy, organizations and or grouping that promotes or allows monopolization of the sector by the few.

## 4.2 Activities of the PBICT

- 4.2.1 Engage all stakeholders on behalf of Black people and/or Black Designated Groups of people in the sector to influence policy and development of the sector in South Africa and ultimately Africa;
- 4.2.2 Organize Black people and/or Black Designated Groups of people in the sector to achieve the radical economic transformation agenda of South Africa;
- 4.2.3 Influence the development of knowledge, skills and content production in the sector by ensuring the alignment of the education curriculum to the needs of the industry;
- 4.2.4 Promote the development and manufacturing of locally designed and produced technologies and content.
- 4.2.5 Bridge the digital divide to eradicate the gap between the haves and the have nots.
- 4.2.6 Grow the organization and ensure representation in every Province.
- 4.2.7 Create a sense of awareness in the society to make maximum usage of technology as an integral part of improving their way of life through the internet of things.
- 4.2.8 Establish international relations towards the achievement of our objectives.
- 4.2.9 Encourage the youth and woman to participate and take control of the sector.

# CHAPTER 5: MEMBERSHIP

## 5.1 Qualification of Membership

- 5.1.1 Membership shall be open to all those who are in the sector irrespective of race, religion, gender or affiliations as long as they identify themselves with the PBICT and its struggle.
- 5.1.2 He/she is an active contributor to the Information and Communication Technology sector or the Media and Communication Sector not limited to the following categories (Entrepreneur, Employee, Student, Educator, Professional and Academics).
- 5.1.3 He/she subscribes to the founding provisions of the PBICT.
- 5.1.4 He/she was recruited through a duly authorized process of the PBICT and
- 5.1.5 He/she has paid their membership fee in full should it be required.
- 5.1.6 The PBICT shall be open to corporate membership that will incorporate the right to participate in and contribute to all meetings through its nominated representatives but shall not be entitled to vote.
- 5.1.7 Granted special concession for honorary membership by the NEC of the PBICT.
- 5.1.8 All persons not of South African origin who have manifested a clear identification with the PBICT and its struggle and are resident in South Africa may apply for membership as an ordinary member.
- 5.1.9 Member is good standing shall refer to a member who in addition to the above-mentioned qualifications criteria is an active participant in the PBICT activities and or discussion groups, attends PBICT events, is contactable via email, cellphone and or landline.

## 5.2 Categories of Membership

- 5.2.1 Founding members shall be ordinary members that joined PBICT before the convening of the founding conference.
- 5.2.2 Founders shall refer to the ordinary members that established PBICT and those who participated in the concept development consultative forum.
- 5.2.3 Ordinary members shall be those members who have joined the PBICT in line with rule 5.1 and are not honorary members.
- 5.2.4 Members in good standing as defined in rule 5.1 must be invited to meetings, conferences and summits of the PBICT and may be elected into structures of the PBICT subject to the provisions of this Constitution and the duly adopted PBICT policies and guidelines.

- 5.2.5 Members in good standing will have voting powers and duties as prescribed in this constitution.
- 5.2.6 Students may join as ordinary members of the PBICT if they are employed and or self-employed.
- 5.2.7 Student members shall be those that are registered as full-time students with any institution of higher education and are part of the PBICT student desk.
- 5.2.8 Honorary members
  - a) Honorary members shall be those members who join the PBICT on concession by the NEC.
  - b) Honorary members are invited to events and gatherings of the PBICT at the discretion of the NEC and do not have voting powers but can contribute in the gatherings of the PBICT.
  - c) Honorary members may not be elected into any structure of the PBICT.

## CHAPTER 6: THE RIGHTS, DUTIES AND BENEFITS OF MEMBERS

### 6.1 Rights of members in good standing

- 6.1.1 Take full and active part in the discussion, formulation and implementation of PBICT policies.
- 6.1.2 Receive and impart information on all aspects of PBICT policy and activities.
- 6.1.3 Offer constructive criticism of any member, official, policy programme or activity of the PBICT within its structures.
- 6.1.4 Take part in elections and be elected or appointed to any committee, structure, commission or delegation of the PBICT unless limited by conditions of membership set out in 5.2; and
- 6.1.5 Submit proposals or statements to the Provincial or National Executive, provided such proposals or statements are submitted through the appropriate structures.
- 6.1.6 Founding members shall have the right to be delegates of the founding conference and adopt the Constitution.
- 6.1.7 The Founders shall have the responsibility to guide the vision and mission of PBICT at the founding conference.

### 6.2 Duties of members

- 6.2.1 Pay the membership fee that shall be determined from time to time by the National Executive Committee (NEC).
- 6.2.2 Comply with the provisions of the PBICT Constitution, policies and resolutions of its structures.
- 6.2.3 Promote, develop, implement and protect the objectives and founding provisions of the PBICT.
- 6.2.4 Meet all the obligations as shall be from time to time be determined by the PEC/NEC of the PBICT.
- 6.2.5 Action such work as shall be assigned to him/her by the PEC/NEC as long as that work is within the legal prescripts of the law and does not in any way contravene the policies of the organization.

### 6.3 Benefits of members

- 6.3.1 Access to preferential rates from associate organizations and partners of the PBICT in the space of hardware, software, training and other services.
- 6.3.2 Access to a wide network of key stakeholders and partners in the STEAMIE field, which members can use, for career or business growth opportunities.
- 6.3.3 Access to a wide support base to easily overcome challenges and get advice on approaches and plans to overcome difficulties.
- 6.3.4 Access to information through various channels to keep members ahead of technological development.
- 6.3.5 Growth opportunities from initiatives and programmes of the PBICT.
- 6.3.6 Access to programmes of the PBICT aimed at developing its members.

