



MK LABOUR DESK TRAINING ACADEMY

FULL CONSTITUTION

Short Name: MKLDTA

Adoption Date: 14 August 2026

1. NAME AND SHORT TITLE

- The name of the organisation shall be MK Labour Desk Training Academy.
- The shortened name of the organisation shall be MKLDTA. The short name may be used on official correspondence, membership cards, training materials, notices, branding and other official documents.
- The organisation shall be referred to in this Constitution as “the Academy”.

2. LEGAL STATUS

- The Academy is a voluntary, non-profit organisation established for public-benefit and community-development purposes.
- The income and property of the Academy shall not be distributed to members or office-bearers, except for reasonable remuneration for genuine services rendered and reimbursement of properly authorised expenses.
- The Academy shall operate in accordance with this Constitution and the laws of the Republic of South Africa.

3. REGISTERED OFFICE AND AREA OF OPERATION

- The principal office shall be at an address determined by the Governing Board and recorded in the Academy’s official records.
- The Academy may operate throughout South Africa and may establish branches, training centres and lawful partnerships in other areas.

4. VISION

- To build an informed, skilled, empowered and economically active society through labour education, workplace training, leadership development and practical skills.

5. MISSION

- To provide accessible, quality training and development that improves knowledge of labour rights, workplace responsibilities, leadership, skills development, entrepreneurship and community development.

6. OBJECTIVES

- The Academy shall: provide training on labour law, workplace rights and responsibilities; train shop stewards and worker representatives; provide leadership and organisational development; promote skills development, employability and entrepreneurship; conduct workshops, seminars and conferences; promote awareness of the Constitution and human rights; conduct research and publish educational material; support youth, women, workers and unemployed persons; and enter into lawful partnerships that advance these objectives.

7. PRINCIPLES

- The Academy shall be guided by accountability, transparency, integrity, equality, dignity, non-discrimination, democratic participation, respect for the law and responsible leadership.

- The Academy may engage with labour, political, civic, business, educational and community organisations where such engagement is lawful and advances its objectives.

8. MEMBERSHIP

- Membership shall be open to persons who support the objectives of the Academy and agree to comply with this Constitution.
- Membership categories may include ordinary, associate, student/trainee and honorary members.
- The Governing Board may establish membership procedures and fees, subject to approval where required by the General Meeting.

9. RIGHTS AND DUTIES OF MEMBERS

- Members in good standing may participate in programmes, attend meetings, receive organisational information and vote where their membership category permits.
- Members shall uphold this Constitution, protect Academy property and reputation, provide accurate information, pay approved fees and comply with lawful decisions.

10. GOVERNING STRUCTURE

- The General Meeting of members shall be the supreme decision-making body.
- Between General Meetings, the Academy shall be administered by a Governing Board.
- The Governing Board may establish committees, branches, training committees and advisory structures.

11. OFFICE-BEARERS

- The Governing Board shall include a President/Chairperson, Deputy President/Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and additional members as determined by the General Meeting.
- Additional portfolios may include Training and Education, Labour Relations, Communications, Organising, Membership, Legal/Compliance, Youth and Women Development.

12. DUTIES OF OFFICE-BEARERS

- The President/Chairperson shall provide leadership, chair meetings and oversee implementation of decisions.
- The Secretary shall keep minutes, records, notices and correspondence.
- The Treasurer shall oversee budgets, banking, payments, accounting records and financial reporting.
- Deputies shall assist their respective office-bearers and act in their place when authorised.

13. ELECTIONS AND TERM

- Office-bearers shall be elected at an AGM or properly convened elective General Meeting.
- The term of office shall be five years unless the General Meeting determines another lawful term.
- Office-bearers may be re-elected. Vacancies may be filled on an interim basis until the next General Meeting.

14. GENERAL MEETINGS

- An Annual General Meeting shall be held once during every financial year.
- The AGM shall consider reports, finances, programmes, elections when due, amendments and other notified business.
- A Special General Meeting may be called by the Governing Board or by written request of at least one-third of members in good standing.
- Ordinary meeting notice should normally be at least fourteen days.

15. QUORUM AND VOTING

- The quorum for a General Meeting shall be one-third of members entitled to vote, subject to any lawful rule adopted by the General Meeting.
- Decisions shall normally be by simple majority.
- Each voting member shall have one vote.
- The chairperson may have a casting vote in the event of a tie.