### 6.4 Discipline of Members and Office Bearers

- 6.4.1 All members, without exception, must abide by the Constitution of the PBICT, Standing Orders, Rules, Regulations, Resolutions and Policies as adopted or amended from time to time.
- 6.4.2 Disciplinary proceedings against a member shall be confined to violations of the PBICT Constitution, Standing Orders, Rules, Regulations, Resolutions and Policies adopted, or the commission of offences as set out in Section 6.4, and shall not:
  - a) Be used as a means of stifling debate or denying members their basic democratic rights;
  - b) Be instituted as a means of solving private problems or as a means of interfering in the private lives of members where the norms of the organization are not directly affected,

unless such conduct itself constitutes a violation or an offence affecting the organization.

6.4.3 A serious offence shall be committed by any member who:

6.4.3.1 Prejudices the integrity or repute of the organization, its personnel or its operational capacity by:

- a) Impeding the activities of the organization;
- b) Creating division within its ranks or membership;
- c) Doing any other act which undermines its effectiveness as an organization.
- d) Acting on behalf of or in collaboration with:
  - i. A similar organization other than an organization or party in alliance with the PBICT in manner contrary to the aims, policies and objectives of the PBICT;
  - ii. Any person or group who seriously interferes with the work of the organization or prevents it from fulfilling its mission and objectives.

6.4.3.2 The following shall also be regarded as serious offences, without prejudice to the generality of this provision and the right of the NEC to add to this category of offences:

- a) Misappropriation of the funds of the organization or destruction of its properties;
- b) Behaving corruptly in seeking or accepting any bribe for performing or for not performing any task;
- c) 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;
- d) Fighting or behaving in a grossly disorderly or unruly way;
- e) Deliberately disrupting meetings and interfering with the orderly functioning of the organization.

6.4.3.3 If, in the opinion of the NEC or the relevant body exercising its right to invoke disciplinary proceedings under this Constitution, a member is guilty of the following offences, disciplinary proceedings may follow:

- a) Behavior which brings the organization into disrepute or which manifests a flagrant violation of the moral integrity expected of members or conduct unbecoming that of a member;
- b) Sowing racism, sexism, tribal chauvinism, religious and political intolerance, regionalism or any form of discrimination;
- c) Behaving in such a way as to provoke serious divisions or a break-down of unity in the organization;

- d) Undermining the respect for or impeding the functioning of the structures of the organization;
- e) Participating in organized factional activity that goes beyond the recognized norms of free debate inside the organization and threatens its unity.

6.4.4 Disciplinary proceedings shall normally be conducted at the level where the alleged violation or offence took place, namely the province or national, and may be heard by the relevant structure;

6.4.5 The NEC may direct that the disciplinary proceedings should be heard at a higher level from where the alleged violation or offence took place.

6.4.6 Any person faced with disciplinary proceedings shall receive due written notice of any hearing and of the basic allegations and charges against him or her and be afforded a reasonable opportunity to make his or her defense.

6.4.7 The National Disciplinary Committee shall draw up guidelines for the interpretation of this section on discipline and for the rules of procedure including time limits to be followed before, during and after a hearing.

6.4.8 Any person found guilty in a disciplinary proceeding, or the complainant has the right, within a reasonable period, to appeal against the conviction or sentence, to the next higher body of the PBICT. The NEC may direct that any appeal should be heard by a body higher than the one to which the appeal has been made.

6.4.9 Penalties for proven violations of the Constitution, principles, norms and decisions of the PBICT shall include reprimand, payment of compensation and/or the performance of useful tasks, suspension and expulsion.

#### 6.4.10 Temporary Suspension

The Provincial Disciplinary Committee, the National Disciplinary Committee or the NEC having regard to the nature and seriousness of an alleged violation or offence by a member, may summarily suspend the membership of any member pending the preparation of a charge against the member and the finalization of disciplinary proceedings against the member. The member shall be informed of such suspension. The temporary suspension shall lapse if no disciplinary proceedings are instituted against the member within 30 days of the date of the temporary suspension. Such disciplinary proceedings shall be attended to as quickly as possible and completed within a reasonable period.

6.4.11 All disciplinary proceedings shall be attended to as speedily as possible.

6.4.12 Decisions relating to disciplinary proceedings shall be announced across the PBICT structures.

a) The NEC shall appoint a National Disciplinary Committee from among its membership and from other structures of the PBICT. The decisions of the NDC shall be final except that the NEC may, in its discretion, review a decision. Such a review shall be regulated by standing orders adopted by the NEC.

- b) The National Disciplinary Committee shall hear and determine violations or offences on appeal from appropriate organs of the PBICT. In addition, the national officers, the NEC may refer such violations or offences directly to the NDC. In exceptional situations arising out of serious breaches of the Constitution, Standing Orders, Rules, Regulations, Resolutions and policies adopted, the NDC itself may exercise jurisdiction to investigate and determine a complaint.

6.4.13 The NEC may authorize other structures of the PBICT to institute disciplinary proceedings and to set up appropriate structures to apply the provisions of this Rule.

6.4.14 The Secretary General and Provincial Secretaries shall communicate Rules, Regulations, Resolutions and policies adopted or made in terms of the Constitution to PBICT members.

## CHAPTER 7: CESSATION OF MEMBERSHIP

A person shall cease to be a member of the organization if he/she;

- a) Dies,
- b) Resigns,
- c) Is certified to be of unsound mind by a recognized medical practitioner.
- d) Is expelled from the organization in terms of article 7.4 of this Constitution.

## CHAPTER 8: STRUCTURES OF THE ORGANIZATION

The PBICT shall be made up of the following structures:

### 8.1 The National Executive Committee (NEC)

- a) The NEC of the PBICT shall be elected at a National General Conference (NGC) which shall have an elective conference every 5 (five) years.
- b) The NEC shall be the highest decision-making body of the PBICT in between NGC.

### 8.2 The Provincial Executive Committees (PEC)

- a) The PEC shall be elected at the Elective Provincial Annual General Meeting which shall be convened every 3 (three) years per Province.
- b) The PEC shall have Provincial Annual General Meetings for reports to all members

### 8.3 PBICT Co-operatives

- a) The PBICT NEC shall establish a National Co-operative which shall be a vehicle of opening access to National opportunities for its members.
- b) The PEC of each Provinces shall also establish a Consortium Co-operative which shall be operated under the guidance of the National Consortium Co-operative.
- c) The Consortiums Co-operative shall be established and run under the generally accepted Governance practices which shall be adopted by the NEC.

### 8.4 Provinces

- a) For purposes of PBICT structures, the Country will be divided into the following Provinces, which will be demarcated to correspond strictly to the Provincial boundaries established in the South African Constitution being Eastern Cape; Free State; Gauteng; KwaZulu-Natal; Limpopo; Mpumalanga; North West; Northern Cape; and Western Cape.
- b) The provincial headquarters shall be determined by the PEC.
- c) Provinces shall be constituted by a minimum of 25 (twenty-five) members.

### 8.5 The National General Conference (NGC)

- 8.5.1 The NGC is the highest decision-making body of the PBICT and must be convened by the NEC every 3 (three) years.
- 8.5.2 The NGC must be convened no later than 60 (sixty) days after the end term of office of the NEC.
- 8.5.3 Voting delegates of the NGC:
  - a) The following Executive members shall be voting delegate at the NGC:
    - i) National Executive Committee Members;
    - ii) The Provincial Chairpersons;
    - iii) The Provincial Secretaries;
    - iv) The Provincial Coordinators of the Student Programmes Convener
  - b) Provincial delegates shall be allocated to members in good standing.
  - c) Representation of Provincial delegates to the NGC shall be allocated proportionally to Provinces as per a formula adopted by the NEC.
  - d) The ceiling of the NGC shall be determined by the NEC.

- e) The NEC may convene a special NGC to fill vacant position and or deal with issues if the vacant position and or issues are causing the organization to be dysfunctional.

#### 8.5.4 Non-Voting Delegates:

- a) The NEC may invite Guest, Alliance Organizations, Media, and Representatives from Corporate members and honorary members to the NGC.

#### 8.5.5 Quorum

- a) The NGC can only be convened if there is 5 (five) or more Provinces that have active Provincial structures.
- b) The ceiling of the conference shall be set and adopted by the NEC.
- b) For the NGC to quorate there must be 51% or more of the expected voting delegates.

#### 8.5.6 Duties and Powers of the NGC and Special NGC

The National General Conference shall:

- a) Decide and determine the policy, programmes and the Constitution of the PBICT.
- b) Receive and discuss the reports of the NEC which shall include the Presidential Address, the Secretary General's Report, which shall include a report on the work and activities of the PBICT Student Programmes Convener, and the Treasurer General's Report.
- c) Have the right and power to review, ratify, alter or rescind any decision taken by any of the constituent structures, committees or officials of the PBICT.
- d) Elect the President, the Deputy President, National Chairperson, the Secretary General, Deputy Secretary General, Treasurer General, Deputy Treasurer General, 3 (three) additional members and Student Programmes Convener.
- e) Have the power to elect or appoint any commission or committee and assign specific tasks and duties to such commission or committee.
- f) The NGC has the power to amend the constitution.

### 8.6 National Executive Committee (NEC)

#### 8.6.1 Composition of the NEC

The NEC shall be elected as per rule 8.6 of this Constitution and shall be composed as the following:

- a) President
- b) Deputy President
- c) National Chairperson
- d) National Deputy Chairperson
- e) Secretary General
- f) Deputy Secretary General: Systems and Membership Maintenance
- g) Deputy Secretary General: Administration and Support
- h) Treasurer General
- i) Deputy Treasurer General
- j) SMME's Mobiliser
- k) Professionals and Workers Mobiliser
- l) Innovators Mobiliser
- m) Woman in STEAMIE Mobiliser
- n) Youth in STEAMIE Mobiliser
- o) Student in STEMIE Mobiliser
- p) Policy and political education Organizer
- q) Additional member
- r) Additional member

#### 8.6.2 Duties and Powers of the NEC

The NEC shall have the following Powers and Duties:

- a) Act for and on behalf of the PBICT at a national level in its day-to-day operation.
- b) Implement and execute decisions and policies passed by the NGC.
- c) Discuss and decide on all-important matters affecting the PBICT and bear collective responsibilities of all such matters discussed and agreed upon.
- d) Mobilize and manage the organization's funds and finances.
- e) Establish sub committees from it to carry out specific functions.
- f) Have powers to suspend any of their members as provided for in this Constitution.
- g) Issue, send directives and receive reports from the provinces;
- h) Control the assets and resources of the PBICT.
- i) Enforce the Constitution of the PBICT.
- j) Oversee the work of Provincial PBICT and the Student Committee.
- k) Issue documents, statements and policy directives as and when it deems fit.
- l) Co-opt not more than 3 (three) members into the NEC if it deems it necessary towards the implementation of the PBICT programmes.
- m) Oversee the work of any support structures established to advance the agenda of the PBICT.
- n) Institute and defend legal proceedings of the organization.