16. GOVERNING BOARD MEETINGS

- The Governing Board shall meet as necessary and preferably at least quarterly.
- Board decisions shall be recorded in minutes.
- A simple majority of serving Board members shall constitute a quorum unless otherwise lawfully determined.
- Members of the Board shall disclose conflicts of interest and recuse themselves where appropriate.

17. FINANCE AND BANKING

- All funds shall be used solely to advance the objectives of the Academy.
- The Academy shall maintain a bank account in its own name.
- At least two authorised office-bearers should approve payments where reasonably practicable.
- Proper accounting records, receipts, invoices, vouchers, bank statements and asset records shall be maintained.
- The financial year shall run from 1 April to 31 March unless lawfully changed.
- Financial statements and reports shall be prepared as required by law and this Constitution.

18. ASSETS AND PROPERTY

- Academy property belongs to the Academy and not to individual members.
- Assets shall be used only for organisational purposes and shall be protected against unauthorised disposal or personal use.

19. REMUNERATION AND EXPENSES

- Office-bearers shall not receive profit distributions because of their office.
- Reasonable remuneration may be paid for genuine services properly authorised by the Academy.
- Reasonable and properly documented expenses may be reimbursed.

20. TRAINING AND CERTIFICATION

- The Academy shall establish standards for its training programmes.
- Certificates may be issued to participants who meet programme requirements.
- The Academy shall not claim accreditation, registration or recognition that it has not actually received.
- The Academy may partner with accredited institutions and professional bodies.

21. DISCIPLINE AND COMPLAINTS

- Misconduct may include fraud, theft, harassment, discrimination, abuse of Academy resources, serious reputational harm or material breach of this Constitution.
- No disciplinary sanction shall be imposed without giving the affected person a fair opportunity to respond.
- The Governing Board may adopt disciplinary and appeals procedures.

22. CONFLICT OF INTEREST

- Office-bearers shall disclose actual, potential or perceived conflicts of interest.
- The disclosure shall be recorded, and the affected person may be required to withdraw from the relevant discussion or decision.

23. RECORDS, CONFIDENTIALITY AND PERSONAL INFORMATION

- The Academy shall maintain appropriate membership, governance, financial, training and asset records.
- Personal information shall be handled responsibly and, where applicable, in accordance with the Protection of Personal Information Act and other relevant law.
- Confidential information obtained through official duties shall not be improperly disclosed.

24. BRANCHES AND PARTNERSHIPS

- The Governing Board may establish branches and local structures subject to approved rules.
- Branches remain accountable to the Academy and may not create obligations in the Academy's name without authority.
- The Academy may enter into lawful cooperation agreements and partnerships.

25. AMENDMENT OF THE CONSTITUTION

- This Constitution may be amended by a resolution at a properly convened General Meeting.
- Members shall receive reasonable notice of the proposed amendment.
- An amendment should require a two-thirds majority of members present and entitled to vote, unless a higher threshold is required by law.
- Where the Academy is registered as an NPO, amendments and name changes shall be submitted to the relevant authority as required by law.

26. DISSOLUTION

- The Academy may be dissolved by a resolution of a General Meeting called specifically for that purpose.
- After lawful debts and liabilities are settled, remaining assets shall not be distributed to members or office-bearers.
- Remaining assets shall be transferred to another non-profit/public-benefit organisation with substantially similar objectives, as permitted by law.

27. DISPUTE RESOLUTION

- Disputes concerning this Constitution shall first be addressed through internal discussion and, where appropriate, mediation.
- Nothing prevents a person from exercising a legal right or approaching a competent authority or court.

28. COMPLIANCE WITH LAW

- The Academy shall comply with the Constitution of the Republic of South Africa and all applicable legislation.
- If registered as a nonprofit organisation, the Academy shall comply with the Nonprofit Organisations Act 71 of 1997, as amended, and applicable reporting requirements.
- If any provision conflicts with mandatory law, the mandatory law prevails to the extent of the conflict.

29. ADOPTION

This Constitution was considered and adopted by the founding members/General Meeting of MK Labour Desk Training Academy.

Adoption Date: 14 August 2026

Place: Durban

President/Chairperson: _____

Signature: _____

Secretary: _____

Signature: _____