- o) Challenge any systems through every legal way possible, which excludes Black people from the sector.
- p) Take all steps necessary or warranted for the due fulfilment of the aims and objectives of the PBICT and the due performance of its duties.
- q) The NEC may convene a Policy Conference, as a recommendation-making body on any matter of policy, whenever it deems it necessary.
- r) Identify and establish support structures at National and Provincial levels to advance the agenda of the PBICT.
- s) Convene a mid-term review meeting of the NEC and PEC has to assess the performance of the PBICT.
- t) Convene the Extraordinary PAGM of any Province in line with clause 8.8.5 of this Constitution.
- u) Convene a Special National General Conference at the request of two thirds of Provinces to deal with specific issues.
- v) Convene quarterly per calendar year NEC meetings or as and when deemed necessary.

#### 8.6.3 NEC Officials term of office:

- a) The Officials of the NEC shall serve as Officials for a period of 5 (five) years.
- b) An Official may not hold office for more than 2 (two) terms.

#### 8.6.4 Powers and functions of NEC Officials:

##### 8.6.4.1 The President shall:

- a) Be the overall chief directing officer of the PBICT.
- b) Represent the PBICT in all stakeholder forums, meetings, events etc.
- c) She/he shall make pronouncements for and on behalf of the NEC outlining and explaining the policy or attitude of the PBICT on any question.
- d) Present to the NGC and mid-term review meeting a comprehensive statement of the state of the PBICT.
- e) Under the overall supervision of the NEC, direct the activities of the PBICT.
- f) Call and preside over all working executive committee meetings.
- g) Summon all emergency meetings of the organization whenever deemed fit.

- h) Coordinate all the activities of the National Executive Committee.
- i) Be the principal signatory to the organization's bank account as well as documents of legal standing.
- j) Sensitize and market the organization to the public.
- k) Pass information to concerned members of the organization as per the scheduled meetings.
- l) Play the role of public relations officer.
- m) Received reports from all Committees and supporting structures of the PBICT.
- n) Oversee the establishment of structures aimed at advancing the agenda of the PBICT.
- o) Preside over all National meetings.
- p) Provide political oversight and give direction on the political alignment of the PBICT.

**8.6.4.2 The Deputy President shall:**

- a) Assist the President in executing the Programmes of the Presidency.
- b) Deputize for him or her when necessary and carry out whatever functions that are entrusted to him or her by the President, NEC or the NGC.
- c) He or she shall be an ex-officio member of the NWC.
- d) In the event of death or permanent incapacity of the President the Deputy President shall Act as the President until such time that the NEC convenes a special NGC to elect a new President.

**8.6.4.3 The National Chairperson shall:**

- a) Be the custodian of the adopted policies and decisions taken by the NGC or the NEC.
- b) Chair over all NEC and NGC meetings.
- c) Carry out such additional tasks or functions, as are entrusted to her/him, by the NGC or the NEC.
- d) In the absence or incapacity of the Chairperson, the President will assume her/his functions.
- e) In a case whereby the President and Deputy President are permanently not able to perform their duties or are not available the Chairperson shall assume the role of the President or nominate any member of the NEC to perform such duties in an Acting Capacity.
- f) Oversee the launching of Provincial structures according to the rules set by the NEC.
- g) Co-ordinate the development policies and guidelines of the PBICT under the supervision of the NEC.

- h) Conduct political classes, inductions and programmes of the PBICT.

**8.6.4.4 The Secretary General shall:**

- a) The Secretary General is the chief administrative officer of the PBICT.
- b) The Secretary General communicates the decisions of the PBICT on behalf of the NEC;
- c) Keeps the minutes of the Annual General Meeting and the NEC as well as other records of the PBICT.
- d) Conducts the correspondence of the NEC and sends out notices of all meetings.
- e) Conveys the decisions and instructions taken at the National Conference and at NEC level to the Provinces, Regions and members of the PBICT.
- f) Prepares annual reports on the work of the NEC.
- g) Presents to the National Conference a comprehensive administrative status of the PBICT.
- h) Coordinate the establishment of Provincial structures.
- i) Convene the recruitment of members into the PBICT.
- j) In the absence or incapacity of the President, Deputy President and the Chairperson, the Secretary General will assume her/his functions.
- k) Provide oversight on the membership systems and website of the PBICT.
- l) Facilitate the deployment of NEC members to strategic engagements of the PBICT and its stakeholders.
- m) Convene ordinary meetings of the NEC.

**8.6.4.5 The Deputy General Secretary (DGS) of Systems and Membership Maintenance shall:**

- a) The Deputy General Secretary of Systems and Membership Maintenance is the chief executor of the daily operations of the National Office. He/ She shall:
- b) Assist the General Secretary in the implementation of plans and strategies of the PBICT.
- c) Manage the membership system, website, domains and other related functions of the PBICT at National level.
- d) In the absence of the Secretary General assume his/her functions and carry out whatever functions that are entrusted to him or her by the Secretary General, National Executive Committee or the National General Council.

**8.6.4.6 The Deputy General Secretary (DGS) of Administration and Support shall:**

- a) Execute the day-to-day operations of the National Office.
- b) Prepare and record minutes, reports for and other documents for the General Secretary as and when required.
- c) In the absence of the Secretary General assume his/her functions and carry out whatever functions that are entrusted to him or her by the Secretary General, National Executive Committee or the National General Council.

**8.6.4.7 The Treasurer General shall:**

- a) Present audited accounts and financial reports at annual general assembly meetings.
- b) Be responsible for the finances of the organization.
- c) Perform such duties as may be assigned to him by the executive committee or General Assembly.
- d) Keep proper books of accounts preserve the books and make them available for inspection by those authorized to do so.
- e) Receive and disburse money belonging to PBICT and shall obtain receipts for all money paid out by him.
- f) Collect all subscription fees, membership contributions to the capital fund and all other money to which PBICT is entitled.
- g) Deposit monies of PBICT to the financial institution agreed upon by the Annual General Meeting.
- h) Be a mandatory signatory on all financial documents of the organization.
- i) Conduct fundraising to ensure sustainability of the PBICT.

**8.6.4.8 The Deputy Treasurer General (DTG) shall:**

- a) Deputize the TG when necessary and carry out whatever functions that are entrusted to him or her by the Treasurer, NEC or the National General Council.
- b) Assist the Treasurer in managing the financial affairs of the PBICT.
- c) Assist the Treasurer in raising funds for the PBICT.

**8.6.4.9 Provincial Chairpersons and Secretaries of Provinces**

- a) The Provincial Chairpersons and Secretaries shall attend the NEC as ex- officio members of the NEC and shall represent the views of their Provinces at the NEC.

#### **8.6.4.10 Student Programmes Convener]**

The duly elected national Student Programmes Convener shall be an ex- officio member of the NEC.

#### **8.6.4.11 The Women's and Youth Programme Conveners of the NEC shall:**

- a) Attend all NEC meetings as voting members.
- b) Execute the directives and duties assigned to them by the NEC.
- c) Make contributions and arguments on issues and topics in the NEC relevant to their sectors.
- d) Assist the NEC with all programs related to their sectors.

### **8.7 National Working Committee (NWC)**

- a) The National Working Committee consists of the top seventeen members of the NEC.
- b) The top seventeen members are the President, Deputy President, National Chairperson, National Deputy Chairperson, Secretary General, Deputy Secretary General: Systems and Membership Maintenance, Deputy Secretary General: Administration and Support, Treasurer General, Deputy Treasurer General, SMME's Mobiliser, Professionals and Workers Mobiliser, Innovators Mobiliser, Woman in STEAMIE Mobiliser, Youth in STEAMIE Mobiliser, Student in STEMIE Mobiliser, Policy and political education Organizer and an Additional member.
- c) The top five members' names must be added as Directors on the CIPC company documents of the PBICT after they are elected into office. These top five members are: President, National Chairperson, Secretary General, Deputy Secretary General: Administration and Support and the Treasurer General.
- d) Each member mentioned in part b) has the option to decline addition of their names to the PBICT CIPC documentation and must express their declination in a letter directed to the Secretary General.

## 8.8 Provincial Executive Committee (PEC)

### 8.8.1 The Provincial Annual General Meeting (PAGM)

- a) The Provincial Annual General Meeting (PAGM) is the highest organ of the PBICT in the Province.
- b) This is subject to the decisions of the NGC and the overall guidance of the NEC.

### 8.8.2 Provincial Annual General Meeting (PAGM) shall:

- a) Be convened under the rules and guidelines set by the Secretary General and as approved by the NEC.
- b) Receive, debate and approve reports from the Provincial Chairperson of the on the activities of the PBICT in the Province for the previous year.
- c) Receive and discuss the annual reports on the progress and status of projects and programmes of the PBICT in the Province.
- d) Receive and approve audited financial reports from the Provincial Treasurer.
- e) Receive reports from the Provincial Secretary on the state of membership and the organization's development.
- f) Deliberate any issue, which may be raised by the members.
- g) Develop a programme of the PBICT in the Province for the year.
- h) Fill vacant positions of the PEC.
- i) Elect Office bearers after the end of their 3 (three) year term of office.
- j) Vote for the PEC according to this Constitution.
- k) Vote on key issues by use of secret ballot.
- l) Promote and implement the decision of the NEC.
- m) Carry out and develop policies of the PBICT in the Province.
- n) Have the power to elect or appoint any working sub-committee and assign specific tasks and duties to such committees.

8.8.3 Attendance at the PAGM shall be:

- a) Members of the PEC.
- b) All registered members in good standing within the respective Province.
- c) Any persons or organizations sympathetic to the aims and objectives of the PBICT may attend at the invitation of the PEC as non-voting delegates.
- d) Officials of the NEC as deployed by the Secretary General.

8.8.4 Quorum of the PAGM

The quorum for each PAGM shall be 50% (fifty percent) plus 1 (one) of the ceiling as determined by the NEC.

8.8.5 Extraordinary PAGM (EPAGM)

An extraordinary PAGM to conduct urgent business may be convened by:

- a) The PEC under the guidance of the NEC or the NEC of the PBICT.
- b) The quorum at the extraordinary general assembly shall be one third of the members in good standing in the respective Province.
- c) An EPAGM shall only deal with the urgent matters of the day and may not elect Office bearers unless called by the NEC to launch the province or fill a position.

8.8.6 Composition of the PEC

The PEC shall be elected every 3 (three) years in terms of this Constitution and shall be composed as the following:

- a) Provincial Chairperson
- b) Deputy Provincial Chairperson
- c) Provincial Secretary of Administration and Support
- d) Deputy Provincial Secretary of Systems and Membership Maintenance]
- e) Provincial Treasurer
- f) PBICT Student Programmes Convener
- g) PBICT Women Programmes Convener
- h) PBICT Youth Programmes Convener
- i) Professionals Desk Coordinator

8.8.7 **The PEC shall have the following duties and powers:**

- a) Act for and on behalf of the PBICT in the Province in its day-to-day operations.

- b) Implement and execute decisions and policies passed by the NEC and or the PAGM.
- c) Discuss and decide on all important matters affecting the PBICT in the Province and bear collective responsibilities of all such matters discussed and agreed upon.
- d) Mobilize and manage the organization funds and finances within the province.
- e) Establish sub committees to carry out specific functions.
- f) Have powers to suspend any of their members as provided for in this Constitution.
- g) Receive and implement reports and directives from the NEC.
- h) Control the assets and resources of the PBICT in the Province.
- i) Enforce the Constitution of the PBICT in the Province.
- j) Oversee the work of Student Chapter in the Province.
- k) Issue documents, statements and policy directives as and when it deems fit under the supervision of the NEC.
- l) Co-opt not more than 2 (two) additional members to provide capacity in the implementation of the PEC mandate.
- m) Establish and convene the Student Desk.
- n) Convene an extra ordinary PAGM under the guidance of the NEC under clause in Chapter 8.8 section 4 of this Constitution.

#### 8.8.8 Duties and functions of the PEC Officials

##### 8.8.8.1 **The Provincial Chairperson shall:**

- a) Be the ex-officio member of the NEC.
- b) Enforce the policies of the PBICT.
- c) Represent the PBICT in Province if the President is not available.
- d) Preside and Chair over all Provincial meetings of the PBICT.
- e) Carry out such additional tasks or functions, as are entrusted to her/him, by the PAGM and the NEC.
- f) Oversee the implementation of the PAGM and or the NEC directives and resolutions.
- g) Execute any other additional duties given to him/her by the PAGM or the NEC.
- h. Convene the PEC meetings with the Provincial Secretary.

##### 8.8.8.2 **The Deputy Provincial Chairperson shall:**

- a) Deputize the Provincial Chairperson when necessary and carry out whatever functions that are entrusted to him or her by the Provincial Chairperson, PEC or the PAGM.

- b) In the event of death or permanent incapacity of the Chairperson the Deputy Chairperson shall Act as the Chairperson until such time that the PEC convenes a special PAGM to elect a new Chairperson.
- c) Co-ordinate all Special programmes of the PBICT as set by the Office of the Presidency and or the PEC.

**8.8.8.3 The Provincial Secretary of Administration and Support shall:**

- a. Be an ex-officio member of the NEC.
- b. Communicate the decisions of the PEC to all members in the province;
- c. Keep the minutes of the PAGM and the PEC meetings as well as other records of the PBICT in the Province;
- d. Conduct the correspondence on behalf of the PEC and send out notices of all meetings;
- e. Prepare annual reports on the work of the PEC as and when required;
- f. Oversees the membership system in the province and submits monthly reports to the Secretary General of the PBICT.
- g. Delegate the day-to-day administration of the membership system to the Deputy Provincial Secretary.
- h. Oversee the planning and co-ordination of the day-to-day operations of the Provincial Office.
- i. Delegate the day-to-day execution of the daily operations of the Provincial Office to the Deputy Provincial Secretary.
- j. Present to the PAGM a comprehensive administrative status report of the PBICT in the Province.
- k. In the absence or incapacity of the Provincial Chairperson, the Provincial Secretary will assume her/his functions.
- l. Convene the PEC meeting with the Provincial Chairperson.

**8.8.8.4 The Deputy Provincial Secretary of Systems and Membership Maintenance shall:**

- a) Assist the Provincial Secretary in the implementation of plans and strategies of the PBICT in the Province.
- b) Manage the membership system, website and domain and related functions of the PBICT in the Province.
- c) Execute the day-to-day operations of the Provincial Office.

- d) Prepare reports for and other documents for the Provincial Secretary as and when required.
- e) In the absence of the Provincial Secretary assume his/her functions.

**8.8.8.5 The Student Programmes Convener shall:**

- a) Represent the Students Desk in the PEC
- b) Present and relay the interests of the students in the PEC of the PBICT.
- c) Oversee the establishment of student desks in the Institutions.
- d) Oversee the coordination of all PBICT student programmes in the province.
- e) Co-ordinate PBICT student activities with other Provincial Coordinators.
- f) Submit reports on activities of the Student Desk to the PEC and the National Coordinator
- g) Shall participate in all PAGMS/ EPAGMS with full voting powers.

**8.8.8.5 The Provincial Treasurer shall:**

- a) Present audited accounts and financial reports of the PEC at the PAGM.
- b) Be responsible for the finances of the PEC.
- c) Keep proper books of accounts of all financial transactions of the PEC and make them available for inspection by those authorized to do so.
- d) Receive and disburse money belonging to the PEC and obtain receipts for all monies paid out by him.
- e) Collect all subscription fees, membership contributions to the capital fund and all other money to which PBICT is entitled.
- f) Submit monthly financial reports to the National Treasurer and annual financial statement at year-end.
- g) Deposit cash and monies of PEC to the financial institution agreed upon by the PEC.
- h) Be a mandatory signatory on all financial documents of the PEC.
- i) Co-ordinate fundraising programmes for the PEC.

**8.8.8.6 The Women's and Youth Programme Conveners of the PEC shall:**

- a) Attend all PEC meetings as voting members.
- b) Execute the directives and duties assigned to them by the PEC.

- c) Make contributions and arguments on issues and topics in the PEC relevant to their sectors.
- d) Assist the PEC with all programs related to their sectors.

#### 8.9 Provincial Working Committee (PWC)

- a) The Provincial Working committee shall consist of the Provincial Chairperson, Deputy Chairperson, Provincial Secretary, Deputy Provincial Secretary: Administration and Support, Treasurer General.
- b) The PWC meets monthly and co-ordinates all special programmes and operations within the PEC as per resolutions from the NEC.

#### 8.10 Provincial Task Teams (PTT):

##### 8.10.1 A PEC would be deemed to be inactive where it:

- a) fails to convene PEC meetings for 2 (two) quarters;
- b) fails to submit quarterly reports to the NEC for 2(two) quarters;
- c) where it is inactive or unstable due to infighting or multiple resignations in its top structure.

##### 8.10.2. The NEC through the NWC will intervene by calling the PEC through its Chairperson or Provincial Secretary and the NWC has the discretion to place the PEC under administration and set up a PTT with a NEC employee to assist in rebuilding the Provincial structure.

##### 8.10.3 the NWC further has the discretion to recommend to the NEC, any intervention it deems fit in the circumstances.]

## CHAPTER 9: SOURCES OF FUNDING AND THE BANK ACCOUNT

#### 9.1 Sources of Funding

The funding sources of the organization shall include but are not limited to the following:

- (a) Money contributed by members.
- (b) Money accruing from fundraising activities.
- (c) Donations from donors and beneficiaries.
- (d) Loans.
- (e) Government and its line ministries.

- (f) Profits from output sales.
- (g) Sponsorships
- (h) Pledges

## 9.2 Bank Accounts

- a) Bank account(s) of the PBICT shall be opened with any bank agreed upon by the NEC and the PAGM. The same members may further decide on other such financial institutions.
- b) The NEC shall further facilitate the opening of Provincial bank accounts that will be subsidiary accounts under the main account;
- c) Except as may otherwise be authorized by the NEC, the following NEC or PEC members shall each, be signatories on the organizations bank account(s) at any material withdrawal.
  - i. The President/Chairperson
  - ii. The Secretary
  - iii. The Treasurer.
- d) In the event of an intention to withdraw money exceeding R 10 000 the NEC/PEC **through its Treasurer and in consultation with the NEC and/or PEC** shall have to first approve **such a transaction via a resolution.**
- e) Unless as may otherwise be authorized by the NEC/PEC, the Treasurer shall not keep in his official or personal possession any of the organization's money either received or not spent for a period exceeding five working days.

## CHAPTER 10: ELECTION PROCEDURE

Add electronic means to have NGC –

- 10.1 Nominations shall be conducted from the floor.
- 10.2 A name to qualify for a ballot must be seconded by a minimum of 25% of the voting delegates in the adopted credentials.
- 10.3 The secondment of nominations shall be conducted by a show of hands.
- 10.4 If a name has been raised during the nomination and the member accepts the nomination that name cannot be raised again in other positions.

- 10.5 Voting shall be conducted by means of a show of hands if physical meetings are possible or via a secret ballot if the meeting agrees, alternatively the meeting shall be hosted virtually using any approved hosting facility as agreed by the NEC.
- 10.6 NEC elections shall be held every three (3) years at the NGC and the voting process shall be conducted by an independent body preferable the IEC or by an independent elections committee.
- 10.7 PEC elections shall be held annually and the PAGM and the voting process shall be conducted by the Office of the General Secretary and observed by not more than three independent observers nominated by that Province. Disputes shall be referred to a committee of established by the NEC which shall be led by the Chairperson of the NEC, the Observers shall form part of that dispute committee.
- 10.8 NEC Officials may not hold the same position for more than 2 terms and PEC Officials may not hold the same position for more than 3 terms.
- 10.9 Voting must be done by voting delegates only as set out in this constitution.
- 10.10 Handling and taking over of offices shall be done within five (5) working days from the date of elections.
- 10.11 Should any committee of the PBICT fail to hold meetings within thirty (30) days from the end of their term of office the members have a right to establish an interim structure that will convene the elective conference or meeting and elect the new structure. In such cases disciplinary proceedings must be instituted against the outgoing Officials.
- 10.12 In case of a deadlock the President will have the right of veto in the NEC however in the PEC the Chairperson has right of veto.

## CHAPTER 11: AMENDMENTS

- 11.1 A member wishing to propose any amendment to this constitution shall give notice of such proposal by sending it to the Secretary General at least two months before the meeting of the NGC.
- 11.2 On receipt of such proposal, the secretary shall circulate copies of the same to all members.
- 11.3 An amendment shall be affected by a majority vote of two thirds of the members present but entitled to vote at the NGC.
- 11.4 An amendment may be proposed by the NEC to the NGC without following the process above if it is in the interest of the organization and motivated.

## CHAPTER 12: DISSOLUTION

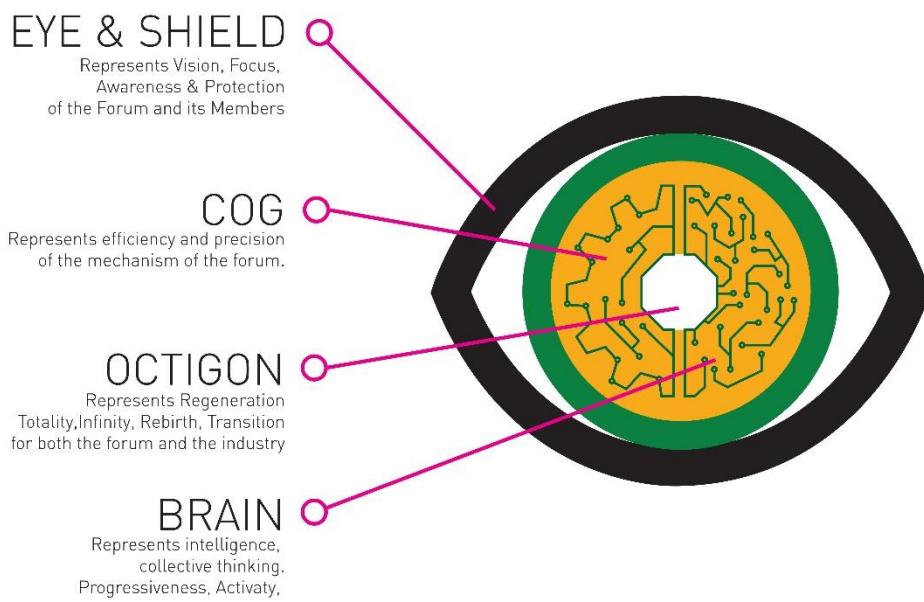
- 12.1 In the event of an admission that the objectives of the PBICT have failed to be attained by two thirds of the registered members, any member may upon such a basis move a motion of dissolution during the NGC.
- 12.2 Subject to the provisions of this Constitution, the matter of dissolution shall only be affected if the motion is duly debated and carried by three quarters of the registered members provided that the proposal to move such a motion shall have been included on the agenda.
- 12.3 In the event of dissolution and after settlement of the liabilities of the PBICT, NGC shall appoint a caretaker committee to dispose of the assets of the PBICT in a manner to be determined by the NGC.

## CHAPTER 13: INTERPRETATION

- 13.1 Any disputes arising out of the interpretation of this constitution that may fail to be settled by the NEC or the NGC.
- 13.2 In this constitution unless the context otherwise requires, any references to the male sex includes the female sex.

## APPENDIX "1"

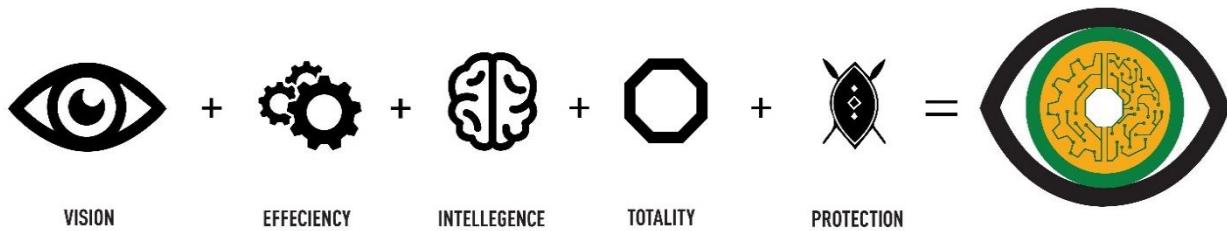
### LOGO AND COLOURS OF THE PROGRESSIVE BLACKS IN INFORMATION AND COMMUNICATION TECHNOLOGY



#### COLOURS

<b>BLACK REPRESENTS</b> Power, Black People, Power, Elegance, Formality
<b>GREEN REPRESENTS</b> Color of life, Renewal, Nature, Energy, Growth, Harmony, Freshness, Safety, Fertility, Environment, Ambition.
<b>GOLD REPRESENTS</b> Sunshine, Hope, Happiness, Freshness, Happiness, Positivity, Clarity, Energy, Optimism, Enlightenment, Remembrance, Intellect, Honor, Loyalty, Joy, Illumination, Love, Compassion, Courage, Passion, Magic, Wisdom, Wealth, Grandeur, Prosperity.

Combined they form 3 of the 4 PAN AFRICAN Colours.  
A True reflection of African & Black representation.



This Amended PBICT Constitution having been duly adopted by resolution of the NGC on the 3<sup>rd</sup> and 4<sup>th</sup> November 2018 and as further amended at the 3<sup>rd</sup> National General Council held on 29<sup>th</sup> - 30<sup>th</sup> May 2020

**Accented by:**



---

**National Chairperson**

As custodian of all adopted policies in terms of section 8.6.4.3.a)

Date: 30/09/2020



---

**President**

As the overall chief directing officer in terms of section 8.6.4.1.a)

Date: 30/09/2020

